

Kaiali'i Kahele - Chairperson  
Keoni Souza - Vice Chairperson  
Dan Ahuna - Trustee, Kaua'i & Ni'ihau  
Kaleihikina Akaka - Trustee, O'ahu  
Keli'i Akina, Ph.D. - Trustee, At-Large  
Luana Alapa - Trustee, Moloka'i & Lāna'i  
Brickwood Galuteria - Trustee, At-Large  
Carmen "Hulu" Lindsey - Trustee, Maui  
John D. Waihee IV - Trustee, At-Large



Phone: (808) 594-1888  
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**OFFICE OF HAWAIIAN AFFAIRS  
BOARD OF TRUSTEES**

560 N. Nimitz Hwy., Suite 200  
Honolulu, HI 96817

**MEETING OF THE BOARD OF TRUSTEES**

**DATE: Thursday, March 6, 2025**

**TIME: 8:30 A.M.**

**PLACE: Remote Meeting via Interactive Conference Technology**

**Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) Or**

**Listen by phone: (213) 338-8477, Webinar ID: 815 7962 2495**

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen 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.**

**AGENDA**

**I. Call to Order**

**II. Executive Session§**

- A.** Discussion of the settlement agreement terms in *Laeha v. Office of Hawaiian Affairs*. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to the settlement agreement terms in *Laeha v. Office of Hawaiian Affairs*.
- B.** Discussion of a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs.
- C.** Review of OHA's involvement in lawsuit against the State of Hawai'i for mismanagement of Mauna Kea. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to *Office of Hawaiian Affairs v. State of Hawai'i et al.*, Civ. No. 17-1-1823-11.
- D.** Review of OHA's involvement in lawsuit against the establishment of the Mauna Kea Stewardship and Oversight Authority under Act 255 (SLH 2022). Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to *Office of Hawaiian Affairs v. State of Hawai'i et al.*, Civ. No. 24-1-0082.
- E.** Approval of Executive Session Minutes
  1. April 25, 2024

**III. New Business**

[Redacted content]

**B. Status of OHA Activities: Ka Pouhana/CEO and Administration’s Update on OHA’s activities.\***

- 1. OHA Employee Handbook & Timeline Updates
- 2. Status update of the OHA 2024 Financial Audit Report
- 3. Performance Management Update (Current and Future)
- 4. Mana I Maui Ola (OHA Strategic Plan) status of outcomes and possible updates

**C. Committee on Beneficiary Advocacy and Empowerment – March 5, 2025**

- 1. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Housing - Matrix 5\*
- 2. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6\*
- 3. **Action Item BAE #25-04:** Approve the addition of a resolution to the OHA 2025 Legislative Package (“Establishing a Working Group to Examine and Consider the Transfer or Partial Transfer of Native Hawaiian Burial Site Duties under Hawai‘i Revised Statutes Chapter 6E From the Department of Land and Natural Resources State Historic Preservation Division to the Office of Hawaiian Affairs.”).

**D. Committee on Budget and Finance – March 5, 2025**

- 1. **Action Item BF #25-09:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Nurture Cultivate Inc. for the 2025 Panina Makahiki Event on March 8, 2025, in the amount of \$5,000.
- 2. **Action Item BF #25-10:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to St. Andrew’s Schools for the 2025 Queen Emma Ball Lū’au on the Square Event on March 13, 2025, in the amount of \$5,000
- 3. **Action Item BF #25-11:** Approval for funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Ho‘oulu ‘Ike Center for Hula and Mele for the 2025 ‘Āina Ho‘opulapula Mele and Hula Conference Event on March 15, 2025, in the amount of \$13,500.
- 4. **Action Item BF #25-12:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Pōhāhā I Ka Lani for the 2025 Ka‘e Lehua Event on March 15, 2025, in the amount of \$5,000.
- 5. **Action Item BF #25-13:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Hui O Kuapā for the 2025 Ke Aupuni Palapala Professional Development Workshop Event on March 17, 2025, in the amount of \$10,000.
- 6. **Action Item BF #25-14:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Kuana‘ike for the Spirit Fest 2025 Event on March 21, 2025, in the amount of \$15,000.

**IV. Approval of Minutes**

- A. February 6, 2025\*
- B. July 23, 2024 site visit summary - Kāneiolouma Heiau\*
- C. July 23, 2024 site visit summary - Ko‘olau Limu Project\*
- D. July 23, 2024 Kaua‘i Island Community Meeting\*
- E. July 24, 2024 Kaua‘i Island Board of Trustees Meeting\*

**V. Community Concerns and Celebrations**

**VI. Announcements**

## VII. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, please contact Everett Ohta at (808) 594-1988 or by email at everetto@oha.org as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

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 will be made available on OHA's website <https://www.oha.org/about/leadership/board-of-trustees/> as soon as practicable after the meeting.

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. Hawai'i Revised Statutes, Chapter 92, prohibits Board members from discussing or taking action on matters not listed on the meeting agenda.

\* Document(s) associated with this agenda item are anticipated to be included in the board packet for this meeting. The board packet will be available for the public to inspect at OHA's main office located at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817, OHA's neighbor island offices, and on OHA's website <https://www.oha.org/bot> no later than two business days before the meeting. 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 Board of Trustees either as: (1) **written testimony** or (2) live, oral testimony online or at the physical meeting location during the remote meeting.

- (1) Persons wishing to provide **written testimony** on items listed on the agenda should submit testimony via **email** to [botmeetings@oha.org](mailto:botmeetings@oha.org) or via **postal mail** to Office of Hawaiian Affairs, Attn: Board of Trustees Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. Testimony is requested to be received at least twenty-four hours prior to the scheduled meeting to allow board members with sufficient time to review the testimony before the meeting. All written testimony will be posted on OHA's meeting website. Please omit or redact any personal information (e.g., name, email address, phone number, home address, or materials) that you do not want to be disclosed publicly online.
- (2) Persons wishing to provide **oral testimony online** during the remote meeting, please click on the link below: <https://us06web.zoom.us/j/81579622495>

To provide oral testimony online, you will need:

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

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

Once your oral testimony is completed, you may be asked to disconnect from the meeting. If you willfully disrupt the meeting or do not disconnect 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.

Oral testimony online or at a physical meeting location will be limited to five (5) minutes. Oral testimony by telephone/landline **will not** be accepted at this time.



Trustee Kaiali'i Kahele  
Chairperson, Board of Trustees

2/28/2025  
Date



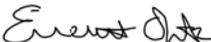
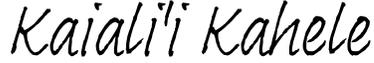
**OFFICE OF HAWAIIAN AFFAIRS**  
Action Item

**BOARD OF TRUSTEES**

*March 6, 2025*

**BOT #25-04**

**Action Item Issue:** Revision to the Office of Hawaiian Affairs Board of Trustees Bylaws addressing inconsistencies with HRS chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments

<b>Prepared by:</b> <i>(By request)</i>	 _____ Everett Ohta Interim General Counsel	<b>03/03/2025</b> _____ Date
<b>Reviewed by:</b>	 _____ Stacy K. Ferreira Ka Pouhana, Chief Executive Officer	<b>Date</b>
<b>Reviewed by:</b>	 _____ Kaiali'i Kahele Chairperson, Board of Trustees	<b>03/03/2025</b> _____ Date

**I. PROPOSED ACTION**

Approve revisions to the Office of Hawaiian Affairs Board of Trustees Bylaws addressing inconsistencies with HRS chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments, as set forth in Attachment A.

**II. ISSUE**

Whether the Office of Hawaiian Affairs Board of Trustees will approve revisions to the Office of Hawaiian Affairs Board of Trustees Bylaws relating to addressing inconsistencies with HRS Chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS Chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments, as set forth in Attachment A.

**III. BACKGROUND & DISCUSSION**

At the request of the BOT Chairperson, Kaiali'i Kahele, a proposed revision to the OHA BOT Bylaws was drafted to implement revisions proposed by the BOT Chairperson.

Initial proposed revisions to the Bylaws were presented to the BOT on January 23, 2025. The Bylaws were further revised and presented for vote on February 6, 2025. The revised Bylaws were not approved by the required 2/3<sup>rd</sup> of the members (6) of the BOT.

Following the February 6<sup>th</sup> BOT meeting, Chair Kahele directed additional revisions to be made to the revised BOT Bylaws, specifically the removal of the additional Vice-Chairperson provision and further revisions to address inconsistencies with state law.

The overall revisions, with special note for these additional, February 6<sup>th</sup> revisions (“[NEW]”) are identified and described in the sections below:

- A. [NEW] Changed titling of Chief Executive Officer to Administrator (universal change)** – Replaced reference to the OHA Chief Executive Officer or CEO with Administrator, consistent with HRS § 10-10.

- B. Succession language for Chairperson Pro Tempore in the event that the BOT Chairperson and Vice-Chairperson positions are vacant (Article V. Officers, sections B and D.)** – Added new language for a Chairperson Pro Tempore to serve as Chairperson in the event of a vacancy in the Chairperson and Vice-Chairperson positions.
- C. Chairperson Emerita and Chairperson Emeritus (Article V. Officers, section E)** – New section E that allows for designation of Chairperson Emerita/Emeritus by simple majority vote of the Board.
- D. Removal of Standing Committee Chairperson and Vice-Chairperson (Article VI. Duties of Officers and Members, section A.1.)** – Added “remove” Chairperson and Vice-Chairperson of all Standing Committees to the duties of the Board Chairperson, subject to the approval of the Board.
- E. Standing Committee Chairperson authority to set agenda (Article VIII. Committees of the Board, section B)** – Added language that the Standing Committee Chairperson is responsible for approving agenda items for all meeting under the Chairperson’s Committee, similar to the responsibility of the Board Chairperson.
- F. Succession language for Committee Vice Chairperson in the event of the absence of the Committee Chairperson (Article VIII. Committees of the Board, section B)** – Added succession language for the Committee Vice-Chairperson in the absence of the Committee Chairperson.
- G. [NEW] Revised guidance for Ad Hoc Committees (Article VIII. Committees of the Board, section E)** – Due to the reporting of Ad Hoc Committees to the Chairperson, revised Bylaw language to avoid a serial communication and violation of the Sunshine Law when an Ad Hoc Committee comprised of more than one Trustee reports back to the Chairperson, unless the Chairperson is the second member of the Ad Hoc Committee.
- H. [NEW] Removed separate vote requirement for joint meetings of Standing Committees (Article VIII. Committees of the Board, section H.4.)** – Pursuant to a request by Trustee Waihe‘e at the February 6, 2025 BOT meeting, removed requirement for separate votes by the Standing Committees meeting jointly, as both Committees are committees of the whole and are comprised of the same membership.
- I. Committee referrals by a majority of the Board (Article VIII. Committees of the Board, section L)** – Added language to clarify the referral of matters to a Committee, Council, Commission, or Permitted Interaction Group by a Simple Majority (5) vote that followed the procedures of a Committee Recommendation to the Board.

**J. Verbal presentation time limit of fifteen (15) minutes for agendized presenters, subject to further extension by the Chairperson of the Board or Committee (Article IX. Meetings, section F.1 – F.3)** – Changed verbal presentation on an agenda item time limit to fifteen (15) minutes, unless the requirement is waived by the Chairperson. Deleted requirement that presenting testimony must be requested and submitted 72 hours in advance as this requirement is contrary to the Sunshine Law. Also deleted requirement for thirteen (13) copies of written testimony to be provided, as this requirement is contrary to the Sunshine Law.

**K. [NEW] Revisions to requirements for meeting minutes (Article IX. Meetings, section G)** – Revised written meeting minute requirements for consistency with HRS § 92-9(a) and added new option for meeting recordings and written summaries to be provided in lieu of written meeting minutes.

**L. Revisions to Board of Trustees Staff positions (Article XIV. Board of Trustees Staff)** -- Added language to clarify the specific responsibilities and expectations of the Chief of Staff and Board Secretary positions under the Board Chairperson and to make Trustee staff compensation subject to BOT approval.

Added language to the Trustee Aide and Secretary positions to clarify that the positions report directly to their respective Trustee.

Added an additional description for a Deputy Chief of Staff position as an option for the Board Chairperson to reallocate one of the Chairperson's two staff positions.

**M. Conflict of Interest (Article XV. Conflict of Interest)** – Added language to ethics training requirement to make Bylaws consistent with HRS § 84-42.

**N. Disorderly Conduct (Article XVII. Order and Decorum, section H)** – Added section to cover removal procedures for disruptive meeting participants, as provided by HRS § 92-3.

The proposed revisions are presented in clean (Attachment A) and redline (Attachment B) versions, along with the current, the unamended OHA BOT Bylaws (October 31, 2024).

#### **IV. TIMEFRAME**

If adopted as an amendment to the OHA BOT Bylaws, the changes to the Bylaws will take effect immediately following the second reading and approval vote of the BOT.

Under Article XIII of the OHA BOT Bylaws “Proposed Bylaw amendments shall be submitted to the Board in writing. Before these Bylaws may be amended by a proposed Bylaw, it must be approved by Super Majority (6) vote of all Board members at least twice.”

**V. BUDGET AUTHORIZATION**

No funding is required.

**VI. RECOMMENDATION**

Approve revisions to the Office of Hawaiian Affairs Board of Trustees Bylaws addressing inconsistencies with HRS chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments, as set forth in Attachment A.

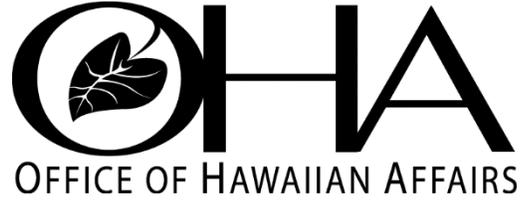
**VII. ALTERNATIVES**

- A. Take no action.
- B. Approve only certain revisions to the OHA BOT Bylaws.

