

BOARD OF TRUSTEES

Carmen. Hulu Lindsey, Chairperson
 Mililani Trask, Vice Chairperson
 Dan Ahuna, Trustee Kaua'i & Ni'ihau
 Kaleihikina Akaka, Trustee O'ahu
 Keli'i Akina, Trustee At-Large
 Luana Alapa, Trustee Moloka'i & Lāna'i
 Brickwood Galuteria, Trustee At-Large
 Keoni Souza, Trustee At-Large
 John Waihe'e IV, Trustee At-Large



**STATE OF HAWAII
 OFFICE OF HAWAIIAN AFFAIRS**

MEETING OF THE BOARD OF TRUSTEES

DATE: Thursday, March 23, 2023

TIME: 10:00 A.M.

PLACE: Virtual Meeting
 560 N. Nimitz Hwy.
 Honolulu, HI. 96817

Viewable at www.oha.org/livestream Or

Listen by phone: (213) 338-8477, Webinar ID: 839 6509 4522

This virtual meeting can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listened by phone using the call-in information above. A physical meeting location, open to members of the public who would like to provide oral testimony or view the virtual meeting, will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. All members of the public that wish to access the physical meeting location must pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.

AGENDA

I. Call to Order

II. Approval of Minutes

1. February 23, 2023

III. New Business

A. Committee on Beneficiary Advocacy and Empowerment

1. 2023 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2, March 15, 2023
2. 2023 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3, March 15, 2023
3. 2023 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2†, March 22, 2023
4. 2023 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†, March 22, 2023

B. Committee on Resource Management

1. Action Item RM #23-06: Receipt of Unspent Grant Dollars and Physical Fiscal Records from the AKAMAI Foundation Related to a Grant from the OHA for the Use and Benefit of Na'i Aupuni†
2. Action Item RM #23-07: Approval of the OHA Financial Statements with Independent Auditor's Report for the Year ended June 30, 2022; and the OHA Report of Independent Certified Public Accountants in Accordance with Government Auditing Standards and Uniform Guidance, Year Ended June 30, 2022†
3. Action Item RM #23-08: Approval of OHA funding for an Event Sponsorship for the Waimanalo Kanikapila event†

C. Administration to Report to Board of Trustees the Results of the State Auditor's Exit Conference

IV. Community Concerns and Celebrations*(Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will not be accepted)

V. Executive Session†

VI. Announcements

VII. Adjournment

If you need an auxiliary aid/support or other accommodation due to a disability, please contact Everett Ohta at telephone number (808) 594-1988 or by email to everetto@oha.org as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

BOARD OF TRUSTEES

Carmen. Hulu Lindsey, Chairperson
 Mililani Trask, Vice Chairperson
 Dan Ahuna, Trustee Kaua'i & Ni'ihau
 Kaleihikina Akaka, Trustee O'ahu
 Keli'i Akina, Trustee At-Large
 Luana Alapa, Trustee Moloka'i & Lāna'i
 Brickwood Galuteria, Trustee At-Large
 Keoni Souza, Trustee At-Large
 John Waihe'e IV, Trustee At-Large



STATE OF HAWAII OFFICE OF HAWAIIAN AFFAIRS

Meeting materials will be available to the public at least 48-hours prior to the meeting at OHA's main office located at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. Meeting materials will also be available to view at OHA's neighbor island offices and will be posted to OHA's website <https://www.oha.org/bot>.

In the event that the livestream public broadcast is interrupted and cannot be restored, the meeting may continue as audio-only through the phone number and Webinar ID provided at the beginning of this agenda. Meeting recordings are available upon request to BOTmeetings@oha.org until the written meeting minutes are posted to OHA's website.

Public Testimony will be called for each agenda item and must be limited to matters listed on the meeting agenda.

*** Community Concerns and Celebrations is not limited** to matters listed on the meeting agenda. Hawaii's Revised Statutes, Chapter 92, Public Agency Meetings and Records, prohibits Board members from discussing or taking action on matters not listed on the meeting agenda.

† Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.

Testimony can be provided to the OHA Board of Trustees either as: (1) **written testimony emailed** at least 24 hours prior to the scheduled meeting, (2) **written testimony mailed** and received at least two business days prior to the scheduled meeting, or (3) live, **oral testimony online or at the physical meeting location** during the virtual meeting.

- (1) Persons wishing to provide **written testimony** on items listed on the agenda should submit testimony via **email** to BOTmeetings@oha.org at least **24 hours prior** to the scheduled meeting or via **postal mail** to Office of Hawaiian Affairs, Attn: Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817 **to be received at least two business days prior** to the scheduled meeting. Any testimony received after these deadlines will be late testimony and will be distributed to the Board members after the scheduled meeting.

- (2) Persons wishing to provide **oral testimony online** during the virtual meeting must first register at:
https://us06web.zoom.us/webinar/register/WN_mrgCXg-6QKSbRT7X9uHROA

You need to register if you would like to orally testify online. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting, along with further instructions on how to provide oral testimony during the virtual meeting.

To provide oral testimony online, you will need:

- (1) a computer or mobile device to connect to the virtual meeting;
- (2) internet access; and
- (3) a microphone to provide oral testimony.

Oral testimony by telephone/landline **will not** be accepted at this time. Once your oral testimony is completed, you will be asked to disconnect from the meeting. If you do not sign off on your own, support staff will remove you from the Zoom meeting. You can continue to view the remainder of the meeting on the livestream or by telephone, as provided at the beginning of this agenda.

- (3) Persons wishing to provide **oral testimony at the physical meeting location** can sign up the day-of the meeting at the physical meeting location.

Oral testimony online or at a physical meeting location will be limited to five (5) minutes.

Trustee Carmen Hulu Lindsey
 Chairperson, Board of Trustees

3/17/2023
 Date

Office of Hawaiian Affairs
Meeting of the Board of Trustees
March 23, 2023
10:00 A.M.

II. Approval of Minutes

1. February 23, 2023

- *All attachments will be added to the minutes once approved.*

DRAFT

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

Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listened by phone: (213) 338-8477, Webinar ID: 827 6144 2366 A physical meeting location open to the general public will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu HI 96817. All members of the public that wish to access the physical meeting location must pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.

Minutes of the Office of Hawaiian Affairs
Board of Trustees
MINUTES
February 23, 2023

ATTENDANCE:

Chairperson Carmen Hulu Lindsey
Trustee Dan Ahuna
Trustee Kaleihikina Akaka
Trustee Keli'i Akina
Trustee Luana Alapa
Trustee Brickwood Galuteria
Trustee J. Keoni Souza
Trustee Mililani Trask
Trustee John Waihe'e, IV

BOT STAFF:

Lehua Itokazu, Board Secretary
Amber Kalua, Trustee Aide
Kanani Iaea, Trustee Aide
Evalani Canto, Trustee Aide
LeiAnn Durant, Trustee Aide
Kauikeaolani Wailehua, Trustee Aide
Richelle Kim, Trustee Aide
Ruben Sierra, Trustee Aide

ADMINISTRATION:

Sylvia Hussey, CEO
Casey Brown, COO
Ramona Hinck, CFO
Everett Ohta, Interim General Counsel
Capsun Poe, Community Engagement Dir. &
Interim Chief Advocate
Nietzsche Ozawa, Interim Senior Legal Counsel
Lei-Ming Ayat Verdadero, BSA Mngr.
Tiger Li, IT Support
Dan Santos, IT Support
Erin Nakamura, IT Support
Arlene Aguinaldo, IT Support

GUEST:

Davianna McGregor
Kamaile Aluli
Shavon Aluli
Hayden Aluli
Derek and Kylee Mar
Kamealoha Hanohano Pa Smith
Sherri Cummings
Mahealani Cypher
Kevin, AVCO

Call to Order

Chair Hulu Lindsey Calls the Board of Trustees Meeting to order for Thursday, February 23, 2023, at 10:00 a.m. Board Secretary, please do a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	DAN	AHUNA	X	
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI'I	AKINA	X	
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRICKWOOD	GALUTERIA	X	
TRUSTEE	J. KEONI	SOUZA		Arrives at 10:27 am
TRUSTEE	MILILANI	TRASK	X	
TRUSTEE	JOHN	WAIHE'E	X	
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			8	

At the Call to Order, **eight (8)** Trustees are PRESENT, thereby constituting a quorum.

