



BOARD OF TRUSTEES
Colette Y. Machado, *Chairperson*
Peter Apo, *Vice Chairperson*
Rowena Akana, *Trustee At-Large*
S. Haunani Apoliona, *Trustee At-Large*
Donald B. Cataluna, *Kaua'i/Ni'ihau Trustee*
C. Hulu Lindsey, *Maui Trustee*
Robert K. Lindsey, Jr., *Hawai'i Trustee*
Oswald K. Stender, *Trustee At-Large*
John Waihe'e IV, *Trustee At-Large*

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

LEUTENANT GOVERNOR'S
OFFICE

*12 MAY 16 A9:54

MEETING OF THE BOARD OF TRUSTEES

DATE: Friday, May 25, 2012
TIME: 10:00 a.m.
PLACE: 5th Floor Conference Room #506
Army & Air Force Exchange Service Building (AAFES)
919 Ala Moana Boulevard
Honolulu, HI 96813

AGENDA

- I. Call to Order
- II. Community Concerns*
- III. New Business
 - A. Opportunity for OHA Trustees to ask questions of Board Counsel Robert G. Klein, Esq., Corporation Counsel Ernest Kimoto, Esq. and Ka Pouhana pertaining to the Board's powers, duties, privileges, immunities and liabilities relating to the Kaka'ako Makai settlement properties provided to OHA by Act 15 SLH 2012. Per HRS § 92-5 (a) (4).
- IV. Announcements
- V. Adjournment

*Notice: Persons wishing to provide testimony are requested to submit 10 copies of their testimony to the Chief Executive Officer at 711 Kapi'olani Blvd., Suite 500, Honolulu, HI, 96813 or fax to 594-1865, 48 hours prior to the scheduled meeting. Persons wishing to testify orally may do so at the meeting, provided that oral testimony shall be limited to five minutes.** Notice: This portion of the meeting will be closed pursuant to HRS § 92-5. For further information, please call 594-1954.

Colette Y. Machado

Trustee Colette Y. Machado
Chairperson, Board of Trustees

5/16/12
Date

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
5th Floor Conference Room #506
Army & Air Force Exchange Service Building (AAFES)
919 Ala Moana Boulevard
Honolulu, HI 96813

Minutes of the Office of Hawaiian Affairs Board of Trustees
Friday, May 25, 2012 10:00 a.m.

ATTENDANCE:

TRUSTEE ROWENA AKANA
TRUSTEE PETER APO (ARRIVED 10:25 AM)
TRUSTEE HAUNANI APOLIONA
TRUSTEE COLETTE Y. MACHADO
TRUSTEE C. HULU LINDSEY
TRUSTEE ROBERT K. LINDSEY JR
TRUSTEE OSWALD STENDER
TRUSTEE JOHN WAIHE'E IV (ARRIVED 10:33 AM)

ROBERT G. KLEIN ESQ., BOT COUNSEL

ADMINISTRATION STAFF:

KAMANA'OPONO CRABBE, CEO
KEHAU ABAD, CED
HAWLEY ALAMODIN CFO
BREANN NU'UHIWA, ADV
KAIPO MORALES, IT

EXCUSED:

TRUSTEE DONALD B. CATALUNA

BOT STAFF:

CAROL HO'OMANAWANUI, COS
LEAH BURROWS-NU'UANU, BOT SEC
DAYNA PA, TRUSTEE AIDE
LEIANN DURANT, TRUSTEE AIDE
KAMA HOPKINS, TRUSTEE AIDE
ANI PANG, TRUSTEE AIDE
NATHAN TAKEUCHI, TRUSTEE AIDE
SHELSEA APANA, TRUSTEE AIDE
REYNOLD FREITAS, TRUSTEE AIDE
LEHUA ITOKAZU, TRUSTEE SEC
MAKANA CHAI, TRUSTEE SEC
SHIRLEY NAKANISHI, TRUSTEE SEC

GUESTS:

NORMA WONG

I. CALL TO ORDER

Chairperson Machado Calls the Board of Trustees meeting to order at 10:11 a.m. Roll call is taken; those present are Trustees Akana, Apoliona, H. Lindsey, R. Lindsey, Machado, and Stender constituting a quorum of six (6) trustees. Trustees Apo and Waihe'e are expected to arrive shortly. Trustee Cataluna has submitted a letter of excuse for today's meeting.

She asks Ka Pouhana Dr. Crabbe to provide opening remarks to summarize the four-day process as well as provide what Administration needs to move forward with OHA's plan for Kaka'ako Makai.

Ka Pouhana Dr. Crabbe Provides opening remarks and a summary of past 3 days. The process started with Chair Machado asking for open dialog about what happens next when OHA receives the 10 parcels of land in Kaka'ako. Dr. Lisa Watkins-Victorino prepared a survey which tried to consolidate some of the Trustees expectations regarding Kaka'ako Makai.

There is a profound commitment to create a Hawaiian place in Kaka'ako. Over the past few days Trustees have been trying to determine what that is. Research by OHA staff led to a deeper understanding of Kaka'ako and Kewalo. It included mo'olelo and cultural references that Trustees want to consider in addition to some of the guiding values. We reviewed presentations from CPAC, Friends of Kewalo, Kamehameha Schools, and HCDA. Although Howard Hughes did not present we were able to provide a conceptual framework of their proposal in terms of the Ward Center area and Ward Avenue. We now

have substantive information to begin formalizing some elements and concepts into OHA's Master Plan. There is no need to redo the work that has been already done, no need to recreate another canoe.