**VIII. ATTACHMENTS**

- A. Updated BOT By-Laws (clean version containing proposed amendments)
- B. Updated BOT By-Laws (redline version containing proposed amendments)
- C. Current OHA BOT Bylaws (October 31, 2024)

Attachment A:  
Updated BOT By-Laws  
(clean version containing proposed amendments)



# **OFFICE OF HAWAIIAN AFFAIRS**

## **BOARD OF TRUSTEES**

### **BYLAWS**

Updated as of \_\_\_\_\_

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**ARTICLE I. AUTHORIZATION**

These Bylaws are adopted pursuant to Hawai'i Revised Statutes ("HRS") § 10-4(1), as amended.

## ARTICLE II. DEFINITIONS

As used herein:

**"Ad Hoc Committee"** means a Committee created by the Board for a one-time purpose or to focus on examining a specific subject and subject to a deadline by which the work must be completed or else the Ad Hoc Committee is dissolved.

**"Administrator"** means the Administrator of the Office of Hawaiian Affairs as stated in HRS § 10-10.

**"Advisory Committee"** means a Committee established to assist Standing Committees in an advisory capacity on matters within the purview of a Standing Committee.

**"Agency"** means the Office of Hawaiian Affairs.

**"Board"** means the Board of Trustees of the Office of Hawaiian Affairs.

**"Board Packet"** means documents that are compiled by the Board or a Committee and distributed to its members before a meeting for use at that meeting, as provided by HRS § 92-7.5, as amended. A Board Packet may exclude certain non-public information per HRS § 92-7.5, as amended.

**"Chair" or "Chairperson"** means the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs as stated in HRS § 10-8.

**"Committee"** means a body that includes one or more Trustees established under Article VIII of these Bylaws.

**"Committee Chairperson"** means the Chairperson of a Standing Committee, Advisory Committee, Ad Hoc Committee, Permitted Interaction Group, Council, or Commission of the Office of Hawaiian Affairs.

**“Government Record”** means information maintained by OHA in written, auditory, visual, electronic, or other physical form with the exception of records excluded under HRS § 92F-3.

**"Majority"** means more than half of the members in good standing, who are both present and voting at a meeting.

**"Meeting"** means the convening of a Board or Committee for which a quorum is required to consider an agenda and to decide or to deliberate toward a decision on matters over which the Board or Committee has supervision, control, jurisdiction, or advisory power.

**"Chance Meeting"** means a social or informal assemblage of two (2) or more Trustees at which matters relating to official business are not discussed.

**"Executive Session"** means a session closed to the public upon an affirmative vote taken at an open meeting of two-thirds of the members present; provided the affirmative vote constitutes a Simple Majority (5) of the Board or committee members, as provided by HRS § 92-4, as amended. A session closed to the public shall be limited to matters exempted by HRS § 92-5, as amended. The reason for holding such a session shall be publicly announced and the vote of each member on the question of holding a session closed to the public shall be recorded, and entered into the minutes of the meeting.

**"Open Meeting"** means a meeting of the Office of Hawaiian Affairs that is open to the public and all persons are permitted to attend any meeting unless otherwise provided in the constitution or as closed, as provided by HRS § 92-3, as amended.

**"Limited Session"** means a session of the Office of Hawaiian Affairs that is held at a location that is dangerous to health or safety, or if the Board determines that it

is necessary to conduct an on-site inspection of a location that is related to the Board's business at which public attendance is not practicable, and the Director of the Office of Information Practices concurs, as provided by HRS § 92-3.1, as amended.

**"Special Board Meeting"** means a special meeting of the Board called by the Chairperson or a Simple Majority (5) of all Board members.

**"Office" or "OHA"** means the Office of Hawaiian Affairs.

**"Officer"** means the Chairperson and Vice Chairperson(s) of the Office of Hawaiian Affairs.

**"Official Business"** means an activity or activities authorized by the Chairperson for members of the Board. These activities include, when authorized, the following:

1. attending a meeting relevant to the work of the Board, Committee, or Office;
2. participating in a seminar or conference sponsored in whole or in part by the Office;
3. attending either as a representative of the Board, Office or as a participant, a meeting, seminar, or conference of a community, county, island, state, national, or international organization on a subject matter of direct concern to the Board, Committee, or Office;
4. participating in any training program to maintain or improve the skills of Trustees or OHA employees in the performance of their duties and/or;
5. conducting studies and investigations on matters before the Board, Committee, or Office.

**"Permitted Interaction Group" or "PIG"** means a group where two (2) or more, but less than a quorum of Board or Committee members may discuss between themselves matter relating to official board business to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought, and Board or Committee members do not constitute a quorum of their board, as provided by HRS § 92-2.5, as amended.

**"Quorum"** means the minimum number of Trustees or members of a Committee who must be present for valid transaction of business.

**"Reading"** means a presentation of an action item or motion before the Board by the presentation of the action item, its title, or its number where the action is affirmatively voted on. A formal procedure as outlined by the Board's Operations Manual indicates a reading as a stage in the enactment process.

**"Simple Majority"** means five (5) of the nine (9) votes entitled to be cast by the Board.

**"Special Councils or Commission"** means a Council or Commission established by the Board to address a specific subject matter.

**"Super Majority"** means six (6) of the nine (9) votes entitled to be cast by the Board.

**"Standing Committee"** means a constituted Committee of the Board as detailed in Article VIII, section A of the Bylaws.

**"Vice Chair" or "Vice-Chairperson"** means a Vice-Chairperson of the Board of Trustees of the Office of Hawaiian Affairs.

**ARTICLE III. DUTIES OF THE BOARD**

The Board shall exercise power as provided by Article XII, §§ 5, 6 of the Constitution of the State of Hawai'i and HRS §§ 10-5, 10-6 as amended.

#### **ARTICLE IV. MEMBERS**

- A.** The membership of the Board shall be as provided by Article XII, § 5 of the Constitution of the State of Hawai‘i and HRS § 10-7, as amended.
  
- B.** Board members shall be elected in accordance with HRS Chapter 13D, as amended, and vacancies shall be filled in accordance with HRS § 17-7, as amended.

## ARTICLE V. OFFICERS

- A. Election and Certification.** The Office of Hawaiian Affairs shall be governed by the Board of Trustees, Office of Hawaiian Affairs. The Board, at its first meeting after an election, shall elect from its own membership a Chairperson and a Vice-Chairperson who shall serve at the pleasure of the Board. Their election shall be immediately certified by the Board to the Lieutenant Governor. The concurrence of a Simple Majority (5) of all Trustees shall be necessary to make any action of the Board effective, provided that due notice shall be given to all Board members.
- B. Vote.** Voting for Chairperson and Vice-Chairperson of the Board shall be determined by a method determined by a Simple Majority (5) of all Board members.
- C. Vacancy.** A vacancy in the Office of Chairperson or Vice-Chairperson shall exist under the following circumstances:
1. When the Chairperson or Vice-Chairperson is removed by a Simple Majority (5) of all Board members; or
  2. When the Chairperson or Vice-Chairperson resigns from the position held; or
  3. In the case of illness or death of the Chairperson or Vice-Chairperson; or
  4. At the end of the term of office of the Chairperson or Vice-Chairperson.
- D. Succession.** In the event of a vacancy in the Office of the Chairperson, the Vice-Chairperson shall succeed as Chairperson until the following Board meeting at which time a Chairperson is elected by a Simple Majority (5) of all Board

members. In the event of a vacancy in the Chairperson and Vice-Chairperson positions, the longest serving Board member shall serve as Chairperson Pro Tempore until the following Board meeting at which time a Chairperson and a Vice-Chairperson are elected by a Simple Majority (5) of all Board members.

If the Vice-Chairperson is elected to become the Chairperson, the Board shall elect a Vice-Chairperson at the same meeting. The election(s) shall be immediately certified by the Board to the Lieutenant Governor as provided by HRS § 10-8, as amended.

- E. Chairperson Emeritus or Emerita.** The title of Chairperson Emeritus or Chairperson Emerita may be bestowed by a Simple Majority (5) to any Board member who previously served as Chairperson of the Board.

## ARTICLE VI. DUTIES OF OFFICERS AND MEMBERS

**A. Chairperson.** The Chairperson, in addition to presiding at all regular and special Board meetings, shall:

1. appoint or remove the Committee Chairperson and Committee Vice-Chairperson of all Standing Committees, subject to the approval of the Board;
2. appoint members of Ad Hoc Committees and Permitted Interaction Groups, and designate the Committee Chairperson and Committee Vice-Chairperson of such Ad Hoc Committees or Permitted Interaction Groups;
3. acknowledge communications, petitions, requests, and proposals on behalf of the Board and refer same to the Administrator, appropriate Committee of the Board and/or Permitted Interaction Group for action and/or recommendation;
4. serve as the primary liaison with the Governor, Congressional delegation, the Legislature, and other agencies and organizations to ensure that there are effective working relationships between all of the above and the Board;
5. approve all press releases and public announcements which state the official position of the Board;
6. approve agenda items for all meetings of the Board; and
7. perform such other duties as may be required by law or such as may properly pertain to such office.

**B. Vice-Chairperson.** The Vice-Chairperson shall:

1. assume the duties and responsibilities of the Chairperson in the absence of the Chairperson; and
2. shall undertake such other duties as may be assigned by the Chairperson.

## ARTICLE VII. ADMINISTRATOR

The Board shall have the power to exercise control over the Office through the Administrator.

- A. Appointment.** The Board, by a Simple Majority (5) of all Board members, shall appoint an Administrator who shall serve a term to be determined by the Board as required by HRS § 10-10, as amended.
- B. Staff.** The Administrator may employ and retain such employees as deemed necessary to carry out the function of the Office as required by HRS § 10-12, as amended.
- C. Removal.** The Board, by a Super Majority (6) of all Board members, may remove the Administrator for cause at any time with a due process hearing, as required by HRS § 10-10, as amended.
- D. Function.** The Administrator shall function as the chief executive officer.

## **ARTICLE VIII. COMMITTEES OF THE BOARD**

**A. Establishment of Standing Committees.** To facilitate consideration of policy matters that must be approved by the Board, Standing Committees are established. Authority to act on all matters is reserved to the Board, and the functions of each Standing Committee shall be to consider and make recommendations to the Board.

There shall be a minimum of three (3) Standing Committees of the Board. Each Committee shall be led by a Committee Chairperson and a Committee Vice-Chairperson. The Board may increase the number of Standing Committees, but the membership of the Standing Committees shall be all nine (9) Trustees. The three (3) Standing Committees, subject to increase, shall consist of the Committee on Budget and Finance (BF), Committee on Investment and Land Management (ILM), and Committee on Beneficiary Advocacy and Empowerment (BAE).

1. **Committee on Budget and Finance.** The Committee shall:
  - a. handle all fiscal and budgetary matters and ensure proper management, planning, evaluation, and use of OHA's trust funds;
  - b. develop policies that strengthen OHA's fiscal controls and financial management;
  - c. review, approve, or disapprove appropriate grants that support OHA's overall mission;

- d. evaluate OHA programs to determine their effectiveness to decide whether to continue, modify, or terminate a program;
- e. in consultation with the Chairperson of the Committee on Beneficiary Advocacy and Empowerment carry out the recruitment and selection of the OHA Administrator;
- f. provide oversight of Special Councils or Commissions as assigned by the Board.

2. **Committee on Investment and Land Management.** The Committee shall:

- a. handle all Native Hawaiian Trust Fund investments (financial assets portfolio and Hawai'i commercial real estate) and legacy land matters and ensure proper management, planning, evaluation, investment, and use of OHA's trust assets;
- b. review and approve all Hawai'i real estate acquisition expenditures that impact the OHA Debt Management, Economic Development, Investment, and Spending policies;
- c. develop policies on land use, native rights, and natural and cultural resources, including: the inventory, identification, analysis and treatment of land, native rights, and natural and cultural resources;
- d. develop policies and criteria for OHA's land acquisitions, dispositions, development, management, and the use of real property in which OHA has an interest;

- e. develop investment policies relating to OHA's Native Hawaiian Trust Fund, desired returns and risk, spending, debt management, and balancing the financial assets portfolio and Hawai'i commercial real estate portfolio;
- f. oversee the use and condition of OHA's real estate, and develop and execute policies for the proper use and stewardship of such real property;
- g. develop policies and programs for OHA's ownership, financing, and development of real property, including capital improvements, debt management, economic development, investment and spending policies, and forms of ownership for OHA's real property;
- h. develop policies relating to OHA's real estate asset allocation, desired returns, and balancing OHA's real estate portfolio including legacy lands, corporate real property, programmatic lands, and investment properties;
- i. in consultation with the Committee Chairperson of the Committee on Budget and Finance or the Committee on Beneficiary Advocacy and Empowerment with responsibilities over the subject matter, and in coordination with other resources (e.g., Board Counsel, Administrator, Corporate Counsel, Ethics Commission), develop training and orientation programs for Trustees, including materials relating to Trustees

roles, fiduciary responsibilities, and ethical obligations, as provided by HRS Chapter 84, as amended, and Board staff;

- j. oversee the performance of OHA's rights and obligations with respect to real estate not owned by OHA in its own name; and
- k. provide oversight of Special Councils or Commissions as assigned by the Board.