Chair Hulu Lindsey Aloha kākou everyone and welcome to our Board of Trustees meeting. The virtual meeting can be viewed and observed via livestream on OHA's website at www.oha.org/livestream. Before we begin, I would like note that items III.B. 3 & 4 and III.C. 1 were recieved under the 72 hour deadline. Also, due to a full agenda, item III.E. will be deferred to a later Board of Trustees meeting if needed. Let me go over some quick announcements. Please mute your mics when you are not speaking, this is important for those who are joining us from their own computers outside. Our staff will mute you if needed due to feedback. We are recording today's meeting for the sole purpose of producing written minutes, which will become the official record of this meeting.

Joining the Trustees today is my staff, my Aides-Kanani Iaea and Amber Kalua, and Board Secretary-Lehua Itokazu. We have with us today Sylvia Hussey, CEO. I will ask Sylvia to introduce staff that are with us today.

Sylvia Hussey, CEO Thank you Chair, today from administration is our COO-Casey Brown, CFO-Ramona Hinck, Interim General Counsel-Everett Ohta, Interim Sr. Legal Counsel-Nietzsche Ozawa, Community Engagement Director and Interim Chief Advocacy Director-Capsun Poe, and staffed onsite with IT, as well as online with Erin and Arlene.

Chair Hulu Lindsey Mahalo. Our first item on the agenda is the approval of minutes. Do we have anyone signed up to speak on any of the minutes listed on the agenda?

Board Secretary There is no one signed up to speak on the minutes.

Approval of Minutes

1. October 7, 2022
2. October 13, 2022
3. October 27, 2023

4. December 12, 2022
5. January 12, 2023
6. January 26, 2023

Chair Hulu Lindsey I will entertain a motion to approve items one, two, and three.

1. October 7, 2022
2. October 13, 2022
3. October 27, 2023

Trustee Akina So moved.

Trustee Ahuna Seconds the motion.

Trustee Akina Moves						
<u>Approve the following minutes:</u>						
October 7, 2022						
October 13, 2022						
October 27, 2023						
Trustee Ahuna Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA		X	X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA	X		X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA						Arrives at 10:27 am
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E			X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Eight (8) Yes votes, Zero (0) No votes, and Zero (0) Abstentions.						

Chair Hulu Lindsey We will take the next three minutes on the agenda for a vote. I will entertain a motion.

Trustee Akina moves to approve the following minutes

4. December 12, 2022
5. January 12, 2023
6. January 26, 2023

Trustee Ahuna Seconds the motion.

Trustee Akina Moves						
<u>Approve the following minutes:</u>						
4. December 12, 2022						
5. January 12, 2023						
6. January 26, 2023						
Trustee Ahuna Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA		X	X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA	X		X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA						Arrives at 10:27 am
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E			X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Eight (8) Yes votes, Zero (0) Excused votes and Zero (0) Abstentions						

New Business

Chair Hulu Lindsey Moving on to item III. New Business.

- A. Action Item BOT #23-02: Approval of an OHA Board of Trustees' Honorary Resolution Honoring the Contributions of Noa Emmett 'Auwae Aluli, M.D. to the Native Hawaiian Community, the Aloha 'Āina

Movement, the State of Hawai‘i and to Indigenous Health Worldwide

Board Secretary There is one person signed up, Mahealani Cypher.

Mahealani Cypher I would like to applaud the contributions of Dr. Aluli. We are grateful for all of his lifetime work and contributions to our Hawaiian community, mahalo.

Chair Hulu Lindsey I will call on Trustee Alapa to read the resolution.

Trustees Alapa reads the following.

A Resolution of the Office of Hawaiian Affairs

"HONORING THE CONTRIBUTIONS OF EMMETT 'AUWAE ALULI, M.D., TO THE NATIVE HAWAIIAN COMMUNITY, THE ALOHA 'ĀINA MOVEMENT, THE STATE OF HAWAII AND TO INDIGENOUS HEALTH WORLDWIDE"

WHEREAS, Nos Emmett 'Auwae Aluli, M.D., was born on Jan. 16, 1944, in Kalahelepaku, O'ahu, to Nos Tong Aluli and the former Ko'uleimokilana Cockett, and is a descendant of noted Hawaiian patriot and anti-annexationist Emma 'A'ima A'ii Nāwahi, whose husband was Joseph Nāwahi; and

WHEREAS, Dr. Aluli was raised in Kailua, Ko'olāpoko, O'ahu, graduating from Saint Louis College in 1962; and

WHEREAS, Dr. Aluli attended Marquette University in Milwaukee, Wisconsin, where he earned a Bachelor of Science degree in 1966; and

WHEREAS, Dr. Aluli was one of just five Native Hawaiians in the first cohort of medical doctors at the University of Hawai'i John A. Burns School of Medicine (JABSOM) where he earned a Doctor of Medicine degree in 1975; and

WHEREAS, after completing a family health residency on Moloka'i in 1975, Dr. Aluli began a 46-year medical practice at the Moloka'i Family Health Center; and

WHEREAS, Dr. Aluli served as Medical Director of Moloka'i General Hospital for a portion of his medical career and in that capacity raised \$17 million, including funds from the Office of Hawaiian Affairs, to upgrade the trauma unit and install a CAT scan machine. He also set up the Kūia Alii cancer navigation program, established consistent medical specialty clinics, and led the initiative to establish dialysis services, hospice care, home health services, and the first telemedicine service for Moloka'i.

WHEREAS, throughout his medical career Dr. Aluli pioneered a distinctively Native Hawaiian approach to health care in rural Hawaiian communities believing that the health and wellbeing of each patient must be understood in the context of their 'olama, genealogy, lifestyle, and 'āina; and

WHEREAS, Dr. Aluli emphasized specialized care for kūpuna and even made home visits; and

WHEREAS, Dr. Aluli acknowledged Moloka'i Ku'i Lī'au (Moloka'i of the Strong Medicine) and those trained in this traditional Hawaiian plant-based medicine, and involved Native Hawaiian healers and Hawaiian medicine in family health care at his clinic, the Moloka'i Family Health Center; and

WHEREAS, in 1983, Dr. Aluli contributed to the original E Ola Mau Health Study, a seminal report that established the baseline health status of Native Hawaiians; and

WHEREAS, Dr. Aluli sought the 'ike of kūpuna who helped him develop a traditional foods diet to address excessive rates of diabetes, heart disease, and obesity on Moloka'i resulting in the *Moloka'i Heart Study* wherein participants effectively reduced their risk factors; and