This concept should be guided by our values and principles in developing a Hawaiian place for our community to gather. OHA wants to promote Native Hawaiian businesses in the area keeping in mind the overall concept how it relates to the design and landscape. Yesterday in Executive Session Trustees began to process what has occurred and started to summarize our thoughts, feelings and expectations to help OHA begin prioritizing areas to concentrate on as we move forward with Hawai'i Community Development Authority (HCDA) in finalizing the settlement.

OHA's Chief Advocate Breann Nu'uhiwa has crafted the vision statement proposal and some of the guiding principles that Trustees may want to consider. Trustees will have time for further discussion today.

There are multiple areas of concern - maximize revenue generation, collaboration with Kamehameha Schools, Ali'i Trusts and Howard Hughes. Trustees want to create a Hawaiian sense of place but how does that work into policies at State and County levels. Trustees need to be mindful of fiduciary duties in balancing culture and commerce for this project but also OHA's other properties.

Other things on OHA's plate are the strategic plan results, the Native Hawaiian Roll Commission and other land acquisitions. The difficult thing is to see how everything will impact operations and OHA's financial situation. The next couple of years will determine how well OHA can weather change at the Federal level while trying to holomua and keep the vision of Kaka'ako Makai. Not only for greater economic prosperity but more for returning the essence, the mana to this place as our kupuna once lived and be able to showcase the essence of our heritage. Now we move to the next exercise regarding vision and a position statement so that as admin begins to negotiate with HCDA we can confirm our stance with regard to the settlement.

Chairperson Machado Thanks Ka Pouhana for his summary and moved on to the next item on the agenda.

II. COMMUNITY CONCERNS

Chairperson Machado Recognizes Mr. Cliff Hasegawa as the meeting's first speaker to address Trustees.

Mr. Hasegawa States that the settlement is a solid foundation to reunite the community of Kaka'ako. Commerce, culture and community are the three things that need to work together in order to be successful. His group has a vision with regard to Parcel A, better known as Fisherman's Wharf. He remembers eating at the Fisherman's Wharf as a child and is working to return the eatery to its former glory.

He mentions working with a group named SAG international, a group processing its registration. He has registered with the DCCA the name "Fisherman's Wharf at Kewalo Basin." He envisions a fine dining facility that can also serve local lunch plates. He envisions a place where the local community can be incorporated into the staff. They are approaching the Kapi'olani and Leeward Community College's Culinary Arts Program to see if there may be opportunities to work with students on employing Hawai'i's culinary.

Cost wise the group understands the renovations will be large. To restore the interior they estimate costs of \$3 million dollars. To restore the outer structure they estimate \$1000 per square foot. They have expressions of interest from investment groups local and from the mainland. He asks if Trustees have any questions. He asks that in the coming months, Trustees keep him and the project in mind while planning for the area.

Trustee Akana Asks how long Mr. Hasegawa and his group have been working on the project.

Mr. Hasegawa States that it has been a couple of years.

Chairperson Machado Thanks Mr. Hasegawa for attending and for the information provided to Trustees. She asks if there any other community members who wish to speak. Seeing none, she asks for a motion to recuse the Board into Executive Session.

IV. ANNOUNCEMENTS

Chairperson Machado Asks if there are any announcements.

Counsel Klein States that he has received word that the Solicitor General's office has issued its recommendation to not review the Corboy case.

Chairperson Machado States that she is very happy for the Department of Hawaiian Home Lands and all Hawaiians. She notes that although we are not in the clear yet, it gives the Supreme Court reason for not reviewing the case. She notes that an update from Counsel Shanmugam will be scheduled for an upcoming Board meeting.

III. EXECUTIVE SESSION

A. CONSULTATION, BRIEFING AND LEGAL ADVISORY BY KA POUHANA AND OHA STAFF, BOARD COUNSEL ROBERT G. KLEIN, ESQ. AND CORPORATION COUNSEL ERNEST KIMOTO, ESQ. RE: QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES, AND LIABILITIES IN THE LAND USE PLANNING PROCESS IMPLEMENTING THE CEDED LANDS SETTLEMENT UNDER ACT 15 SLH 2012.

Chairperson Machado Entertains a motion to resolve the Board into Executive Session.

Trustee Robert Lindsey Moves to resolve into Executive Session to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties and liabilities. *Pursuant to HRS 92-5(a)(4).*

Trustee Hulu Lindsey Seconds the motion.

Hearing no discussion, Chairperson Machado asks for a roll call vote.

Trustee Robert Lindsey Moves to resolve into Executive Session to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties and liabilities. *Pursuant to HRS 92-5(a)(4).*

Trustee Hulu Lindsey Seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
TRUSTEE ROWENA AKANA						Not Present
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE DONALD CATALUNA						Excused
TRUSTEE HULU LINDSEY		X	X			
TRUSTEE ROBERT LINDSEY	X		X			
TRUSTEE OSWALD STENDER			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			1/1

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

Motion passes with seven (7) YES votes, one (1) NOT PRESENT, and one (1) EXCUSED.

The Board moved into Executive Session at 10:28 a.m.

The Board moved into Open Session at 1:06 p.m.

VII. ADJOURNMENT

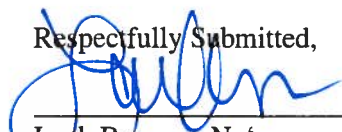
Trustee Apoliona Moves for adjournment.

Trustee Stender Seconds the motion.


There was no discussion and Chairperson Machado notes a unanimous consensus.

The meeting was adjourned at 1:08 P.M.

Respectfully Submitted,


 Leah Burrows-Nu'uano,
 Board Secretary

As approved by the Board of Trustees on July 5, 2012.


 Trustee Colette Y. Machado, Chairperson
 Board of Trustees

ATTACHMENTS:

1. May 25, 2012 BOT Community Sign in Sheet
2. Excused Absence Memo from Trustee Cataluna