3. **Committee on Beneficiary Advocacy and Empowerment.** The Committee shall:

- a. plan, coordinate, and implement programs and activities that encourage Hawaiians to participate in governance;
- b. facilitate OHA's legislative agenda and advocacy efforts with federal, state, and county officials, private and community organizations, and groups involved in Hawaiian issues;
- c. review and support the passage of legislation that benefits Hawaiians and supports Hawaiian issues, and work to defeat legislation which is contrary to the interest of OHA and its beneficiaries;
- d. review, approve, or disapprove program grants that support OHA's legislative and advocacy efforts;
- e. develop programs that focus on beneficiary health, human services, economic stability, education, and native rights;
- f. develop policies and programs relating to housing, land use, the environment, and natural resources;

- g. evaluate all OHA programs to ensure that the programs have a positive impact on beneficiaries; and
- h. provide oversight of Permanent Special Councils or Commissions as assigned by the Board.

**B.** The Committee Chairperson of each Standing Committee shall be responsible for approving agenda items for all meetings under that Committee Chairperson's Committee. Each Standing Committee shall consider all matters referred to it in accordance with Section L, Article VIII, of these Bylaws and make appropriate recommendations to the Board in a timely manner, but no later than twelve (12) calendar days before a Board meeting, and shall make progress reports to the Board periodically or when requested by the Chairperson of the Board. The Standing Committee Vice-Chairperson shall assume the duties and responsibilities of the Committee Chairperson in the absence of the Committee Chairperson.

**C.** Standing Committees may meet in joint session when subject matter falls under the purview of more than one of the Standing Committees. In the case of an unbudgeted funding decision, a joint meeting of the Beneficiary Advocacy and Empowerment Committee and the Committee on Budget and Finance, led by the Committee Chairperson of the Committee on Budget and Finance, shall be mandatory.

**D. Advisory Committees.**

- 1. Standing Committees may create Advisory Committees as necessary to serve in an advisory capacity to the Standing Committees. Advisory

Committees shall assist in the resolution or study of issues arising in the specific areas of concern assigned to their respective Standing Committee. To avoid duplication in the consideration of issues, the Standing Committees shall create only one Advisory Committee to study or undertake the resolution of a single subject or issue. Each Standing Committee shall have no more than three (3) Advisory Committees at any one time. All communications and advice from an Advisory Committee shall be made to the Committee Chairperson of the Standing Committee, no later than twelve (12) calendar days before a Standing Committee Meeting. All communication and advice to an Advisory Committee shall be made by the Committee Chairperson of the Standing Committee or designee.

2. The Advisory Committee Chairperson and membership shall be appointed by the Standing Committee Chairperson, upon advice and counsel of Standing Committee members. The term of the Advisory Committees shall expire with the completion of the assigned task or at the discretion of the Standing Committee Chairperson. There shall be no less than three (3) members to each Advisory Committee, at least one (1) of whom shall be a Board member, who shall be appointed by the Standing Committee Chairperson. All Advisory Committee members, with the exception of Board members, shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.

**E. Ad Hoc Committees.**

1. From time to time, there shall be such Ad Hoc Committees, as designated by the Chairperson, the members of which shall be appointed by the Chairperson, and subject to approval of the Board by a Simple Majority (5) vote. There shall be a minimum of three (3) members on each Ad Hoc Committee, at least one of whom shall be a Board member and who shall be the Chairperson of the Ad Hoc Committee.
2. The term of the Ad Hoc Committees shall expire at the completion of the assigned task or at a specific time that is determined for each Ad Hoc Committee at the time of the appointment of said Committee or at the discretion of the Chairperson.
  - a. All communications and advice from an Ad Hoc Committee shall be made to the Chairperson of the Board no later than ten (10) days before a Board meeting.
  - b. All communications and advice to an Ad Hoc Committee shall be made by the Chairperson of the Board.
  - c. All Ad Hoc Committee members, with the exception of Board members, shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.
  - d. In the event that two (2) or more Board members are appointed to an Ad Hoc Committee, HRS Chapter 92, as amended, will apply,

unless one of the appointed Board members is also the Chairperson of the Board.

**F. Permitted Interaction Groups ("PIG").**

1. The Chairperson may place on the agenda for Board consideration a request for the formation of a PIG in accordance with HRS § 92-2.5, as amended. The request shall set forth the title of the PIG, its scope, its suggested membership, and duration.
2. The purpose of the PIG shall be either to:
  - a. investigate a matter relating to the official business of the Board ("Investigative PIG") or
  - b. to present, discuss, or negotiate any position that the Board has adopted ("Negotiating PIG").
3. The membership, purpose, scope, and duration of the PIG shall be approved by the Board prior to the commencement of an investigation or presentation, discussion, or negotiation of any position adopted by the Board at a meeting of the Board.
4. Upon creation of an Investigative PIG, its members shall proceed to investigate the matter within their purview and prepare a report together with the PIG's findings and recommendations that shall be presented to the Board for consideration by the Trustees. No discussion, deliberation, or decision making shall occur at the time that the report is presented.

5. A Negotiating PIG shall present the results of its negotiations to the Board for deliberation and decision making by the Trustees at the same time or subsequent meeting.
6. Deliberation and decision making on the matter investigated, if any, must occur only at a duly noticed meeting of the Board held subsequent to the meeting at which the finding and recommendations of the Investigative PIG were presented at the Board.
7. The report of any PIG may be accepted, rejected, recommitted subjected to the PIG for further consideration or dissolved at the deliberation and decision-making meeting, upon a Simple Majority (5) vote of the Trustees.

**G. Permanent Special Councils or Commissions.**

1. There shall be such Permanent Special Councils or Commissions as the Board deems appropriate to create. The Board shall designate a Standing Committee that shall exercise oversight of said Council or Commission. The Special Council shall determine the duration of said Council or Commission.
2. Council members or Commissioners shall be appointed by the Standing Committee to which oversight authority is granted pending confirmation of the Board through a Simple Majority (5) vote of all Board members.
3. Membership of each Council or Commission shall be composed of at least one (1) Board member.

4. The subject matter and purview of said Councils or Commissions shall be clearly defined and limited to only those areas so recommended by the Standing Committee having oversight thereof and subject to the approval of the Board by a Simple Majority (5) vote of all Board members. Oversight by the appropriate Standing Committee shall include, but not be limited to, review of budgetary concerns for the operation of said Council or Commission, and affirmation of requests for actions by such Council or Commission for the continued operations of such Council or Commission.
5. Such Council members or Commissioners, with the exception of any Board member, shall serve terms as established by the Board and shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.

#### **H. Quorum and Voting for Committees, Councils and Commissions.**

1. For Advisory, Ad Hoc, and Standing Committees, Councils and Commissions, a majority of the members of the Committee, Council or Commission shall constitute a quorum. Except for Ad Hoc Committees, three (3) members shall constitute a quorum to do business.
2. The concurrence of a quorum shall be required for any Committee (other than a Standing Committee), Council or Commission to make any recommendation to the Board or Standing Committee where appropriate, for Board or Standing Committee approval.

3. A Simple Majority (5) of the Trustees shall be required for a Standing Committee to make any recommendation to the Board, provided that a quorum is present at the time of the vote.
- I.** Authority to act on all matters is reserved to the Board and the functions of the Advisory and Ad Hoc Committees, Councils, Commissions, and Permitted Interaction Groups shall be to investigate, consider, and make recommendations to the Standing Committee and the Board, respectively.
- J. Staff Assignments.** The Administrator shall assign to each Standing, Advisory, and Ad Hoc Committee, and to each Council, Commission and Permitted Interaction Group, appropriate Administration staff to conduct research, analyze data, draft findings, and report and provide project management and support for and to advise the respective Committee, Council, Commission or Permitted Interaction Group and to maintain records of the proceedings of same.
- K. Committee Recommendations.** The Chairperson of the Board of Trustees shall place a Committee recommendation on a Board of Trustees agenda no later than thirty (30) calendar days after receipt of the recommendation.
- L. Committee Referrals.** Referrals to a Committee, Council, Commission, or Permitted Interaction Group by a Simple Majority (5) vote of all Board members shall be placed on an agenda by the chairperson of the Committee, Council, Commission, or Permitted Interaction Group no later than thirty (30) calendar days after receipt of the referral.
- M.** Waiver of any matter by committee to the Board of Trustees shall require a Super Majority (6) vote of all Board members.

## **ARTICLE IX. MEETINGS**

- A.** Board meetings shall be convened at the call of the Chairperson or by a quorum, as often as may be necessary for transaction of the Board's business as required in HRS § 10-8, as amended. The Board shall meet at least once annually on each of the islands of Hawai'i, Maui, Moloka'i, Lāna'i, Kaua'i, and O'ahu. At each meeting, the Board may fix the time and place for its next regular meeting.
- B.** Board meetings may be convened by the Chairperson. In addition, upon written request of a Simple Majority (5) of all Board members, the Administrator shall schedule a meeting of the Board to take place within twelve (12) calendar days after receipt of such request, provided that the notice requirement is met pursuant to HRS §§ 92-7, 41, as amended.
- C.** Emergency meetings may be called by the Chairperson in accordance HRS § 92-8, as amended.
- D.** Committee meetings shall be called by the Committee Chairperson.
- E.** The Board shall give written public notice of any regular, special, emergency or rescheduled Board or Standing Committee, at least six (6) calendar days before the meeting and in the manner as required by HRS §§ 92-7, 41, as amended. All meetings of the Board or its Committees, excluding PIGS, shall be open to the public, except for executive session meetings as required by HRS § 92-3, as amended.
- F.** Appearances before the Board or Standing Committee, Committee, Council, or Commission shall be in accordance with HRS Chapter 92, as amended.

1. Any verbal presentation on an agenda item before the Board or any Standing Committee shall be limited to fifteen (15) minutes unless such requirement is waived by the Chairperson of the Board or Standing Committee.
2. To ensure the orderly conduct of board business, each testifier before the Board or Standing Committee, Committee, Council, or Commission shall be limited to five (5) minutes per agenda item.
3. The Board or Standing Committee, Committee, Council, or Commission may extend or restrict the time allowed for all testifiers by a majority vote of the members present.
4. Unless a testifier's testimony is related to a specific agenda item, the testifier may only give testimony under "Community Concerns" if the item is placed on the agenda.

**G. Minutes of Meetings.** The Board and each Standing Committee, Committee, Council or Commission shall keep written or recorded minutes of all meetings as required under HRS § 92-9, as amended. The Board shall adopt standardized forms for use in the recordation of minutes of meetings. Written minutes of all preceding meetings shall be available as provided by HRS § 92-9(a), as amended. The written minutes shall include, but need not be limited to:

1. the date, time, and place of the meeting;
2. the members of the Board, Standing Committee, Council, or Commission recorded as either present, absent, or excused;

3. the substance of all matters proposed, discussed, or decided; and a record, by individual member, of motions made, motions seconded, and votes taken to include dissenting votes and abstentions;
4. staff assignments for investigation and the date staff reports are due;
5. departure and arrival of members from meetings to show matters discussed before arrival, while there, or after departure; and
6. if an electronic audio or video recording of the meeting is available online, a link to the electronic audio or video recording of the meeting, to be placed at the beginning of the minutes; and
7. any other information that any member of the Board, Standing Committee, Council, or Commission requests be included or reflected in the minutes.

Alternatively, the Board, Standing Committee, Council, or Commission may post a digital or analog recording of the meeting and a written summary as provided by HRS § 92-9(b).

**H. Board Packet.** At the time the Board Packet is distributed to its members, the Board or Committee shall also make the Board Packet available for public inspection in the Board's office, as required by HRS § 92-7.5. The Board shall provide notice to persons requesting notification of meetings pursuant to HRS Section 92-7(e), as amended, that the Board Packet is available for public inspection in the Board's office and shall provide reasonably prompt access to the Board Packet to any person upon request. The Board is not required to mail

Board Packets. As soon as practicable, the Board shall accommodate requests for electronic access to the Board Packet.

- I. Referrals.** The Board shall adopt procedures for research, due diligence and analysis, and referrals to staff via the Administrator.
- J.** The Board may hold additional community meetings, informational meetings and public hearings, as needed.

## **ARTICLE X. QUORUM AND VOTING**

A Simple Majority (5) of all Board members shall constitute a quorum to conduct business as required by HRS § 10-8, as amended. The concurrence of a Simple Majority (5) of all Board members shall be necessary to make any action of the Board valid provided that due notice shall be given to all Board members.

An abstention shall not be considered a positive or negative vote. A procedural motion may be passed by a majority vote of the Board members present. Upon the request of any Board member, the Board Secretary or staff of the Committee Chairperson shall call the roll.

- A.** Unless a Board member is excused from voting, such Board member's silence shall be recorded as an abstention.
  
- B.** A Board member may use a "kanalua" response when called upon to vote and if repeated when polled again, that vote shall be recorded as an "abstention", or when polled to vote again, the second time may either vote "yes" or "no".

The Board Secretary or staff of the Committee Chairperson shall record each vote in the minutes and report to the chairperson, who shall announce the result to the Board or Committee.

## **ARTICLE XI. LEGAL COUNSEL**

- A.** Legal Counsel shall be present at all regular meetings and certain committee meetings of the Board when requested by the Chairperson or Committee Chairperson of the relevant Committee.
- B.** The Chairperson or designee, subject to prior approval of the Board, may request any written or verbal legal opinion from OHA’s Corporate Counsel, Department of the Attorney General or from any other external legal counsel. Where a request is made in writing and a legal opinion is rendered by the Department of the Attorney General, or any other external legal counsel, such opinion along with a copy of the written request for such opinion shall be immediately distributed to all Board members in written form.
- C.** The Administrator of the Office Hawaiian Affairs or designee, subject to prior approval of the Board, may request any written or verbal legal opinion from the Department of the Attorney General, or any other external legal counsel. Where a request is made in writing and a legal opinion is rendered by the Department of the Attorney General or any other external legal counsel, such opinion along with a copy of the written request for such opinion shall be immediately distributed to all Board members in written form.

**ARTICLE XII. PARLIAMENTARY AUTHORITY**

The most recent edition of Robert’s Rules of Order shall apply in situations not covered by these Bylaws, applicable statutes, or opinions of Board Counsel, Corporate Counsel, or external counsel.