WHEREAS, Dr. Aluli's research, in collaboration with the late Kekuni Blaisdell, M.D., and clinical dietitian Dr. Claire Hughes, served to cement in medical journals the inherent value of traditional Hawaiian food diets; and

WHEREAS, his research studies on Moloka'i were critical to highlighting health disparities of Native Hawaiians; and

WHEREAS, Dr. Aluli initiated community-based participatory research on Moloka'i, laying the groundwork for Indigenous health data sovereignty in Hawai'i to empower Native Hawaiian communities; and

- Continued -

A Resolution of the Office of Hawaiian Affairs

"HONORING THE CONTRIBUTIONS OF EMMETT 'AUWAE ALULI, M.D., TO THE NATIVE HAWAIIAN COMMUNITY, THE ALOHA 'ĀINA MOVEMENT, THE STATE OF HAWAII AND TO INDIGENOUS HEALTH WORLDWIDE"

WHEREAS, in 1985, Dr. Aluli co-founded Nā Pu'uwa'i, Inc. a community-based Native Hawaiian organization on the island of Moloka'i dedicated to the betterment of health conditions of Native Hawaiians as an advisory committee to the Moloka'i Heart Study in collaboration with the University of Hawai'i, the World Health Organization and the Office of Hawaiian Affairs; and

WHEREAS, Dr. Aluli helped to draft the Native Hawaiian Health Care Improvement Act and lobbied until it was passed by the U.S. Congress and signed into law in 1988; and

WHEREAS, this groundbreaking federal legislation was foundational and led to the establishment of the Native Health Care System, Papa Ola Lōkahi and the Native Hawaiian Health Scholarship Program; and

WHEREAS, in 1998, Dr. Aluli co-founded 'Ahauni O Nā Kūka, the Native Hawaiian Physicians Association, along with Dr. Blaisdell and the late Clayton Chong, M.D.; and

WHEREAS, Dr. Aluli was a longtime board member of 'Ahauni O Nā Kūka which today has more than 300 members and is part of the international Pacific Region Indigenous Doctors Congress; and

WHEREAS, Dr. Aluli was an Adjunct Assistant Medical Professor who trained and mentored UH John A. Burns School of Medicine and other medical students, residents, and Moloka'i High School students in his specialized Moloka'i aloha rural health care model; and

WHEREAS, Dr. Aluli served as co-Principal Investigator of Hui Kanawao Ka Liko - A Generational Study of Heart Health among Hawaiians living on Moloka'i; and

WHEREAS, Dr. Aluli's passion for improving the health of Indigenous peoples extended beyond Hawai'i pae 'āina and he maintained an extensive international network of Indigenous health care providers and healers; and

WHEREAS, while completing his medical residency in Moloka'i in the 1970s, Dr. Aluli became actively involved in Indigenous land rights issues on the island of Moloka'i initially working to protect Hawai'i's subsistence lifestyle as part of Hui Ala Loa; and

WHEREAS, Hui Ala Loa advocated for ocean access rights through Moloka'i Ranch, and successfully stopped development that would have destroyed prominent landmark Kaika Rock: a fishing ko'a (shrine) and house sites at Kawikimua; village complexes; a pu'uhouma at Kawela; and the Pūko'o fishpond; and

WHEREAS, as a community activist Dr. Aluli helped to found the Protect Kaho'olawe 'Ohana (PKO) and the Aloha 'Āina movement; and

WHEREAS, Dr. Aluli was one of the celebrated "Kaho'olawe Nine" who staged the first occupation of Kaho'olawe in January 1976; and

WHEREAS, the heroic efforts of the PKO to stop the military bombing of the sacred island of Kaho'olawe was a hiatus - a turning point - in modern Hawaiian history; and

WHEREAS, Dr. Aluli emerged as leader of the PKO following the tragic disappearance at sea of George Helm and Kimo Mitchell in 1977; and

WHEREAS, in this capacity, Dr. Aluli served on the congressional Kaho'olawe Island Conveyance Commission; and

WHEREAS, as a result of these efforts the use of Kaho'olawe as a military target was halted by then-President George H. W. Bush in 1990; and

- Continued -

A Resolution of the Office of Hawaiian Affairs

**"HONORING THE CONTRIBUTIONS OF
EMMETT 'AUWAE ALULI, M.D., TO THE NATIVE
HAWAIIAN COMMUNITY, THE ALOHA 'ĀINA
MOVEMENT, THE STATE OF HAWAII AND TO
INDIGENOUS HEALTH WORLDWIDE"**

WHEREAS, as a further result of these efforts, in 1994, after half a century of military occupation by the U.S. Navy, control of Kaho'olawe was transferred to the State of Hawaii for use as a cultural preserve overseen by the Kaho'olawe Island Reserve Commission with the Navy conducting a massive cleanup of ordnance on the island; and

WHEREAS, Dr. Ahuli was instrumental in crafting the state law mandating that the state hold Kaho'olawe in trust for eventual transfer to a sovereign Hawaiian Nation; and

WHEREAS, to facilitate this future transfer, Dr. Ahuli helped draft a constitution to re-establish the Native Hawaiian Nation as a delegate to the 'Aha 2016 Hawaiian Constitutional Convention; and

WHEREAS, with spiritual guidance of four generations of the Edith Kanaka'ole 'Ohana, Dr. Ahuli led the PKO's revival of Native Hawaiian cultural and spiritual practices and ceremonies, most prominently, re-establishing the annual Makahiki ceremony in January 1982 at Kaho'olawe and expanding Makahiki celebrations throughout the islands; and

WHEREAS, since the 1980s, the work – and success – of the PKO as kahu'āina (cultural and spiritual stewards of the land) has inspired 'Ōiwi across the pae 'āina to stand up against the ruling powers and demand justice and pono for our 'āina and people; and

WHEREAS, Dr. Ahuli, whose personal motto was: "The health of the land, is the health of our people, is the health of our nation" leaves an inspiring and enduring legacy for the generations that follow now, therefore,

BE IT RESOLVED, that the OHA Board of Trustees acknowledge and hold in high esteem Dr. Noa Emmett 'Auwae Aluli's exemplary contributions to our ihihi both as a pioneering medical professional and as a social/political activist; and

BE IT FURTHER RESOLVED, that the OHA Board of Trustees expresses its recognition of Dr. Ahuli's nearly five decades of tireless leadership as a founder of the Aloha 'Āina movement and the Protect Kaho'olawe 'Ōhana, and notes that his example of courage and resistance in standing up to the U.S. military not only resulted in real and lasting change, but has inspired generations of young Hawaiians to stand against injustice; and

BE IT FURTHER RESOLVED, that the OHA Board of Trustees expresses its appreciation for Dr. Ahuli's extraordinary devotion to the health of the Hawaiian people, both systemically as a driving force to change federal laws that resulted in an influx of federal health care dollars for the Native Hawaiian community for more than 30 years directly benefiting thousands in the ihihi, and at the community level where he served as a family practitioner to the people of his beloved Moloka'i for 46 years; and

BE IT FURTHER RESOLVED, that a certified copy of the Resolution be transmitted to his beloved wahine Dr. Deviana Pōmaika'i McGregor and their 'ohana; and

ADOPTED, this 23rd day of February, 2023, Island of O'ahu, State of Hawaii, by the Board of Trustees of the Office of Hawaiian Affairs.