### **ARTICLE XIII. AMENDMENTS TO BYLAWS**

Proposed Bylaw amendments shall be submitted to the Board in writing. Before these Bylaws may be amended by a proposed Bylaw, it must be approved by a Super Majority (6) vote of all Board members at least twice.

#### ARTICLE XIV. BOARD OF TRUSTEES STAFF

- A. Chief of Staff.** The Board Chairperson shall appoint a Chief of Staff who will serve as the Chairperson's chief policy advisor. The Chief of Staff shall manage all operations and staff of the Board Chairperson's O'ahu and island offices(s) (if applicable), while coordinating the Chairperson's activities with other Trustees' offices. Additionally, the Chief of Staff is responsible for coordinating Trustee Aide and Secretary staff functions and activities and shall act as a liaison between the Board staff and the Administrator. The Chief of Staff shall report directly to the Chairperson of the Board.
- B. Deputy Chief of Staff.** The Board Chairperson shall have the option to appoint a Deputy Chief of Staff, who serves under the Chief of Staff and assists in managing and executing the operations, functions, and activities of the Chairperson's office. If the Board Chairperson exercises the option to appoint a Deputy Chief of Staff, the Deputy Chief of Staff position shall replace one of the two full-time Trustee Aide or Trustee Secretary positions otherwise allocated to the Board Chairperson.
- C. Board Secretary.** The Board Chairperson shall appoint a Board Secretary who will serve as the personal assistant to the Chairperson of the Board. The Board Secretary requires performing highly specialized and complex clerical and administrative tasks to support the efficient functioning of the Chairperson's office and Board of Trustees operations. The Board Secretary is expected to synthesize and communicate ideas, memos, and official correspondence concisely, coherently and comprehensively.
- D. Trustee Aide and Secretary.** Each Board member shall be entitled to a maximum of two (2) full-time positions. To carry out the duties of their office, each Trustee shall choose their staff positions from the following job classifications: Trustee Aide and Trustee Secretary. Each Board member shall have the sole discretion to select their staff positions from the job classifications listed above that best suit the needs of their office. Each Trustee Aide or Trustee

Secretary shall report directly to, and be managed by, their respective Board member.

Changes to the type, number, and compensation of Board of Trustees staff positions shall be subject to approval of the Board by a Simple Majority (5) vote.

## **ARTICLE XV. CONFLICT OF INTEREST**

Board members shall comply with the provisions of this Bylaw and are subject to the standards of conduct and financial interest disclosure requirements of HRS Chapter 84, as amended, to include attending a live ethics training within ninety (90) days of taking office and once every four (4) years thereafter, pursuant to HRS § 84-42. For the purpose of this Bylaw Article:

- A.** An ‘affiliation’ exists if a Board member or a member of the Board member’s family is an owner (an ownership interest valued at more than \$5,000 or 10% or more ownership of the business), officer, director, trustee, partner, employee (which shall also include legal counsel, consultant, contractor, advisor, or representative), or agent of such organization.
- B.** All Board members must disclose to the Chairperson and the Board their membership(s) or affiliation(s) with any organizations or person(s) who are eligible to receive grants from, may be in competition with for resources or eligible to procure from or contract with the Office of Hawaiian Affairs. Board members shall disqualify themselves any time an action is being considered by the Board which would affect the funding, procurement or contracts of that organization or person. Disclosure by declaration shall be made before Board action on the matter.

Board members have a clear obligation to conduct all affairs of OHA in the best interest of beneficiaries. Board members are expected to place the welfare of OHA above personal interests or the interests of family members or others who may be personally involved in affairs affecting OHA. All decisions of the Board

are to be made solely based on a desire to promote the best interest of OHA and its beneficiaries and in alignment with a Board member's fiduciary duties.

- C. Board members violating this Article shall be subject to disciplinary action, as set forth in Article XVIII herein.

## **ARTICLE XVI. CONFIDENTIALITY**

- A.** All information, data, and documents that do not qualify as Government Records that are received or reviewed by a Board member acting in his or her official capacity shall be deemed confidential and shall not be released or utilized by any Board member for any purpose other than OHA Board or Committee business.
- B.** The unanimous vote of all Board members after full consultation with Board Counsel shall be required before any confidential communication, proprietary, or otherwise privileged communications or material received may be publicly released, except that Board Executive Session Minutes may be released after redaction by Board Counsel under HRS § 92-9 and pursuant to Board of Trustees Operations Manual, Rule 21 (July 2007).

## ARTICLE XVII. ORDER AND DECORUM

- A.** While the chairperson is putting any question to, or addressing the Board, or when a person is speaking, all persons present are expected to conduct themselves with decorum and provide respect to the speaker. While a person is speaking, no one shall pass between such speaker and the chairperson.
- B.** When a Board member or other person properly before the Board wishes to speak, the speaker shall address the chairperson, be recognized before proceeding, and shall confine remarks to the question under discussion.
- C.** If a Board member or other person, in speaking or otherwise, transgresses these rules, any Board member may raise a question of order. The chairperson shall then decide the question of order without debate, subject to an appeal to the Board. In addition, the chairperson may call for the sense of the Board on any question of order.
- D.** Whenever any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided and may proceed with the matter under discussion within the ruling made on the question of order.
- E.** All persons attending Board meetings, including staff, witnesses, members of the media, and the general public, are expected to respect the dignity of the Board.
- F.** Board members who repeatedly violate any provision of any of the above sections of this Article shall be subject to disciplinary action, as set forth in Article XVIII herein.
- G. Defamation.** OHA is concerned that no defamatory material or statements are presented at Board and Committee meetings. In the event that this situation

should develop, it will be necessary to call this to the attention of the persons making those statements, and request that they desist in their action. Such information may be stricken from the record.

**H. Disorderly Conduct.** A disruptive Board member or meeting attendee shall be called upon by the chairperson of the Board or Committee to cease and desist all willfully disruptive behavior that prevents and compromises the conduct of a meeting. If the disruption continues, the person may be removed from the meeting pursuant to HRS §92-3. Removal may include muting of a Board member's or testifier's microphone, removal from the interactive conference technology meeting platform, or removal of the disruptive person from the in-person meeting room.

**ARTICLE XVIII. TRUSTEE CODE OF CONDUCT AND SANCTIONS FOR  
VIOLATION OF THE CODE OF CONDUCT**

The professional conduct of a Board member shall be guided by the Code of Conduct and Sanctions for Violations of the Code of Conduct, hereinafter referred to as the “Code of Conduct,” which shall be created as a stand-alone executive policy of the Board of Trustees and made part of the OHA Board of Trustees’ Executive Policy Manual as a stand-alone policy.

The Sanctions for Violations of the Code of Conduct shall contain procedures that are fitting to the position of an elected Trustee and while ensuring that due process is afforded to a Trustee whose matter is being considered by the Board of Trustees.

The purpose of this Article is to establish guidelines relating to the Trustee Code of Conduct, including standards for the ways in which Board members interact with one another staff, and beneficiaries in the pursuit of setting OHA policy and managing its trust.

**ARTICLE XIX. HAWAIIAN LANGUAGE USAGE**

All Board members and staff are expected to use Hawaiian language and the proper spelling and grammar of Hawaiian words when preparing official correspondence and documents for OHA, as required by Article XV, § 4 of the Constitution of the State of Hawai‘i, as amended.

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Attachment B:  
Updated BOT By-Laws  
(redline version containing proposed amendments)



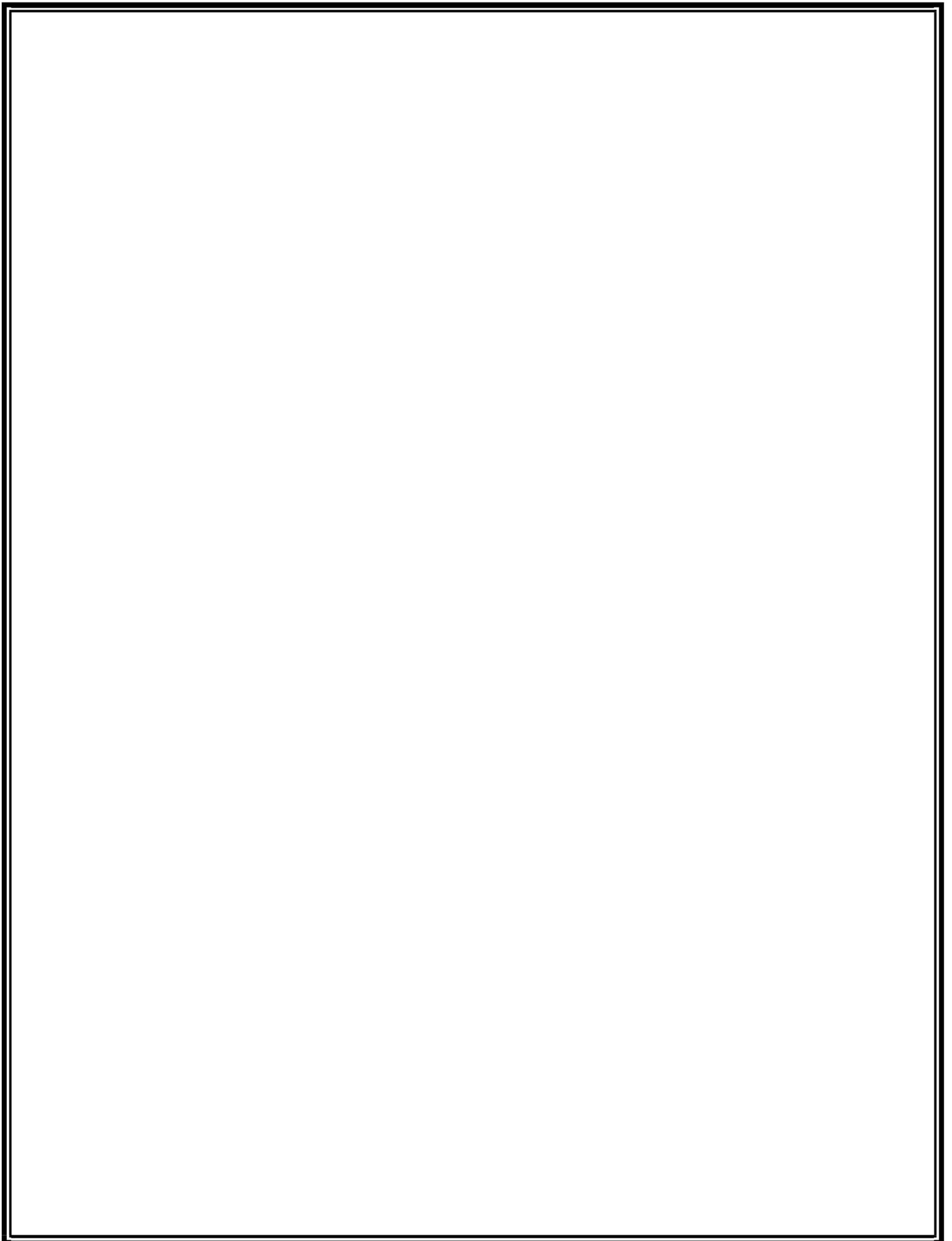
**OFFICE OF HAWAIIAN AFFAIRS**

**BOARD OF TRUSTEES**

**BYLAWS**

**~~Approved by the Board of Trustees, October 2024~~ Updated as of**

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## ARTICLE I. AUTHORIZATION

These Bylaws are adopted pursuant to Hawai'i Revised Statutes ("HRS") § 10-4(1), as amended.

## ARTICLE II. DEFINITIONS

As used herein:

"**Ad Hoc Committee**" means a Committee created by the Board for a one-time purpose or to focus on examining a specific subject and subject to a deadline by which the work must be completed or else the Ad Hoc Committee is dissolved.

"**Administrator**" means the Administrator of the Office of Hawaiian Affairs as stated in HRS § 10-10.

"**Advisory Committee**" means a Committee established to assist Standing Committees in an advisory capacity on matters within the purview of a Standing Committee.

"**Agency**" means the Office of Hawaiian Affairs.

"**Board**" means the Board of Trustees of the Office of Hawaiian Affairs. ~~"~~

"Board Packet" means documents that are compiled by the Board or a Committee and distributed to its members before a meeting for use at that meeting, as provided by HRS § 92-7.5, as amended. A Board Packet may exclude certain non-public information per HRS § 92-7.5, as amended.

"Chair" or "Chairperson" means the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs as stated in HRS § 10-8.

~~"CEO" means the Chief Executive Officer of the Office of Hawaiian Affairs.~~

"**Committee**" means a body that includes one or more Trustees established under Article VIII of these Bylaws.

"**Committee Chairperson**" means the Chairperson of a Standing Committee, Advisory Committee, Ad hoc Committee, Permitted Interaction Group, Council, or Commission of the Office of Hawaiian Affairs.

**“Government Record”** means information maintained by OHA in written, auditory, visual, electronic, or other physical form with the exception of records excluded under HRS § 92F-3.

**"Majority"** means more than half of the members ~~to which the Board is entitled~~, in good standing, who are both present and voting at a meeting.

**"Meeting"** means the convening of a Board or Committee for which a quorum is required to consider, an agenda and to decide or to deliberate toward a decision on matters over which the Board or Committee has supervision, control, jurisdiction, or advisory power.

**"Chance Meeting"** means a social or informal assemblage of two (2) or more Trustees at which matters relating to official business are not discussed.

**"Executive Session"** means a session closed to the public upon an affirmative vote taken at an open meeting, of two-thirds of the members present; provided the affirmative vote constitutes a ~~simple majority~~ Simple Majority (5) of the ~~members to which the board~~ Board or committee ~~is entitled~~ members, as provided by HRS § 92-4, as amended. A session closed to the public shall be limited to matters exempted by HRS § 92-5, as amended. The reason for holding such a session shall be publicly announced and the vote of each member on the question of holding a session closed to the public shall be recorded, and entered into the minutes of the meeting.