– Continued –

Trustee Alapa I would like to make the motion to move The Office of Hawaiian Affairs, Board of Trustees, to approve the attached "Honorary Resolution Honoring the Contributions of Noa Emmett 'Auwae Aluli, M.D. to the Native Hawaiian Community, the Aloha 'Āina Movement, the State of Hawai'i and to Indigenous Health Worldwide".

Trustee Ahuna Seconds the motion.

Trustee Alapa Moves

The Office of Hawaiian Affairs, Board of Trustees, to approve the attached "Honorary Resolution Honoring the Contributions of Noa Emmett 'Auwae Aluli, M.D. to the Native Hawaiian Community, the Aloha 'Āina Movement, the State of Hawai'i and to Indigenous Health Worldwide".

Trustee Ahuna Seconds the motion.

	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA		X	X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA						Arrives at 10:27 am

TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E			X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Eight (8) Yes votes, Zero (0) No votes and Zero (0) Excused.						

Chair Hulu Lindsey At this time, I would like to call upon Davianna if she would like to offer a few words.

Davianna McGror Aloha kākou, thank you so much. I want to acknowledge here with me is Emmett's niece, Kamaile Aluli, Noelani Aluli, Hayden Aluli, Derek and Kylee Mar. All of us are very grateful for the acknowledgment you give to our beloved Dr. Aluli today. To review all that he accomplished, his brilliance, his vision, is truly amazing for us. We just honor his lifetime of commitment to improve the well-being of our Native Hawaiian people and to protect our 'āina for future generations. We are committed to continue his legacy, especially for the health care and for the people of Moloka'i. The need for health care has become critical. We thank OHA, I feel so grateful to the Trustees for this honor and acknowledging him today. Mahalo nui loa.

Chair Hulu Lindsey Thank you. At this time, I will call a five-minute recess.

Recess is taken at 10:22 a.m.

Returned from recess at 10:25 a.m.

Chair Hulu Lindsey Mahalo nui to all of you joining us today and for allowing us, the Office of Hawaiian Affairs, to honor such an incredible individual who has contributed greatly to our lāhui, Dr. Noa Emmett 'Auwae Aluli, mahalo. Moving on to our next item, do we have anyone signed up to speak on any of the items listed under III.B.

Board Secretary Yes, we have one person.

Mahealani Cypher Aloha mai kākou, several of you were on the Board back in 2016 when we last came before you to discuss this matter, it was about the cultural preserve in Ha'ikū Valley. The valley contains a complex of wahi kapu, and those were put on hold for many years while the military controlled the valley. When it was turned over to Hawaiian Homelands in 1997/1998, the military moved out and Hawaiian Homelands have not been able to do anything with the valley. Our Ko'olau Foundation is hoping to create a cultural preserve. We have been working with volunteers to clear out alien vegetation on one of the heiau. We hope to create the culture preserve to preserve and recognize the other sites on the complex, to restore the Hawaiian forest, and provide opportunities for learning from the environment in Ha'ikū. It is a good place to be teaching our young people. One of the legislators asked to introduce a bill similar to a previous bill that was passed through and then veto by the Governor. It is now introduced by our Representative Lisa Kitakawa. We are hoping that OHA will be open to having the land, whether it is leased or transferred, since Hawaiian Homelands is unable to use this land for any usable purpose. This place is waiting for our Hawaiian community and general community to

mālama this area. We offer this mana‘o about the bill and we hope OHA will remain neutral on the bill until we can discuss it further. We are open to any questions that you may have.

Chair Hulu Lindsey Thank you Mahealani. I will now call on Trustee Akaka

B. Committee on Beneficiary Advocacy and Empowerment

**1. 2023 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2,
February 8, 2023**

Trustee Akaka Chair, your Committee on Beneficiary Advocacy and Empowerment, having met on February 8, 2023 and after full and free discussion, recommends approval of the following motion to the Board of Trustees:

Motion 1:

Move to approve Administration’s recommendations on: NEW BILLS (Items 2 and 17) as listed on Matrix 2 -- Bill Positions Related to Measures Naming OHA – dated February 8, 2023, along with the following revisions:

BILL POSITION CHANGES:

Item 2, HB237 from SUPPORT to HIGH MONITOR

Item 17, HB1313 from SUPPORT WITH AMENDMENTS to COMMENT

Item 20, SB52 from COMMENT to OPPOSE

Item 21, SB32 from COMMENT to OPPOSE

Item 24, HB66 from COMMENT to OPPOSE

Trustee Waihe‘e Seconds the motion.

Trustee Akaka Moves						
Move to approve Administration’s recommendations on: NEW BILLS (Items 2 and 17) as listed on Matrix 2 -- Bill Positions Related to Measures Naming OHA – dated February 8, 2023, along with the following revisions:						
<u>BILL POSITION CHANGES:</u>						
Item 2, HB237 from SUPPORT to HIGH MONITOR						
Item 17, HB1313 from SUPPORT WITH AMENDMENTS to COMMENT						
Item 20, SB52 from COMMENT to OPPOSE						
Item 21, SB32 from COMMENT to OPPOSE						
Item 24, HB66 from COMMENT to OPPOSE						
Trustee Waihe‘e Seconds the motion.						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI‘I AKINA			X			

TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Nine (9) Yes votes, One (1) No votes and Zero (0) Excused.						

2. 2023 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3, February 8, 2023

Trustee Akaka Madame Chair, Move to approve Administration's recommendations on: NEW BILLS (Items 1 - 93) as listed on Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians--dated February 8, 2023.

Trustee Waihe'e Seconds the motion.

Trustee Akaka Moves						
Move to approve Administration's recommendations on: NEW BILLS (Items 1 - 93) as listed on Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians--dated February 8, 2023.						
Trustee Waihe'e Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE MILILANI TRASK			X			

TRUSTEE JOHN WAIHE'E		X	X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Nine (9) Yes votes, One (1) No votes and Zero (0) Excused.						

3. 2023 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2†, February 22, 2023

Trustee Akaka Madam Chair, your Committee on Beneficiary Advocacy and Empowerment, having met on February 22, 2023 and after full and free discussion, recommends approval of the following motion to the Board of Trustees:

Motion 1:

Move to approve Administration's recommendations on: NEW BILLS (Items 1 – 2) as listed on Matrix 2 -- Bill Positions Related to Measures Naming OHA – dated February 22, 2023.

Trustee Waihe'e Seconds the motion.

Trustee Akaka Moves						
<u>Motion 1:</u>						
Move to approve Administration's recommendations on: NEW BILLS (Items 1 – 2) as listed on Matrix 2 -- Bill Positions Related to Measures Naming OHA – dated February 22, 2023.						
Trustee Waihe'e Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E		X	X			

CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Nine (9) Yes votes, Zero (0) No votes and Zero (0) Excused.						

4. 2023 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†, February 22, 2023

Trustee Akaka Madame Chair, move to approve Administration’s recommendations on: NEW BILLS (Items 1 - 5) as listed on Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians– dated February 22, 2023.

Trustee Waihe’e Seconds the motion.

Trustee Akaka Moves						
move to approve Administration’s recommendations on: NEW BILLS (Items 1 - 5) as listed on Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians– dated February 22, 2023.						
Trustee Waihe’e Seconds the motion.						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE‘E		X	X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Nine (9) Yes votes, Zero (0) No votes and Zero (0) Excused.						

C. Committee on Resource Management

1. Action Item RM #23-03: FB 2022-2023 Hawaiian-Focused Public Charter School Grants – Part II †

Chair Hulu Lindsey Do we have anyone signed up to testify on this next item?

Board Secretary No one is signed up to testify on this item.

Cahir Hulu Lindsey I will call on Trustee Waihe'e.

Trustee Waihe'e Your Committee on Resource Management, having met on February 22, 2023 and after full and free discussion, recommend the approval of the following actions to the Board of Trustees:

Motion 1:

To approve and authorize the:

- A. Disbursement of \$2,250,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the FB 2022-2023 Hawaiian-Focused Public Charter Schools (HFPCS) grant to Kanu o ka 'Āina Learning 'Ohana (KALO), for the benefit of 15 HFPCS;**
- B. Disbursement of \$450,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the administrative fee for KALO to distribute the funds for 16 HFPCS; and**
- C. Execute a new contract with KALO to affect the authorized actions of this Action Item.**

Trustee Souza Seconds the motion.

Trustee Waihe'e Moves

To approve and authorize the:

- A. Disbursement of \$2,250,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the FB 2022-2023 Hawaiian-Focused Public Charter Schools (HFPCS) grant to Kanu o ka 'Āina Learning 'Ohana (KALO), for the benefit of 15 HFPCS;**
- B. Disbursement of \$450,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the administrative fee for KALO to distribute the funds for 16 HFPCS; and**
- C. Execute a new contract with KALO to affect the authorized actions of this Action Item.**

Trustee Souza Seconds the motion.

	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			

TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA		X	X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E	X		X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Nine (9) Yes votes, Zero (0) No votes and Zero (0) Excused.						

Motion 2:

Trustee Waihe'e Madam Chair, I move to approve and authorize the:

- A. Disbursement of \$150,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the FB 2022-2023 Hawaiian-Focused Public Charter Schools (HFPCS) grant to Kanu o ka 'Āina Learning 'Ohana (KALO), for the benefit of Kanuikapono Public Charter School, Anahola, Kaua'i; and
- B. Execute a new contract with KALO to affect the authorized actions of this Action Item.

Trustee Akaka Seconds the motion.

Trustee Waihe'e Moves						
to approve and authorize the:						
A. Disbursement of \$150,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the FB 2022-2023 Hawaiian-Focused Public Charter Schools (HFPCS) grant to Kanu o ka 'Āina Learning 'Ohana (KALO), for the benefit of Kanuikapono Public Charter School, Anahola, Kaua'i; and						
B. Execute a new contract with KALO to affect the authorized actions of this Action Item.						
Trustee Akaka Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA						Recused
TRUSTEE KALEI AKAKA		X	X			

TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E	X		X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			1 recused
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Eight (8) Yes votes, Zero (0) No votes and One (1) Recused.						

Motion 3:

Trustee Waihe'e Madam Chair I move to approve and authorize the:

- A. Disbursement of \$150,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the FB 2022-2023 Hawaiian-Focused Public Charter Schools (HFPCS) grant to Kanu o ka 'Āina New Century Public Charter School (KANU); and
- B. Execute a new contract with KANU to affect the authorized actions of this Action Item.

Trustee Akaka Seconds the motion.

Trustee Waihe'e Moves						
to approve and authorize the:						
A. Disbursement of \$150,000 from the Fiscal Biennium (FB) 2022-2023 Core Operating Budget (Object Code 56540) to fund the FB 2022-2023 Hawaiian-Focused Public Charter Schools (HFPCS) grant to Kanu o ka 'Āina New Century Public Charter School (KANU); and						
B. Execute a new contract with KANU to affect the authorized actions of this Action Item.						
Trustee Akaka Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA		X	X			

TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E	X		X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Nine (9) Yes votes, Zero (0) No votes and Zero (0) Abstention						

D. Action Item BOT#23-03: Approve the Formation of an Ad Hoc Committee for the Purpose of Examining Cultural Protocols & Practices

Sylvia Hussey, CEO Trustees, at the request of the Board Chair, Administration drafted the formation of an Ad Hoc Committee for the purpose of examining cultural protocols & practices. You will notice that it will follow a similar purview, the committee was drafted, the membership was identified by the Board Chair, as well as the initial term and duration. On page 4 section 3 – under the why and the work – the draft is about the various activities and scope that is envisioned and not limited to that, this will be up to Trustee Souza. I will function as the Project Manager, helping the Ad Hoc Committee do their work. I look forward to meeting with Trustee Souza and Trustee Akaka to layout activities, timeline, deliverables for the Ad Hoc Committees' work. Are any questions by the Trustees?

Chair Hulu Lindsey I would like to add the name of Amber Kalua, from my staff, to assist in the Ad Hoc Committee as well. Trustee Souza and Trustee Akaka will be adding their staff to assist them too. Are there any questions from the any of the Trustees?

Trustee Souza Thank you for the opportunity to chair this committee and I look forward to working with all of you. I think this is very important for our organization. This goes back to basics and acknowledges where there is protocol when you show up to an event or ceremony. It's an opportunity for us to lead by example. Once we put this into policy, other organizations will be able to follow along; we will have something set in stone. Thank you.

Trustee Ahuna I just wanted to know more about the range of protocol. What does this intel? Does this consist of reinternment?

Trustee Souza I think the discussion was towards a more ceremonial type of event, when you show up in Washington DC for example, the lei draping ceremony. We would know our roles and where it would fall with something like that.

Chair Hulu Lindsey I think the Ad Hoc Committee will be researching what is proper. We are going to centralize it first on us and see how the Trustees feel on the findings and decide what kind of policies we want to develop for us. Many times, we have gone to different places and not had protocol when welcomed by people into their hale or their sites. We were not able to respond so I think it's a good idea for us to layout something on what we should be doing. Trustee Souza, you can ask to speak to the Board from time to time and share what your Ad Hoc Committee has come to and get the Board's opinion as to how you folks are headed. The final date is at the end of this year, but not final that it can't be extended if needed. We will take the lead from you and Trustee Akaka. We also don't want to maha'oi other people's profession when they are more qualified and educated than we are in these areas. I think we need to be sensitive and careful about that. We should be looking out on how we represent ourselves and our people when we are representing our agency.

Trustee Souza Trustee Ahuna, I value your opinion as well as the other Trustees so we will definitely be briefing the Board after we meet with different individuals and gather information. It is important for me to acknowledge that there is different protocol on different islands. We will be reaching out to different people on the different islands as well.

Trustee Ahuna Where is Community Engagement? That is what they do, right? Does Community Engagement not do that anymore?

Chair Hulu Lindsey They haven't done it, and this is why we are appointing an Ad Hoc Committee.

Trustee Ahuna Okay, this is just for protocol and not to the extent of going to get iwi.

Chair Hulu Lindsey Correct.

Trustee Trask I just want to make some comments for the record: one, as I see this action item, what it is, is basically a research project that will come back to the boardroom *inaudible*. The second thing is when this agenda came out publicly, I received calls from practitioners from my island. They ask that this comment be put on the record because they're concerned that people who do not reside on my island are going to be developing protocols for practitioners on Maunakea, Maunaloa, and Kumukahi. They raised a point that I thought we could address before taking any action. *inaudible* we should not be making protocols without at least a consultation with Hawaiian practitioners. People have the right to worship at these areas and we shouldn't be making protocols without at least having a consultation. This is a research project and doesn't create any protocol at all.

Chair Hulu Lindsey Thank you, Trustee Trask as I mentioned earlier, we are not going to maha'oi areas that we do not belong, that is not our intention. Mahalo.