**"Open Meeting"** means a ~~Meeting~~ meeting of the Office of Hawaiian Affairs that is open to the public and all persons are permitted to attend any meeting unless otherwise provided in the constitution or as closed, as provided by HRS § 92-3, as amended.

**"Limited Session"** means a ~~Session~~session of the Office of Hawaiian Affairs that is held at a location that is dangerous to health or safety, or if the Board determines that it is necessary to conduct an on-site inspection of a location that is related to the Board's business at which public attendance is not practicable, and the Director of the Office of Information Practices concurs, as provided by HRS § 92-3.1, as amended.

~~"Meeting by interactive conference technology" means a meeting that utilizes any form of interactive conference technology, as provided by HRS § 92-3.5(a). The interactive conference technology used by the Board should allow for interaction among all members of the public attending the meeting, and the should meet the conditions for written public notice as required by HRS § 92-7, as amended. The notice should identify all locations where participating board members of the public may join board members at any of the identified locations.~~

**"Special Board Meeting"** means a special meeting of the Board called by the Chairperson or a ~~simple majority~~Simple Majority (5) of all Board members ~~to which the Board is entitled.~~

**"Office" or "OHA"** means the Office of Hawaiian Affairs.

**"Officer"** means the Chairperson and Vice Chairperson(s) of the Office of Hawaiian Affairs.

**"Official Business"** means an activity or activities authorized by the Chairperson for members of the Board. These activities include, when authorized, the following:

1. attending a meeting relevant to the work of the Board, Committee, or Office;

2. participating in a seminar or conference sponsored in whole or in part by the Office;
3. attending either as a representative of the Board, Office or as a participant, a meeting, seminar, or conference of a community, county, island, state, national, or international organization on a subject matter of direct concern to the Board, Committee, or Office;
4. participating in any training program to maintain or improve the skills of Trustees or OHA employees in the performance of their duties and/or;
5. conducting studies and investigations on matters before the Board, Committee, or Office.

~~"Packet" means documents that are compiled by the Board or a Committee and distributed to Members before a meeting for use at that meeting, as provided by HRS § 92-7.5, as amended. A Packet may exclude certain non-public information per HRS § 92-7.5, as amended.~~

**"Permitted Interaction Group" or "PIG"** means a group where ~~not two (2) or~~ more, ~~but less~~ than a ~~simple majority quorum~~ of a Board ~~or Committee members~~ may discuss between themselves matter relating to official board business to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought, and ~~Board or Committee~~ members do not constitute a quorum of their board, as provided by HRS § 92-2.5, as amended.

**"Quorum"** means the minimum number of Trustees or ~~Members~~ members of a Committee who must be present for valid transaction of business.

**"Reading"** means a presentation of an action item or motion before the Board by the presentation of the action item, its title, or its number where the action is affirmatively voted on. A formal procedure as ~~outline~~outlined by the Board's Operations Manual indicates a reading as a stage in the enactment process.

**"Simple Majority"** means five (5) of the nine (9) votes entitled to be cast by the Board.

**"Special Councils or Commission"** means a Council or Commission established by the Board to address a specific subject matter.

**"Super Majority"** means six (6) of the nine (9) votes entitled to be cast by the Board.

**"Standing Committee"** means a constituted Committee of the Board as detailed in Article VIII, section A of the Bylaws.

**"Vice Chair" or "Vice-Chairperson"** means ~~the~~a Vice-Chairperson of the Board of Trustees of the Office of Hawaiian Affairs.

### **ARTICLE III. DUTIES OF THE BOARD**

The Board shall exercise power as provided by Article XII, §§ 5, 6 of the Constitution of the State of Hawai'i and HRS §§ 10-5, 10-6 as amended.

#### ARTICLE IV. MEMBERS

- A. The membership of the Board shall be as provided by Article XII, § 5 of the Constitution of the State of Hawai‘i and HRS § 10-7, as amended~~-.;~~
- B. ~~Members of the~~ Board members shall be elected in accordance with HRS Chapter 13D, as amended, and vacancies shall be filled in accordance with HRS § 17-7, as amended.

## ARTICLE V. OFFICERS

- A. Election and Certification.** The Office of Hawaiian Affairs shall be governed by the Board of Trustees, Office of Hawaiian Affairs. The Board, at its first meeting after an election, shall elect from its own membership a Chairperson and a Vice-Chairperson who shall serve at the pleasure of the Board ~~as required HRS § 10-8, as amended~~. Their election shall be immediately certified by the Board to the Lieutenant Governor. The concurrence of a ~~simple majority~~ Simple Majority (5) of all Trustees shall be necessary to make any action of the Board effective, provided that due notice shall be given to all Board members.
- B. Vote.** Voting for Chairperson and Vice-Chairperson of the Board shall be determined by a method determined by a ~~simple majority~~ Simple Majority (5) of all ~~Trustees to which a Board is entitled~~ members.
- C. Vacancy.** A vacancy in the Office of Chairperson or Vice-Chairperson shall exist under the following circumstances:
1. When the Chairperson or Vice-Chairperson is removed by ~~the simple majority~~ Simple Majority (5) of ~~the all Board~~ members to which the Board is entitled; or
  2. When the Chairperson or Vice-Chairperson resigns from the position held; or
  3. In the case of illness or death of the Chairperson or Vice-Chairperson; or
  4. At the end of the term of office of the Chairperson or Vice-Chairperson.

**D. Succession.** In the event of a vacancy in the Office of the Chairperson, the Vice-Chairperson shall succeed as Chairperson until the following Board meeting at which time a Chairperson is elected by a ~~simple majority (5) of the members of the Board.~~ Simple Majority (5) of all Board members. In the event of a vacancy in the Chairperson and Vice-Chairperson positions, the longest serving Board member shall serve as Chairperson Pro Tempore until the following Board meeting at which time a Chairperson and a Vice-Chairperson are elected by a Simple Majority (5) of all Board members.

**~~D.~~** If the Vice-Chairperson is elected to become the Chairperson, the Board shall elect a Vice-Chairperson at the same meeting. The election(s) shall be immediately certified by the Board to the Lieutenant Governor as provided by HRS § 10-8, as amended.

**E. Chairperson Emeritus or Emerita.** The title of Chairperson Emeritus or Chairperson Emerita may be bestowed by a Simple Majority (5) to any Board member who previously served as Chairperson of the Board.

## ARTICLE VI. DUTIES OF OFFICERS AND MEMBERS

**A. Chairperson.** The Chairperson, in addition to presiding at all regular and special Board meetings, shall:

1. appoint ~~or remove~~ the Committee Chairperson, ~~and Committee~~ Vice-Chairperson ~~and members~~ of all Standing Committees, subject to the approval of the Board;
2. appoint members of ~~Ad hoc~~Hoc Committees, ~~and~~ Permitted Interaction Groups, and designate the Committee Chairperson and Committee Vice-Chairperson of such Ad Hoc Committees or Permitted Interaction Groups;
3. acknowledge communications, petitions, requests, and proposals on behalf of the Board and refer same to the Administrator, appropriate Committee of the Board and/or Permitted Interaction Group for action and/or recommendation;
4. serve as the primary liaison with the Governor, Congressional delegation, the Legislature, and other agencies and organizations to ensure that there are effective working relationships between all of the above and the Board;
5. approve all press releases and public announcements which state the official position of the Board;
6. approve agenda items for all meetings of the Board; and
7. perform such other duties as may be required by law or such as may properly pertain to such office.

**B. Vice-Chairperson.** The Vice-Chairperson shall-;

**B.1.** assume the duties and responsibilities of the Chairperson in the absence of the Chairperson ~~and; and shall undertake such other duties as may be assigned by the Chairperson.~~

**2.** shall undertake such other duties as may be assigned by the Chairperson.

## ARTICLE VII. ADMINISTRATOR

The Board shall have the power to exercise control over the Office through ~~its chief executive officer,~~ the Administrator.

- A. **Appointment.** The Board, by a ~~simple majority~~ Simple Majority (5) of all Board members ~~to which the Board is entitled,~~ shall appoint an Administrator who shall serve a term to be determined by the Board as required by HRS § 10-10, as amended~~;~~.
- B. **Staff.** The Administrator may employ and retain such employees as deemed necessary to carry out the function of the Office as required by HRS § 10-12, as amended.
- C. **Removal.** The Board, by a ~~two-thirds vote~~ Super Majority (6) of all ~~Trustees to which it is entitled~~ Board members, may remove the Administrator for cause at any time with a due process hearing, as required by HRS § 10-10, as amended.
- D. **Function.** The Administrator shall function as the chief executive officer.

## ARTICLE VIII. COMMITTEES OF THE BOARD

- A. Establishment of Standing Committees.** To facilitate consideration of policy matters that must be approved by the Board, Standing Committees are established. Authority to act on all matters is reserved to the Board, and the functions of each Standing Committee shall be to consider and make recommendations to the Board.

There shall be a minimum of three (3) Standing Committees of the Board. Each Committee shall be led by a Committee Chairperson and a Committee Vice-Chairperson. The Board may increase the number of Standing Committees, but the membership of the Standing Committees shall be all nine (9) Trustees. The three (3) Standing Committees, subject to increase, shall consist of the Committee on Budget and Finance (BF), Committee on Investment and Land Management (ILM), and Committee on Beneficiary Advocacy and Empowerment (BAE).

1. **Committee on Budget and Finance.** The ~~committee~~Committee shall:
  - a. handle all fiscal and budgetary matters and ensure proper management, planning, evaluation, and use of OHA's trust funds;
  - b. develop policies that strengthen OHA's fiscal controls and financial management;
  - c. review, approve, or disapprove appropriate grants that support OHA's overall mission;

- d. evaluate OHA programs to determine their effectiveness to decide whether to continue, modify, or terminate a program;
- e. in consultation with the Chairperson of the Committee on Beneficiary Advocacy and Empowerment carry out the recruitment and selection of the OHA Administrator;
- f. provide oversight of Special Councils or Commissions as assigned by the Board.

2. **Committee on Investment and Land Management.** The

~~committee~~Committee shall:

- a. handle all Native Hawaiian Trust Fund investments (financial assets portfolio and Hawai'i commercial real estate) and legacy land matters and ensure proper management, planning, evaluation, investment, and use of OHA's trust assets;
- b. review and approve all Hawai'i real estate acquisition expenditures that impact the OHA Debt Management, Economic Development, Investment, and Spending policies;
- c. develop policies on land use, native rights, and natural and cultural resources, including: the inventory, identification, analysis and treatment of land, native rights, and natural and cultural resources;
- d. develop policies and criteria for OHA's land acquisitions, dispositions, development, management, and the use of real property in which OHA has an interest;

- e. develop investment policies relating to OHA's Native Hawaiian Trust Fund, desired returns and risk, spending, debt management, and balancing the financial assets portfolio and Hawai'i commercial real estate portfolio;
- f. oversee the use and condition of OHA's real estate, and develop and execute policies for the proper use and stewardship of such real property;
- g. develop policies and programs for OHA's ownership, financing, and development of real property, including capital improvements, debt management, economic development, investment and spending policies, and forms of ownership for OHA's real property;
- h. develop policies relating to OHA's real estate asset allocation, desired returns, and balancing OHA's real estate portfolio including legacy lands, corporate real property, programmatic lands, and investment properties;
- i. in consultation with the Committee Chairperson of the Committee on Budget and Finance or the Committee on Beneficiary Advocacy and Empowerment with responsibilities over the subject matter, and in coordination with other resources (e.g., Board Counsel, Administrator, Corporate Counsel, Ethics Commission), develop training and orientation programs for Trustees, including materials relating to Trustees

roles, fiduciary responsibilities, and ethical obligations, as provided by HRS Chapter 84, as amended~~;~~, and Board staff;

- j. oversee the performance of OHA's rights and obligations with respect to real estate not owned by OHA in its own name; and
- k. provide oversight of Special Councils or Commissions as assigned by the Board.

3. **Committee on Beneficiary Advocacy and Empowerment.** The ~~committee~~Committee shall:

- a. plan, coordinate, and implement programs and activities that encourage Hawaiians to participate in governance;
- b. facilitate OHA's legislative agenda and advocacy efforts with federal, state, and county officials, private and community organizations, and groups involved in Hawaiian issues;
- c. review and support the passage of legislation that benefits Hawaiians and supports Hawaiian issues, and work to defeat legislation which is contrary to the interest of OHA and its beneficiaries;
- d. review, approve, or disapprove program grants that support OHA's legislative and advocacy efforts~~;~~;
- e. develop programs that focus on beneficiary health, human services, economic stability, education, and native rights;
- f. develop policies and programs relating to housing, land use, the environment, and natural resources;

- g. evaluate all OHA programs to ensure that the programs have a positive impact on beneficiaries; and
- h. provide oversight of Permanent Special Councils or Commissions as assigned by the Board.

**B.** The Committee Chairperson of each Standing Committee shall be responsible for approving agenda items for all meetings under that Committee Chairperson's Committee. Each Standing Committee shall consider all matters referred to it in accordance with Section L, Article VIII, of these Bylaws and make appropriate recommendations to the Board in a timely manner, but no later than twelve (12) calendar days before a Board meeting, and shall make progress reports to the Board periodically or when requested by the Chairperson of the Board. The Standing Committee Vice-Chairperson shall assume the duties and responsibilities of the Committee Chairperson in the absence of the Committee Chairperson.

**C.** Standing Committees may meet in joint session when subject matter falls under the purview of more than one of the Standing Committees. In the case of an unbudgeted funding decision, a joint meeting of the Beneficiary Advocacy and Empowerment Committee and the ~~Resource Management~~ Committee on Budget and Finance, led by the Committee Chairperson of the ~~Resource Management~~ Committee on Budget and Finance, shall be mandatory.

**D. Advisory Committees.**

- 1. Standing Committees may create Advisory Committees as necessary to serve in an advisory capacity to the Standing Committees. Advisory

Committees shall assist in the resolution or study of issues arising in the specific areas of concern assigned to their respective Standing Committee. To avoid duplication in the consideration of issues, the Standing Committees shall create only one Advisory Committee to study or undertake the resolution of a single subject or issue. Each Standing Committee shall have no more than three (3) Advisory Committees at any one time. All communications and advice from an Advisory Committee shall be made to the Committee Chairperson of the Standing Committee, no later than twelve (12) calendar days before a Standing Committee Meeting. All communication and advice to an Advisory Committee shall be made by the Committee Chairperson of the Standing Committee or designee.

2. The Advisory Committee Chairperson and membership shall be appointed by the Standing Committee Chairperson, upon advice and counsel of Standing Committee members. The term of the Advisory Committees shall expire with the completion of the assigned task or at the discretion of the Standing Committee Chairperson. There shall be no less than three (3) members to each Advisory Committee, at least one (1) of whom shall be a ~~member of the Board of Trustees of the Office of Hawaiian Affairs~~ Board member, who shall be appointed by the Standing Committee Chairperson. All Advisory Committee members, with the exception of Board ~~members of the Board of Trustees~~, shall serve on a voluntary basis without compensation, other than reasonable expenses,

such as travel, parking, and meals.

**E. Ad Hoc Committees.**

1. From time to time, there shall be such Ad ~~hœe~~Hoc Committees, as designated by the Chairperson, the members of which shall be appointed by the Chairperson, and subject to approval of the Board by a ~~simple majority~~Simple Majority (5) vote~~-. There shall be a minimum of three (3) members on each Ad ~~hœe~~Hoc Committee, at least one of whom shall be a Board member ~~of the Board~~ and who shall be the Chairperson of the Ad ~~hœe~~Hoc Committee.~~
2. The term of the Ad ~~hœe~~Hoc Committees shall expire at the completion of the assigned task or at a specific time that is determined for each Ad ~~hœe~~Hoc Committee at the time of the appointment of said Committee or at the discretion of the Chairperson.
  - a. All communications and advice from an Ad ~~hœe~~Hoc Committee shall be made to the Chairperson of the Board no later than ten (10) days before a Board meeting.
  - b. All communications and advice to an Ad ~~hœe~~Hoc Committee shall be made by the Chairperson of the Board.
  - c. All Ad ~~hœe~~Hoc Committee members, with the exception of Board members ~~of the Board of Trustees~~, shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.

- d. In the event that ~~three~~ (2) or more Board members are appointed to an Ad Hoc Committee, HRS Chapter 92, as amended, will apply, unless one of the appointed Board members is also the Chairperson of the Board.

**F. Permitted Interaction Groups (~~"PIG"~~). ("PIG").**

1. The Chairperson may place on the agenda for Board consideration a request for the formation of a PIG in accordance with HRS § 92-2.5, as amended. The request shall set forth the title of the PIG, its scope, its suggested membership, and duration.
2. The purpose of the PIG shall be either to: ~~(a)~~
  - a. investigate a matter relating to the official business of the Board ("Investigative PIG") or ~~(b)~~
  - 2.b. to present, discuss, or negotiate any position that the Board has adopted ("Negotiating PIG").
3. The membership, purpose, scope, and duration of the PIG shall be approved by the Board prior to the commencement of an investigation or presentation, discussion, or negotiation of any position adopted by the Board at a meeting of the Board.
4. Upon creation of an Investigative PIG, ~~the, its~~ members shall proceed to investigate the matter within their purview and prepare a report together with the PIG's findings and recommendations that shall be presented to the Board for consideration by the Trustees. No discussion, deliberation, or decision making shall occur at the time that the report is presented.

5. A Negotiating PIG shall present the results of its negotiations to the Board for deliberation and decision making by the Trustees at the same time or subsequent meeting.
6. Deliberation and decision making on the matter investigated, if any, must occur only at a duly noticed meeting of the Board held subsequent to the meeting at which the finding and recommendations of the Investigative PIG were presented at the Board.
7. The report of any PIG may be accepted, rejected, recommitted subjected to the PIG for further consideration or dissolved at the deliberation and decision-making meeting, upon ~~majority~~ Simple Majority (5) vote of the Trustees.

**G. Permanent Special Councils or Commissions.**

1. There shall be such Permanent Special Councils or Commissions as the Board deems appropriate to create. The Board shall designate a Standing Committee that shall exercise oversight of said Council or Commission. The Special Council shall determine the duration of said Council or Commission.
2. Council ~~Members~~members or Commissioners shall be appointed by the Standing Committee to which oversight authority is granted pending confirmation of the Board through a ~~simple majority~~Simple Majority (5) vote of all Board members ~~to which the Board is entitled~~.
3. Membership of each Council or Commission shall be composed of at least one (1) Board member ~~of the Board of Trustees~~.

4. The subject matter and purview of said Councils or Commissions shall be clearly defined and limited to only those areas so recommended by the Standing Committee having oversight thereof and subject to the approval of the ~~full~~ Board by a ~~simple majority~~ Simple Majority (5) vote of all Board members ~~to which the Board is entitled~~. Oversight by the appropriate Standing Committee shall include, but not be limited to, review of budgetary concerns for the operation of said Council or Commission, and affirmation of requests for actions by such Council or Commission for the continued operations of such Council or Commission.
5. Such Council ~~Members of~~ members or Commissioners, with the exception of any ~~Members of the Board of Trustees, shall serve terms as established by the Board and member~~, shall serve terms as established by the Board and shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.

#### **H. Quorum and Voting for Committees, Councils and Commissions:**

1. For Advisory, Ad ~~hoc~~ Hoc, and Standing Committees, Councils and Commissions, a majority of the members of the Committee, Council or Commission shall constitute a quorum. Except for Ad Hoc Committees, three (3) members shall constitute a quorum to do business.
2. The concurrence of a quorum shall be required for any Committee (other than a Standing Committee), Council or Commission to make any

recommendation to the Board or Standing Committee where appropriate, for Board or Standing Committee approval.

3. A ~~simple majority~~Simple Majority (5) of the ~~Members present at a Standing Committee meeting~~Trustees shall be required for ~~its~~ Standing Committee to make any recommendation to the Board, provided that a quorum is present at the time of the vote.

~~4. When Standing Committees meet jointly, each Committee shall vote separately as individual Committees.~~

**I.** Authority to act on all matters is reserved to the Board and the functions of the Advisory and Ad ~~hoc~~Hoc Committees, Councils, Commissions, and Permitted Interaction Groups shall be to investigate, consider, and make recommendations to the Standing Committee and the Board, respectively.

**J. Staff Assignments.** The Administrator shall assign to each Standing, Advisory, and Ad ~~hoc~~Hoc Committee, and to each Council, Commission and Permitted Interaction Group, appropriate Administration staff to conduct research, analyze data, draft findings, and report and provide project management and support for and to advise the respective Committee, Council, Commission or Permitted Interaction Group and to maintain records of the proceedings of same.

**K. Committee Recommendations.** The Chairperson of the Board of Trustees shall place a Committee recommendation on a Board of Trustees agenda no later than thirty (30) calendar days after receipt of the recommendation. ~~All Standing Committees shall do the same with respect to any matter referred to the committee by a Member.~~

L. Committee Referrals. Referrals to a Committee, Council, Commission, or Permitted Interaction Group by a Simple Majority (5) vote of all Board members shall be placed on an agenda by the chairperson of the Committee, Council, Commission, or Permitted Interaction Group no later than thirty (30) calendar days after receipt of the referral.

L.M. Waiver of any matter by committee to the Board of Trustees shall require ~~two-thirds~~ (2/3 a Super Majority (6)) vote of all ~~Members to which the Board is entitled~~ members.

## ARTICLE IX. MEETINGS

- A. Board meetings shall be convened at the call of the Chairperson or by a quorum, as often as may be necessary for transaction of the Board's business as required in HRS § 10-8, as amended. The Board shall meet at least once annually on each of the islands of Hawai'i, Maui, Moloka'i, Lāna'i, Kaua'i, and O'ahu. At each meeting, the Board may fix the time and place for its next regular meeting.
- B. Board meetings may be convened by the Chairperson. In addition, upon written request of a ~~majority~~Simple Majority (5) of ~~the all Board~~ members ~~of the Board~~, the Administrator shall schedule a meeting of the Board to take place within twelve (12) calendar days after receipt of such request, provided that the notice requirement is met pursuant to HRS §§ 92-7, 41, as amended.
- C. Emergency meetings may be called by the Chairperson in accordance HRS § 92-8, as amended.
- D. Committee meetings shall be called by the Committee Chairperson.
- E. The Board shall give written public notice of any regular, special, emergency or rescheduled Board or Standing Committee, at least six (6) calendar days before the meeting and in the manner as required by HRS §§ 92-7, 41, as amended. All meetings of the Board or its Committees, excluding PIGS, shall be open to the public, except for executive session meetings as required by HRS § 92-3, as amended.
- F. Appearances before the Board, ~~and/~~ or Standing ~~Committees, Councils~~Committee, Committee, Council, or CommissionsCommission shall be in accordance with HRS Chapter 92,<sub>2</sub> as amended.

1. ~~Any person who wants to appear~~ Any verbal presentation on an agenda item before the Board or any Standing Committee shall be limited to fifteen (15) minutes unless such requirement is waived by the Chairperson of the Board or Standing Committee.
2. ~~To ensure the orderly conduct of board business, each testifier before the Board or Standing Committee, Committee, Council, or Commission, except for executive meetings, shall be limited to present testimony on a matter before the~~ five (5) minutes per agenda item.
1. ~~The Board or any Standing Committee, Committee, Council, or Commission, shall make a request and submit a written copy of such testimony to the Administrator at least seventy-two (72) hours prior to the Board, or Standing Committee, Council or Commission meeting unless such requirement is waived by a simple~~ may extend or restrict the time allowed for all testifiers by a majority of the Board or Standing Committee, Council, or Commission. Any verbal presentation permitted by the Board or Standing Committee, Council or Commission shall be limited to five (5) minutes.
2. ~~The Chairperson or Standing Committee Council or Commission Chairperson shall have the authority to extend, limit, or terminate any testimony, which the Chairperson determines to be repetitious, made solely for purposes of delay, or without any substantive purpose.~~
3. ~~Any person who wants to submit written testimony, data, views, or arguments on any agenda item shall submit thirteen (13) copies of such~~

~~testimony to the Administrator at least seventy-two (72) hours prior to the Board or Standing Committee, Council, or Commission meeting unless waived by a majority vote of all Board, Standing Committee, Council, or Commission members present.~~

~~4.3. The Board or Standing Committee, Council, or Commission by a simple majority (5) vote may restrict the total time allowed per agenda item. vote of the members present.~~

5.4. Unless a testifier's testimony is related to a specific agenda item, the testifier may only give testimony under "Community Concerns" if the item is placed on the agenda.

**G. Minutes of Meetings.** The Board and each Standing Committee, Committee, Council or Commission shall keep written or recorded minutes of all meetings as required under HRS § 92-9, as amended. The Board shall adopt standardized forms for use in the recordation of minutes of meetings. ~~Minutes~~Written minutes of all preceding meetings shall be available as provided by HRS § 92-9(~~ba~~), as amended. The written minutes shall include, but need not be limited to:

1. the date, time, and place of the meeting;
2. the members of the Board, Standing Committee, Council, or Commission recorded as either present, absent, or excused;
3. ~~a summary~~the substance of all matters proposed, discussed, or decided; and a record, by individual member, of motions made, motions seconded, and votes taken to include dissenting votes and abstentions;
4. staff assignments for investigation and the date staff reports are due;

5. departure and arrival of members from meetings to show matters discussed before arrival, while there, or after departure; and

6. if an electronic audio or video recording of the meeting is available online, a link to the electronic audio or video recording of the meeting, to be placed at the beginning of the minutes; and

6.7. any other information that any member of the Board, Standing Committee, Council, or Commission requests be included or reflected in the minutes.

Alternatively, the Board, Standing Committee, Council, or Commission may post a digital or analog recording of the meeting and a written summary as provided by HRS § 92-9(b).

**H. Board Packet.** At the time the Board Packet is distributed to its members, the Board or Committee shall also make the Board Packet available for public inspection in the Board's office, as required by HRS § 92-7.5. ~~Additionally, the Board or Committee shall provide reasonably prompt access to the Packet to any person upon request.~~ The Board shall provide notice to persons requesting notification of meetings, pursuant to HRS Section 92-7(e), as amended, that the Board Packet is available for public inspection in the Board's office and shall provide reasonably prompt access to the Board Packet to any person upon request. The Board is not required to mail ~~board packets~~ Board Packets. As soon as practicable, the Board shall accommodate requests for electronic access to the Board Packet.

- I. **Referrals.** The Board shall adopt procedures for research, due diligence and analysis, and referrals to staff via the Administrator.
- J. ~~In the unlikely event, the~~The Board may hold additional community meetings, informational meetings and public hearings, as needed.

## ARTICLE X. QUORUM AND VOTING

A ~~simple majority~~Simple Majority (5) of all ~~the Board~~ members ~~to which the Board is entitled~~ shall constitute a quorum to conduct business as required by HRS § 10-8, as amended. The concurrence of a ~~simple majority~~Simple Majority (5) of all ~~the Board~~ members ~~to which the Board is entitled~~ shall be necessary to make any action of the Board valid provided that due notice shall be given to all Board members.