Trustee Akaka Would it make sense to have this motion as is, or having wording specifically for the Board rather than a style guide for all to follow? This is strictly for our purposes when we do ceremonies, ex: lei draping, and attending services where OHA is included.

Chair Hulu Lindsey I think that makes sense.

Sylvia Hussey, CEO I just want to affirm with Trustee Trask's point, as well as Trustee Akaka, in guiding Trustee Souza as the Chair. On page 4 - the why of the work, and on page 5 - the how, it is projected to recommend visiting communities, wahi pana, interviewing practitioners and stewards, and researching. One of the outcomes is to formulate recommendations to inform priorities and guide, none of it is to take action.

Customarily, the report of either a Permitted Interaction Group (PIG) or an Ad Hoc is reported out to the Board; any budgetary policy action comes back to the Board for separate action. I just want to affirm that process. The intent of the Ad Hoc committee, as well as the PIG, is to do the work and then make recommendations, then the actual policy budgetary comes back to the appropriate committee for action.

Trustee Akina I am in favor of the spirit and intent of this action because our practice of Hawaiian protocol is an opportunity to lead by example as the Board. I thank you for putting this together, I would like to follow up however on a comment made by Trustee Ahuna. There was question as to why this project is not being conducted by the staff or Administration. Over the years, we've had cultural practitioners, research scholars, experts in Hawaiian culture and language working at OHA conducting research and producing materials. I am not objecting to the project, I am raising the question why this is taking place at a Board level with the valuable time of Board members as oppose to the project being conducted by Administration and staff who are experts in the field?

Sylvia Hussey, CEO That is a good distinction in terms of the work. We have had both on staff, practitioners and experts. For me, as the Ka Pouhana for the organization, having this at the Board level is a very strong signal of the importance of protocols and practices, not only for the Board themselves, but also to form policy as a whole. The three foundations for OHA: 'ohana, mo'omeheu, and 'āina, throughout all of that is cultural protocols and practices; having this be led at the Board level is a very strong message to our communities of the value of cultural protocols and practices. This will be embraced in practice, policy, as well as resourcing. For me, this is why I volunteered to be the Project Manager.

Trustee Akina What I hear you saying is the importance of the Board convening this activity has to do with establishing policy.

Sylvia Hussey, CEO Correct.

Trustee Akina Thank you.

Chair Hulu Lindsey I would like to add while Sylvia serving as the Project Manager, Trustee Akaka and Trustee Souza can call on staff to assist in whatever research is needed or that they are not privledge to, that is a possibility.

Trustee Ahuna I want to say that I will be supporting this but in the past our Community Engagement, Mehana folks, handled this. They were engaged in our community, they knew the proper protocols; that is my only concern, I just thought that someone from Research or Community Engagement should be a part of this AdHoc Committee, that is all I was trying to recommend.

Sylvia Hussey, CEO As the Project Manager and the Administrator, I act as the conduit to the resources on Administration. It would absolutely include Community Engagement, Beneficiary Services on all neighbor islands, and Research. My role is to ensure we have coordinated resources to support the Trustees in this particular project and effort.

Trustee Trask I have one thing to add, I like what's shaping up here. It seems that we will be looking primarily at our own protocols. One thing to remember is that next year, Hawai'i will host the South Pacific gathering. In my recent trip to Guam, I had the opportunity to meet with indigenous women from Micronesia, Polynesia and Melanesia. They will send 1,000 attendees just to participate. When our AdHoc Committee comes together, if you could add taking a look at protocols for welcoming the different families from the Pacific. The only

background I have on this was when the Hōkūle‘a sailed; they were greeted from native communities throughout the Pacific. I think we will play a significant role because of who we are. I am happy to focus on our cultural protocols and practices but also, let us not forget the welcoming protocols and practices for other Pacific families.

Trustee Akaka I had a similar thinking when this was first introduced to me in terms of appropriateness and what makes sense. My understanding is no matter who is in Community Engagement, or on staff, or serving on the Board, this will serve as a resource and reference guide as to what the protocol options are and what they would be. For instance, when we were at the lei draping in 2019, there was nobody present for OHA to provide the opening oli. I simply asked, not to volunteer but if someone was present to do that because my understanding is that is what you do, to which I was asked to do it. After much consideration, I obliged but again, there was nobody there to do that; so this will serve as a reference and guide. This is not something we would put out and say this is the only way and everybody has to follow this. This is simply for OHA and if anyone wants to refer to it as well. The second point is I want to make sure this is done correctly. Chair, you said Amber would be added to this Ad Hoc and our staff would be available, does this need to be added to the motion?

Trustee Galuteria I was going to weigh in but I appreciate the depth of inquiry and comment, so I'll supporting this. I am hoping to add to the discussion, several weeks ago we had a U.S. Senator in the house and I do not recall any formal welcoming for a person of that stature, so this would be a part of that conversation on how we welcome people of standing. I hope the Committee will take that under consideration.

Trustee Waihe'e The added names to the motion, is the intent to add them on as members or support staff?

Chair Hulu Lindsey As full members, no; they are staff for support.

Sylvia Hussey, CEO The drafting is similar to PIG language. The purview is very broad; it's the Board, Board staff, and Administration to work together. The membership piece is usually just the Trustees, and Administration is there for the support role. Sometimes we will have language as other resources as deemed necessary by the membership. If Trustee Souza deems necessary that his Aide or others in the community or if he calls on Research, we will ask first if there is a mid-review for cultural community engagement, those are the resources that will bring to bear the work; that way there is maximum flexibility for the Committee to do the work they need to do.

Chair Hulu Lindsey The Ad Hoc Committee is the two Trustees and everyone else is support staff, but they're there to support and do the work for the two Trustees. I will entertain a motion.

Everett Ohata, Interim General Counsel I would note that per our Bylaws, we are required to have three members as a minimum amount for an Ad Hoc Committee. As previously listed, Sylvia was a part of the membership of this Ad Hoc.

Chair Hulu Lindsey Our CEO is the third member of this Ad Hoc Committee, I misspoke earlier.

Trustee Ahuna Moves to

Approve the formation of an Ad Hoc Committee for the purpose of examining cultural protocols and practices including the following purview, members and term/duration:

Purview. The purview of the Ad Hoc Committee is for the Board of Trustees (BOT or Board), BOT staff, and Office of Hawaiian Affairs (OHA) Administration to work together to examine cultural protocols and practices.

Members. The membership of the Ad Hoc Committee is proposed as follows: (a) Trustee Keoni Souza; (b) Trustee Kalei Akaka; and (C) Sylvia Hussey, Ka Pouhana. Trustee Keoni Souza will serve as the Chair of the Ad Hoc Committee, and Trustee Kalei Akaka will serve as its Vice Chair. Sylvia Hussey, Ka Pouhana, will function as the Project Manager.

Term/Duration. The term of the Ad Hoc Committee expires at the completion of the assigned tasks or at the discretion of the Chair of the Board of Trustees, subject to later adjustment, but in no event later than December 31, 2023.

Trustee Akina Seconds the motion.

Trustee Ahuna Moves						
Approve the formation of an Ad Hoc Committee for the purpose of examining cultural protocols and practices including the following purview, members and term/duration:						
Purview: The purview of the Ad Hoc Committee is for the Board of Trustees (BOT or Board), BOT staff, and Office of Hawaiian Affairs (OHA) Administration to work together to examine cultural protocols and practices.						
Members: The membership of the Ad Hoc Committee is proposed as follows: (a) Trustee Keoni Souza; (b) Trustee Kalei Akaka; and (C) Sylvia Hussey, Ka Pouhana. Trustee Keoni Souza will serve as the Chair of the Ad Hoc Committee, and Trustee Kalei Akaka will serve as its Vice Chair. Sylvia Hussey, Ka Pouhana, will function as the Project Manager.						
Term/Duration: The term of the Ad Hoc Committee expires at the completion of the assigned tasks or at the discretion of the Chair of the Board of Trustees, subject to later adjustment, but in no event later than December 31, 2023.						
Trustee Akina Seconds the motion.						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA	X		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI‘I AKINA		X	X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE MILILANI TRASK			X			

TRUSTEE JOHN WAIHE'E			X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with Nine (9) Yes votes, Zero (0) No votes and Zero (0) Abstention						

Community Concerns and Celebrations

Kamealoha Smith Aloha, my name is Kamealoha, and I am from Anahola, Kaua'i. I work in Hawaiian language and culture as a resilient strategy to overcome adversity. We also work in food, water, and biodiversity security in the context of climate change. We work with a lot of socially disadvantaged people in our program such as high risk families and U.S. Vets. We are the Hanalei River Heritage Foundation. I am humbled and grateful to be here and a grant recipient. This last year, we received two grants: one as a community grant award and the second as a fiscal sponsor for another grant to address the impacts of COVID-19. There is a lot of stuff that I want to share but I will hold off for now. I do want to say collectively, based on our experiences of going through the grants program both as a fiscal sponsor and a grantee, there are some challenging issues we came across. Instead of focusing on the challenges, I want to focus on the lessons we learned. I want to ask the Trustees to:

- Intervene on behalf of the beneficiaries and open up opportunities for beneficiaries to come forward and share their concerns about the OHA Community Grants program.
- When addressing concerns that we have without having to refer to the issue with legal terms. Many of us are not familiar with working in that field, so it would be inappropriate for us to talk about a lot of these issues using legal language.
- The contracts used contain a lot of complicated legal language, it takes an expert; so even if I sign it, I am not 100% sure we understand the language.
- If we meet outside of this process, I think we should all be committed to ho'oponopono, reconciliation, and use restorative justice.
- We should be committed to reasonable and respectful dialogue in the emails we receive. Rather than sending an email with all this legal information in it, maybe have a conversation with us; this way we can have a positive dialogue and a shared understanding. There is a lot of miscommunications, I am not blaming anybody but in the context of OHA, I think that we understand the discourse that you share in this room and amongst yourself, and the projects you're associated with.
- I am not advocating for any investigating or anything like that, I am asking for the Trustees to invest some time in figuring out how to develop a grants program that matches where the beneficiaries are. There are many opportunities today on the local level, state level, federal level, and national level; it is sad that some of us have good ideas and have good things going on in the community, but we just need some help on how to articulate that information.
- One thing I want to mention, it came from a Trustee, Mililani Trask, but it could've come from a number of you. I do think your one-year grants should be two-year grants. OHA's grant is so complicated and understandably so, and we should be committed to training people on how to better use the State resources.
- I think you should include capacity building and community building. There are a lot of self-esteem issues that arise while going through all of this. We are not a perfect community, nobody in Hawaii is, so we need some help and we need some grace. In the second year, then do the implementation; that

would have been helpful to us. It is not about the money, it is about the lack of understanding on how the process works.

I often wonder why we're rushing. The development of the engagement with a community, the development of the process that is important, the process that you have at OHA, we want to learn, we want to contribute, we want to do good, and we want to be successful. We don't want any hakakā, it is not helpful; most of us doing this work are Hawaiian. We need more help in communication. Among the Trustees at OHA, many of you are good role models. It is amazing to me that we have a collection of great minds, and I am thinking what can we do for better use of the tremendous amount of skillset that we have within OHA. There is a movement of young people who are excited about issues of self-determination; some people have been involved with the sovereignty movement for years and has laid a wonderful foundation for all of us to follow. Mililani has a following of young people with the work she has done in the international ring. Each of you, some I know better than others, I could share accolades of not just you, but of your work. We need to take advantage of all the people who have done these wonderful things and use them to make a better program for us here. In all the years I have been associated with OHA, it has been challenging, but rather wallow in mistakes or all negativity, I am committed. I have been committed for a long time and I am committed to make sure we build bridges. I would love to take this opportunity from what I learned to offer my own experiences, as well as working with people here to make it better for current and future grantees.

Sherri Cummings Aloha mai kākou, my name is Sherri Cummings, I come from the island of Kaua'i. I am a beneficiary of Department of Hawaiian Homelands (DHHL). I was born and raised in Anahola. My family was the first awardees back in '61, so I have a lot of ai pili Anahola. I moved to Honolulu a year ago, and founded Mālama Anahola in 2020. I am non profit founded in a bad way, but doing good work. We are bridging the gap and Anahola is doing amazing things. We stayed under the radar for a bit. We have three projects that I will be asking to be agendized in the future. We are working very well with the DHHL, we have been endorsed by them for the three projects we have taken on. Dan knows very well, there was a misunderstanding and I just want to say aloha to you. We are going through with the green energy program. The acreage of DHHL is actually allowing us, as Mālama Anahola, to be the regional planners in regards to what is happening up mauka. Back in 2020, I asked the Department to hold on awarding the subsistence agricultural homesteading lands for the mere fact they wanted us to be subsistence Ag-farmers and ranchers. There is no water, 100% of the diversion has gone to McCluskey. Now, Vandersloot, who is the eighth largest land owner agriculturally in the nation, he is our neighbor. I asked for the intervention for them not to award because they cannot give us 'āina without removing the albizia tree stumps, and the water. I have been working with Native Hawaiian Legal Corp (NHLC), Alan Murakami is on my board. On my Board, I have myself - the founder/ President, Steven Kau- Vice President, Kamealoha Smith-Secretary, my sister-in-law-Treasurer. The Board of Directors are William Aila, Ex-Mayor Bernard Carvalho, George Costa, Ian Costa, Alan Murakami, Wallace Panua, and Dennis Izaki. We are a nonprofit that does economic development work for our beneficiaries primarily. We are inclusive, we know we can not discriminate because of federal funding. Getting back to the 2,200 acres, it is the first time in the history that DHHL allowed a group of collective to come together to help the waitlist population. When they removed the albizia, we ask that they come down to visit. The first thing they did was create a regional plan based on topography and what they thought what the 'āina offered, but when they took out the albizia, they had, frozen in time, a historic plantation water system. All of our ditch systems were filled in. The water was diverted from the Kaneho reservoir and then tapped into state waters, one of the tributaries putting water into the Kaneho reservoirs. A lot of people are getting involved to intervene, regarding how they took 100% diversion from the Ag fields that collectively made the upper Kamalomalo'o, downside Kanuikapono, and then down to the ocean. We are glad the Department pushed us forward and they're coming from behind and allowing us to be a part of this process. Mālama Anahola envisions, the blessing of our community and the kahomalama concept. I am very encouraged to hear you folks talk about the new Ad Hoc Committee, this is exactly what we need for us. Before you can talk about how to develop the safe zones that you need to put in

place for culture preservation, everything that is Hawaiian needs to be protected. Water resource management/conservation, that always has to be number one before we decide afterwards on how we are going to develop.