An abstention shall not be considered a positive or negative vote. A procedural motion may be passed by a majority ~~(5)~~ vote of the Board members present. Upon the request of any Board member ~~of the Board~~, the Board Secretary or staff of the Committee Chairperson shall call the roll.

- A. Unless a Board member is excused from voting, such Board member's silence shall be recorded as an abstention.
- B. A ~~Member~~Board member may use a "kanalua" response when called upon to vote and if repeated when polled again, that vote shall be recorded as an "abstention", or when polled to vote again, the second time may either vote "yes" or "no".

The Board Secretary or staff of the Committee Chairperson shall record each vote in the minutes and report to the ~~Chairperson~~chairperson, who shall announce the result to the Board or Committee.

## ARTICLE XI. LEGAL COUNSEL

- A.** Legal Counsel shall be present at all regular meetings and certain committee meetings of the Board when requested by the Chairperson or Committee Chairperson of the relevant Committee.
- B.** The Chairperson or designee, subject to prior approval of the Board, may request any written or verbal legal opinion from OHA's Corporate Counsel, Department of the Attorney General or from any other external legal counsel. Where a request is made in writing and a legal opinion is rendered by the Department of the Attorney General, or any other external legal counsel, such opinion along with a copy of the written request for such opinion shall be immediately distributed to all Board members in written form.
- C.** The Administrator of the Office Hawaiian Affairs or designee, subject to prior approval of the Board, may request any written or verbal legal opinion from the Department of the Attorney General, or any other external legal counsel. Where a request is made in writing and a legal opinion is rendered by the Department of the Attorney General or any other external legal counsel, such opinion along with a copy of the written request for such opinion shall be immediately distributed to all Board members in written form.

## ARTICLE XII. PARLIAMENTARY AUTHORITY

The most recent edition of Robert's Rules of Order shall apply in situations not covered by these Bylaws, applicable statutes, or opinions of Board ~~Legal~~Counsel, ~~Corporation~~Corporate Counsel, or external counsel.

### ARTICLE XIII. AMENDMENTS TO BYLAWS

Proposed Bylaw amendments shall be submitted to the Board in writing. Before these Bylaws may be amended by a proposed Bylaw, it must be approved by a ~~2/3<sup>rd</sup>s~~ Super Majority (6) vote of all the Board members ~~to which the Board is entitled (6 affirmative votes)~~ at least twice.

#### ARTICLE XIV. BOARD OF ~~TRUSTEE~~TRUSTEES STAFF

- A. Chief of Staff.** The Board ~~Chair~~Chairperson shall appoint a Chief of Staff who will ~~beserve~~ serve as the Chairperson's chief policy advisor. The Chief of Staff shall manage all operations and staff of the Board Chairperson's O'ahu and island offices(s) (if applicable), while coordinating the Chairperson's activities with other Trustees' offices. Additionally, the Chief of Staff is responsible for coordinating ~~Board~~Trustee Aide and Secretary staff functions and activities and shall act as a liaison between the Board staff and the Administrator. ~~–The Chief of Staff shall report directly to the Chairperson of the Board.~~
- B. Deputy Chief of Staff.** The Board Chairperson shall have the option to appoint a Deputy Chief of Staff, who serves under the Chief of Staff and assists in managing and executing the operations, functions, and activities of the Chairperson's office. If the Board Chairperson exercises the option to appoint a Deputy Chief of Staff, the Deputy Chief of Staff position shall replace one of the two full-time Trustee Aide or Trustee Secretary positions otherwise allocated to the Board Chairperson.
- C. Board Secretary.** The Board Chairperson shall appoint a Board Secretary who will serve as the personal assistant to the Chairperson of the Board. The Board Secretary requires performing highly specialized and complex clerical and administrative tasks to support the efficient functioning of the Chairperson's office and Board of Trustees operations. The Board Secretary is expected to synthesize and communicate ideas, memos, and official correspondence concisely, coherently and comprehensively.
- D. Trustee Aide and Secretary.** Each Board ~~Member~~member shall be entitled to a maximum of two (2) full-~~time~~ positions. To carry out the duties of their office, each Trustee shall choose their staff positions from the following job classifications: Trustee Aide and Trustee Secretary. Each Board member shall have the sole discretion to select their staff positions from the job classifications listed above that best suit the needs of their office. Each Trustee Aide or Trustee

Secretary shall report directly to, and be managed by, their respective Board member.

~~The Chairperson of the Board shall also be entitled to one additional staff position known as the BOT Private Secretary.~~

Changes to the type ~~and~~, number, and compensation of Board of Trustees staff positions shall ~~require Board~~ be subject to approval of the Board by a Simple Majority (5) vote.

## ARTICLE XV. CONFLICT OF INTEREST

~~Members of the~~ Board members shall comply with the provisions of this Bylaw and are subject to the standards of conduct and financial interest disclosure requirements of HRS Chapter 84, as amended, to include attending a live ethics training within ~~a reasonable time upon~~ ninety (90) days of taking office and once every four (4) years thereafter, pursuant to HRS § 84-42. For the purpose of this Bylaw Article:

A. An ‘affiliation’ exists if a Board ~~Member~~member or a ~~Member~~member of the Board member’s family is an owner (an ownership interest valued at more than \$5,000 or 10% or more ownership of the business), officer, director, trustee, partner, employee (which shall also include legal counsel, consultant, contractor, advisor, or representative), or agent of such organization.

B. All ~~Members~~Board members must disclose to the Chairperson and the Board their membership(s) or affiliation(s) with any organizations or person(s) who are eligible to receive grants from, may be in competition with for resources or eligible to procure from or contract with the Office of Hawaiian Affairs.

~~Members~~Board members shall disqualify themselves any time an action is being considered by the Board which would affect the funding, procurement or contracts of that organization or person. Disclosure by declaration shall be made before Board action on the matter.

Board members have a clear obligation to conduct all affairs of OHA in the best interest of beneficiaries. ~~Members~~Board members are expected to place the welfare of OHA above personal interests or the interests of family members or others who may be personally involved in affairs affecting OHA. All decisions

of the Board are to be made solely based on a desire to promote the best interest of OHA and its beneficiaries and in alignment with a Board ~~Member's~~member's fiduciary duties.

- C. ~~Members~~Board members violating this Article shall be subject to disciplinary action, as set forth in Article XVIII herein.

## ARTICLE XVI. CONFIDENTIALITY

- A.** ~~A.~~—All information, data, and documents that do not qualify as Government Records that are received or reviewed by a Board ~~Member~~member acting in his or her official capacity shall be deemed confidential and shall not be released or utilized by any Board ~~Member~~member for any purpose other than OHA Board or Committee business.
- B.** The unanimous vote of all ~~Members of the Board~~ members after full consultation with Board Counsel shall be required before any confidential communication, proprietary, or otherwise privileged communications or material received may be publicly released, except that Board Executive Session Minutes may be released after redaction by Board Counsel under HRS § 92-9 and pursuant to Board of Trustees Operations Manual, Rule 21 (July 2007).

## ARTICLE XVII. ORDER AND DECORUM

- A. While the ~~Chairperson~~chairperson is putting any question to, or addressing the Board, or when a person is speaking, all persons present are expected to conduct themselves with decorum and provide respect to the speaker. While a person is speaking, no one shall pass between such speaker and the ~~Chairperson~~chairperson.
- B. When a ~~Member~~Board member or other person properly before the Board wishes to speak, the speaker shall address the ~~Chairperson~~chairperson, be recognized before proceeding, and shall confine remarks to the question under discussion.
- C. If a ~~Member~~Board member or other person, in speaking or otherwise, transgresses these rules, any ~~Member~~Board member may raise a question of order. The ~~Chairperson~~chairperson shall then decide the question of order without debate, subject to an appeal to the Board. In addition, the ~~Chairperson~~chairperson may call for the sense of the Board on any question of order.
- D. Whenever any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided and may proceed with the matter under discussion within the ruling made on the question of order.
- E. All persons attending Board meetings, including staff, witnesses, members of the media, and the general public, are expected to respect the dignity of the Board.
- F. ~~Members~~Board members who repeatedly violate any provision of any of the above sections of this Article shall be subject to disciplinary action, as set forth in Article XVIII herein.

**G. Defamation.** OHA is concerned that no defamatory material or statements are presented at Board and Committee meetings. In the event that this situation should develop, it will be necessary to call this to the attention of the persons making those statements, and request that they desist in their action. Such information may be stricken from the record.

**H. Disorderly Conduct.** A disruptive Board member or meeting attendee shall be called upon by the chairperson of the Board or Committee to cease and desist all willfully disruptive behavior that prevents and compromises the conduct of a meeting. If the disruption continues, the person may be removed from the meeting pursuant to HRS §92-3. Removal may include muting of a Board member's or testifier's microphone, removal from the interactive conference technology meeting platform, or removal of the disruptive person from the in-person meeting room.

**G.**

**ARTICLE XVIII. TRUSTEE CODE OF CONDUCT AND SANCTIONS FOR  
VIOLATION OF THE CODE OF CONDUCT**

The professional conduct of a Board member ~~of the OHA Board of Trustees~~ shall be guided by the Code of Conduct and Sanctions for Violations of the Code of Conduct, hereinafter referred to as the “Code of Conduct,” which shall be created as a stand-alone executive policy of the Board of Trustees and made part of the OHA Board of Trustees’ Executive Policy Manual as a stand-alone policy.

The Sanctions for Violations of the Code of Conduct shall contain procedures that are fitting to the position of an elected Trustee and while ensuring that due process is afforded to a Trustee whose matter is being considered by the Board of Trustees.

The purpose of this Article is to establish guidelines relating to the Trustee Code of Conduct, including standards for the ways in which ~~Members~~Board members interact with one another staff, and beneficiaries in the pursuit of setting OHA policy and managing its trust.

## ARTICLE XIX. HAWAIIAN LANGUAGE USAGE

All ~~Members~~Board members and staff are expected to use Hawaiian language and the proper spelling and grammar of Hawaiian words when preparing official correspondence and documents for OHA, as required by Article XV, § 4 of the Constitution of the State of Hawai‘i, as amended.

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# **OFFICE OF HAWAIIAN AFFAIRS**

## **BOARD OF TRUSTEES**

### **BYLAWS**

**Updated as of October 31, 2024**

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## **ARTICLE I. AUTHORIZATION**

These Bylaws are adopted pursuant to Hawai'i Revised Statutes ("HRS") § 10-4(1), as amended.

## ARTICLE II. DEFINITIONS

As used herein:

**"Ad Hoc Committee"** means a Committee created by the Board for a one-time purpose or to focus on examining a specific subject and subject to a deadline by which the work must be completed or else the Ad Hoc Committee is dissolved.

**"Administrator"** means the Administrator of the Office of Hawaiian Affairs.

**"Advisory Committee"** means a Committee established to assist Standing Committees in an advisory capacity on matters within the purview of a Standing Committee.

**"Agency"** means the Office of Hawaiian Affairs.

**"Board"** means the Board of Trustees of the Office of Hawaiian Affairs. **"Chair" or**

**"Chairperson"** means the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs as stated in HRS § 10-8.

**"CEO"** means the Chief Executive Officer of the Office of Hawaiian Affairs.

**"Committee"** means a body that includes one or more Trustees established under Article VIII of these Bylaws.

**"Committee Chairperson"** means the Chairperson of a Standing Committee, Advisory Committee, Ad hoc Committee, Permitted Interaction Group, Council, or Commission of the Office of Hawaiian Affairs.

**"Government Record"** means information maintained by OHA in written, auditory, visual, electronic, or other physical form with the exception of records excluded under HRS § 92F-3.

**"Majority"** means more than half of the members to which the Board is entitled, in good standing, who are both present and voting.

**"Meeting"** means the convening of a Board or Committee for which a quorum is required to consider, an agenda and to decide or to deliberate toward a decision on matters over which the Board or Committee has supervision, control, jurisdiction, or advisory power.

**"Chance Meeting"** means a social or informal assemblage of two or more Trustees at which matters relating to official business are not discussed.

**"Executive Session"** means a session closed to the public upon an affirmative vote taken at an open meeting, of two-thirds of the members present; provided the affirmative vote constitutes a simple majority of the members to which the board or committee is entitled, as provided by HRS § 92-4, as amended. A session closed to the public shall be limited to matters exempted by HRS § 92-5, as amended. The reason for holding such a session shall be publicly announced and the vote of each member on the question of holding a session closed to the public shall be recorded, and entered into the minutes of the meeting.

**"Open Meeting"** means a Meeting of the Office of Hawaiian Affairs that is open to the public and all persons are permitted to attend any meeting unless otherwise provided in the constitution or as closed, as provided by HRS § 92-3, as amended.

**"Limited Session"** means a Session of the Office of Hawaiian Affairs that is held at a location that is dangerous to health or safety, or if the Board determines that it is necessary to conduct an on-site inspection of a location that is related to the Board's business at which public attendance is not practicable, and the Director of the Office of Information Practices concurs, as provided by HRS § 92-3.1, as amended.

**"Meeting by interactive conference technology"** means a meeting that utilizes any form of interactive conference technology, as provided by HRS § 92-3.5(a). The interactive conference technology used by the Board should allow for interaction among

all members of the public attending the meeting, and the should meet the conditions for written public notice as required by HRS § 92-7, as amended. The notice should identify all locations where participating board members of the public may join board members at any of the identified locations.

**"Special Board Meeting"** means a special meeting of the Board called by the Chairperson or a simple majority (5) of all members to which the Board is entitled.