The second project we have is the 38 parcels adjacent to the solar farm in Anahola. We were very strategic about why we chose that property. We are very supportive of Kamealoha and his houseless programs that he is trying to develop. He had such a conceptual idea of how to elevate the houseless communities. It was important to us to get together with him and partner with him. We did not want the Department to let go of these lands, we have drug infestation, people coming on the 'āina, steel, cars, and white waste trash. We decided that we would get involved as a community, lockdown the land, get rid of this pilikia, and then it will be up to the Department to decide after that, what they would do with the land. It is the partnership that the Department has allowed us to participate with them. This is what we mean when we talk about, make it better and put our people back on the land. It really is about bringing back Anahola; there was this divide that happened. It is bringing all the people, working together under one roof, and how to move Anahola; build and become better. We are developing the 38 acres. A certain portion will be to take care of our houseless communities. It was important because as we displace people off of the 'āina and shorelines, we looked at them and we saw it was our 'ohana, our friends, over half of the population was native. We decided to intervene and figure out how do we place them in, not only a shelter, but building them up as kanaka and letting them stand shoulder to shoulder in the community and have educational opportunities, health, and economic opportunities. In that process, the mayor wanted to hear about it; the plan was great, and how we were attacking houseless communities. He offered to give us Ulupono. Ulupono is the County's way of taking care of the homeless population. Because Kamealoha's program was so elevated, the County stepped back and asked if we wanted to take this over. They want to give us the funding and 29 units to take over this Ulupono project. This is something the Board is considering, we did not say yes; we need to look at everything because a lot of kuleana comes with that. We must be strategic.

The final project is 34 acres on Kūhiō highway adjacent to the Hilton Garden Resort, all of those lands are DHHL; that place was important to myself and my brother, my 'ohana. This is my mom's 'ohana. We were afraid because it is commercialization lands and we did not want that. We want to say, as Hawaiians, what it means to us, what it means to commercialize. We are cleaning that area and working with Hilton Garden Resort; they want to put hundreds of parking spots there. They are partnering up with Mālama Anahola to help with what we envision for beneficiaries. We are going to keep this place open and green; have cultural practitioners, beneficiaries, and Hawaiians in general, to come on the 'āina and do their cultural practices. This is how we make it commercialized; they can sell their wears, we will make a kānaka theatre so that all of our people can come and participate, and use the property in the best way possible. In a nut shell, that is what Mālama Anahola is. With the blessings of DHHL, it is the first time the Department has actually allowed kānaka to participate on that level, and there is sincere effort on the Department's part to make beneficiaries a part of the process for solutions. I want to say as a kanaka, I don't know how or why but I do not know how you can write any letter of support. I don't feel that legislation should put a timetable on the DHHL spending down \$600 million dollars in that short period of time. There is no way possible a Department would get that much money and be able to spend it in that period of time. Is there any way you can do some type of resolution or support for them? No other department has been given that kind of money and told they have to spend it in that period of time. If we don't spend it, we lose it. Whatever way possible, can you kōkua, please do for DHHL. I don't think they should be subjected to that. Aloha.

Chair Hulu Lindsey Mahalo nui to you both for coming all the way from Kaua'i.

Trustee Akina Chair, I do have a question about the item deferred on our agenda, the exit conference regarding the 2021 performance audit. My first question is, will we be able to reschedule that so that all of us Trustees on the Board can participate?

Chair Hulu Lindsey Yes, we can reschedule it.

Trustee Akina My second question has to do with the item deferred at the RM meeting, a presentation by Administration on OHA's response to the audit. I think that's a very important thing for us to hear from Administration and give our input. Will we be able to give our input before our response is presented to the auditor.

Sylvia Hussey, CEO Trustees will absolutely have a chance to review the response. The response is usually done under the signature of the Chair of the Board, as well as the CEO. Currently, Administration is going through and ensuring that the correct and contextualize the data points in there. We are making sure we comb through the entire report, as well as addressing the recommendations by the Trustees, for the Trustees, as well as the Administration.

Chair Hulu Lindsey I want to make clear that everyone got the report from the auditor.

Trustee Trask When I saw the initial transmittal that came from Les Kondo, it had a very short time frame. The first week in March, has that been extended for our response and if so, what is the new date?

Sylvia Hussey, CEO My understanding is that the original dates were based on the understanding that a meeting was going to be held on February 16, since that meeting was not held, we have been informed that the State Auditor (SA) plans to issue the report by Friday, March 10th; that is the new date that we will get information back to him for incorporation into the final report. We are preparing to provide the formal response letter by COB Monday, March 6th. The Trustees will see that before it gets finalized.

Trustee Akina Mahalo Sylvia and Chair.

Announcements

Chair Hulu Lindsey Okay, as a reminder, Tuesday, February 28th we have a court case at the Supreme Court, 10:00 am, and Judge Klein has asked us to be present if possible. This OHA vs. Kondo litigation.

Our next Board of Trustees meeting will be on Thursday, March 9th at 10:00 am

Adjournment

Trustee Galuteria Moves to adjourn the meeting.

Trustee Waihe'e Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA			X			
KALEI	AKAKA			X			
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA	X		X			
J. KEONI	SOUZA			X			
MILILANI	TRASK			X			
JOHN	WAIHE'E		X	X			
CHAIR CARMEN HULU	LINDSEY			X			
TOTAL VOTE COUNT				9			

Chairperson Carmen Hulu Lindsey Adjourns the Board of Trustees meeting at 11:39 a.m.

Respectfully submitted,

Lehua Itokazu
Board Secretary

As approved by the Board of Trustees on March 23, 2023.

Carmen Hulu Lindsey
Chairperson, Board of Trustees

Attachments:

1. Action Item BOT #23-02: Approval of an OHA Board of Trustees' Honorary Resolution Honoring the Contributions of Noa Emmett 'Auwae Aluli, M.D. to the Native Hawaiian Community, the Aloha 'Āina Movement, the State of Hawai'i and to Indigenous Health Worldwide
2. Action Item BOT #23-03: Approve the Formation of an Ad Hoc Committee for the Purpose of Examining Cultural Protocols & Practices

Office of Hawaiian Affairs
Meeting of the Board of Trustees
March 23, 2023
10:00 A.M.

III. New Business

A. Committee on Beneficiary Advocacy and Empowerment

1. 2023 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2, March 15, 2023
2. 2023 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3, March 15, 2023
3. 2023 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2†, March 22, 2023
4. 2023 OHA State Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†, March 22, 2023

- A Committee Report for the above Agenda Items will be forwarded to the Board following its approval at the BAE Committee Meeting.

**Office of Hawaiian Affairs
Meeting of the Board of Trustees
March 23, 2023
10:00 A.M.**

III. New Business

B. Committee on Resource Management

- 1. Action Item RM #23-06: Receipt of Unspent Grant Dollars and Physical Fiscal Records from the AKAMAI Foundation Related to a Grant from the OHA for the Use and Benefit of Na‘i Aupuni†**
- 2. Action Item RM #23-07: Approval of the OHA Financial Statements with Independent Auditor’s Report for the Year ended June 30, 2022; and the OHA Report of Independent Certified Public Accountants in Accordance with Government Auditing Standards and Uniform Guidance, Year Ended June 30, 2022†**

- A Committee Report for the above Agenda Items will be forwarded to the Board following its approval at the RM Committee Meeting.

Office of Hawaiian Affairs
Meeting of the Board of Trustees
March 23, 2023
10:00 A.M.

III. New Business

D. Administration to report to Board of Trustees the results of the State Auditor's Exit Conference