**"Office" or "OHA"** means the Office of Hawaiian Affairs.

**"Officer"** means the Chairperson and Vice Chairperson of the Office of Hawaiian Affairs.

**"Official Business"** means an activity or activities authorized by the Chairperson for members of the Board. These activities include, when authorized, the following:

1. attending a meeting relevant to the work of the Board, Committee, or Office;
2. participating in a seminar or conference sponsored in whole or in part by the Office;
3. attending either as a representative of the Board, Office or as a participant, a meeting, seminar, or conference of a community, county, island, state, national, or international organization on a subject matter of direct concern to the Board, Committee, or Office;
4. participating in any training program to maintain or improve the skills of Trustees or OHA employees in the performance of their duties and/or;
5. conducting studies and investigations on matters before the Board, Committee, or Office.

**"Packet"** means documents that are compiled by the Board or a Committee and distributed to Members before a meeting for use at that meeting, as provided by HRS § 92-7.5, as amended. A Packet may exclude certain non-public information per HRS § 92-7.5, as amended.

**"Permitted Interaction Group" or "PIG"** means a group where no more than a simple majority of a Board may discuss between themselves matter relating to official board business to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought, and members do not constitute a quorum of their board, as provided by HRS § 92-2.5, as amended.

**"Quorum"** means the minimum number of Trustees or Members of a Committee who must be present for valid transaction of business.

**"Reading"** means a presentation of an action item or motion before the Board by the presentation of the action item, its title, or its number where the action is affirmatively voted on. A formal procedure as outline by the Board's Operations Manual indicates a reading as a stage in the enactment process.

**"Simple Majority"** means five (5) of the nine (9) votes entitled to be cast by the Board.

**"Special Councils or Commission"** means a Council or Commission established by the Board to address a specific subject matter.

**"Super Majority"** means six (6) of the nine (9) votes entitled to be cast by the Board.

**"Standing Committee"** means a constituted Committee of the Board as detailed in Article VIII of the Bylaws.

**"Vice Chair" or "Vice-Chairperson"** means the Vice-Chairperson of the Board of Trustees of the Office of Hawaiian Affairs.

### **ARTICLE III. DUTIES OF THE BOARD**

The Board shall exercise power as provided by Article XII, §§ 5, 6 of the Constitution of the State of Hawai'i and HRS §§ 10-5, 10-6 as amended.

#### **ARTICLE IV. MEMBERS**

- A.** The membership of the Board shall be as provided by Article XII, § 5 of the Constitution of the State of Hawai‘i and HRS § 10-7, as amended.
  
- B.** Members of the Board shall be elected in accordance with HRS Chapter 13D, as amended, and vacancies shall be filled in accordance with HRS § 17-7, as amended.

## ARTICLE V. OFFICERS

- A. Election and Certification.** The Office of Hawaiian Affairs shall be governed by the Board of Trustees, Office of Hawaiian Affairs. The Board, at its first meeting after an election, shall elect from its own membership a Chairperson and a Vice-Chairperson who shall serve at the pleasure of the Board as required HRS § 10-8, as amended. Their election shall be immediately certified by the Board to the Lieutenant Governor. The concurrence of a simple majority (5) of all Trustees shall be necessary to make any action of the Board effective, provided that due notice shall be given to all members.
- B. Vote.** Voting for Chairperson and Vice-Chairperson of the Board shall be determined by a method determined by a simple majority (5) of all Trustees to which a Board is entitled.
- C. Vacancy.** A vacancy in the Office of Chairperson or Vice-Chairperson shall exist under the following circumstances:
1. When the Chairperson or Vice-Chairperson is removed by the simple majority (5) of the members to which the Board is entitled; or
  2. When the Chairperson or Vice-Chairperson resigns from the position held; or
  3. In the case of illness or death of the Chairperson or Vice-Chairperson.
- D. Succession.** In the event of a vacancy in the Office of the Chairperson, the Vice-Chairperson shall succeed as Chairperson until the following Board meeting at which time a Chairperson is elected by a simple majority (5) of the members of the Board. If the Vice-Chairperson is elected to become the Chairperson, the

Board shall elect a Vice-Chairperson at the same meeting. The election(s) shall be immediately certified by the Board to the Lieutenant Governor as provided by HRS § 10-8, as amended.

## ARTICLE VI. DUTIES OF OFFICERS AND MEMBERS

**A. Chairperson.** The Chairperson, in addition to presiding at all regular and special Board meetings, shall:

1. appoint the Chairperson, Vice-Chairperson and members of all Standing Committees, subject to the approval of the Board;
2. appoint members of Ad hoc Committees, Permitted Interaction Groups and designate the Chairperson and Vice-Chairperson of such Committees or Permitted Interaction Groups;
3. acknowledge communications, petitions, requests, and proposals on behalf of the Board and refer same to the Administrator, appropriate Committee of the Board and/or Permitted Interaction Group for action and/or recommendation;
4. serve as the primary liaison with the Governor, Congressional delegation, the Legislature, and other agencies and organizations to ensure that there are effective working relationships between all of the above and the Board;
5. approve all press releases and public announcements which state the official position of the Board;
6. approve agenda items for all meetings of the Board; and
7. perform such other duties as may be required by law or such as may properly pertain to such office.

**B. Vice-Chairperson.** The Vice-Chairperson shall assume the duties and responsibilities of the Chairperson in the absence of the Chairperson and shall undertake such other duties as may be assigned by the Chairperson.

## ARTICLE VII. ADMINISTRATOR

The Board shall have the power to exercise control over the Office through its chief executive officer, the Administrator.

- A. Appointment.** The Board, by a simple majority (5) of all members to which the Board is entitled, shall appoint an Administrator who shall serve a term to be determined by the Board as required by HRS § 10-10, as amended,
- B. Staff.** The Administrator may employ and retain such employees as deemed necessary to carry out the function of the Office as required by HRS § 10-12, as amended.
- C. Removal.** The Board, by a two-thirds vote (6) of all Trustees to which it is entitled, may remove the Administrator for cause at any time with a due process hearing, as required by HRS § 10-10, as amended.
- D. Function.** The Administrator shall function as the chief executive officer.

## **ARTICLE VIII. COMMITTEES OF THE BOARD**

**A. Establishment of Standing Committees.** To facilitate consideration of policy matters that must be approved by the Board, Standing Committees are established. Authority to act on all matters is reserved to the Board, and the functions of each Standing Committee shall be to consider and make recommendations to the Board.

There shall be a minimum of three (3) Standing Committees of the Board. Each Committee shall be led by a Chairperson and a Vice-Chairperson. The Board may increase the number of Standing Committees, but the membership of the Standing Committees shall be all nine (9) Trustees. The three (3) Standing Committees, subject to increase, shall consist of the Committee on Budget and Finance (BF), Committee on Investment and Land Management (ILM), and Committee on Beneficiary Advocacy and Empowerment (BAE).

1. **Committee on Budget and Finance.** The committee shall:
  - a. handle all fiscal and budgetary matters and ensure proper management, planning, evaluation, and use of OHA's trust funds;
  - b. develop policies that strengthen OHA's fiscal controls and financial management;
  - c. review, approve, or disapprove appropriate grants that support OHA's overall mission;
  - d. evaluate OHA programs to determine their effectiveness to decide whether to continue, modify, or terminate a program;

- e. in consultation with the Chairperson of the Committee on Beneficiary Advocacy and Empowerment carry out the recruitment and selection of the OHA Administrator;
  - f. provide oversight of Special Councils or Commissions as assigned by the Board.
2. **Committee on Investment and Land Management.** The committee shall:
- a. handle all Native Hawaiian Trust Fund investments (financial assets portfolio and Hawai'i commercial real estate) and legacy land matters and ensure proper management, planning, evaluation, investment, and use of OHA's trust assets;
  - b. review and approve all Hawai'i real estate acquisition expenditures that impact the OHA Debt Management, Economic Development, Investment, and Spending policies;
  - c. develop policies on land use, native rights, and natural and cultural resources, including: the inventory, identification, analysis and treatment of land, native rights, and natural and cultural resources;
  - d. develop policies and criteria for OHA's land acquisitions, dispositions, development, management, and the use of real property in which OHA has an interest;
  - e. develop investment policies relating to OHA's Native Hawaiian Trust Fund, desired returns and risk, spending, debt

management, and balancing the financial assets portfolio and Hawai'i commercial real estate portfolio;

- f. oversee the use and condition of OHA's real estate, and develop and execute policies for the proper use and stewardship of such real property;
- g. develop policies and programs for OHA's ownership, financing, and development of real property, including capital improvements, debt management, economic development, investment and spending policies, and forms of ownership for OHA's real property;
- h. develop policies relating to OHA's real estate asset allocation, desired returns, and balancing OHA's real estate portfolio including legacy lands, corporate real property, programmatic lands, and investment properties;
- i. in consultation with the Chairperson of the Committee on Budget and Finance or the Committee on Beneficiary Advocacy and Empowerment with responsibilities over the subject matter, and in coordination with other resources (e.g., Board Counsel, Administrator, Corporate Counsel, Ethics Commission), develop training and orientation programs for Trustees, including materials relating to Trustees roles, fiduciary responsibilities, and ethical obligations, as provided by HRS Chapter 84, as amended;

- j. oversee the performance of OHA’s rights and obligations with respect to real estate not owned by OHA in its own name; and
- k. provide oversight of Special Councils or Commissions as assigned by the Board.

3. **Committee on Beneficiary Advocacy and Empowerment.** The committee shall:

- a. plan, coordinate, and implement programs and activities that encourage Hawaiians to participate in governance;
- b. facilitate OHA's legislative agenda and advocacy efforts with federal, state, and county officials, private and community organizations, and groups involved in Hawaiian issues;
- c. review and support the passage of legislation that benefits Hawaiians and supports Hawaiian issues, and work to defeat legislation which is contrary to the interest of OHA and its beneficiaries;
- d. review, approve, or disapprove program grants that support OHA’s legislative and advocacy efforts
- e. develop programs that focus on beneficiary health, human services, economic stability, education, and native rights;
- f. develop policies and programs relating to housing, land use, the environment, and natural resources;
- g. evaluate all OHA programs to ensure that the programs have a positive impact on beneficiaries, and;



no later than twelve (12) calendar days before a Standing Committee Meeting. All communication and advice to an Advisory Committee shall be made by the Chairperson of the Standing Committee or designee.

2. The Advisory Committee Chairperson and membership shall be appointed by the Standing Committee Chairperson, upon advice and counsel of Standing Committee members. The term of the Advisory Committees shall expire with the completion of the assigned task or at the discretion of the Standing Committee Chairperson. There shall be no less than three (3) members to each Advisory Committee, at least one (1) of whom shall be a member of the Board of Trustees of the Office of Hawaiian Affairs, who shall be appointed by the Standing Committee Chairperson. All Advisory Committee members, with the exception of members of the Board of Trustees, shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.

**E. Ad Hoc Committees.**

1. From time to time, there shall be such Ad hoc Committees, as designated by the Chairperson, the members of which shall be appointed by the Chairperson, and subject to approval of the Board by a simple majority (5) vote. There shall be a minimum of three (3) members on each Ad hoc Committee, at least one of whom shall be a member of the Board and who shall be the Chairperson of the Ad hoc Committee.
2. The term of the Ad hoc Committees shall expire at the completion of the assigned task or at a specific time that is determined for each Ad hoc Committee at the time of the appointment of said Committee or at the discretion of the Chairperson.
  - a. All communications and advice from an Ad hoc Committee shall be made to the Chairperson of the Board no later than ten days before a Board meeting.
  - b. All communications and advice to an Ad hoc Committee shall be made by the Chairperson of the Board.
  - c. All Ad hoc Committee members, with the exception of members of the Board of Trustees, shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.
  - d. In the event that three (3) or more Board members are appointed to an Ad Hoc Committee, HRS Chapter 92, as amended, will apply.

**F. Permitted Interaction Groups ("PIG").**

1. The Chairperson may place on the agenda for Board consideration a request for the formation of a PIG in accordance with HRS § 92-2.5, as amended. The request shall set forth the title of the PIG, its scope, its suggested membership, and duration.
2. The purpose of the PIG shall be either to: (a) investigate a matter relating to the official business of the Board ("Investigative PIG") or (b) to present, discuss, or negotiate any position that the Board has adopted ("Negotiating PIG").
3. The membership, purpose, scope, and duration of the PIG shall be approved by the Board prior to the commencement of an investigation or presentation, discussion, or negotiation of any position adopted by the Board at a meeting of the Board.
4. Upon creation of an Investigative PIG, the members shall proceed to investigate the matter within their purview and prepare a report together with the PIG's findings and recommendations that shall be presented to the Board for consideration by the Trustees. No discussion, deliberation, or decision making shall occur at the time that the report is presented.
5. A Negotiating PIG shall present the results of its negotiations to the Board for deliberation and decision making by the Trustees at the same time or subsequent meeting.
6. Deliberation and decision making on the matter investigated, if any, must occur only at a duly noticed meeting of the Board held subsequent to the

meeting at which the finding and recommendations of the Investigative PIG were presented at the Board.

7. The report of any PIG may be accepted, rejected, recommitted subjected to the PIG for further consideration or dissolved at the deliberation and decision-making meeting, upon majority vote of the Trustees.

**G. Permanent Special Councils or Commissions.**

1. There shall be such Permanent Special Councils or Commissions as the Board deems appropriate to create. The Board shall designate a Standing Committee that shall exercise oversight of said Council or Commission. The Special Council shall determine the duration of said Council or Commission.
2. Council Members or Commissioners shall be appointed by the Standing Committee to which oversight authority is granted pending confirmation of the Board through a simple majority (5) vote of all members to which the Board is entitled.
3. Membership of each Council or Commission shall be composed of at least one (1) member of the Board of Trustees.
4. The subject matter and purview of said Councils or Commissions shall be clearly defined and limited to only those areas so recommended by the Standing Committee having oversight thereof and subject to the approval of the full Board by a simple majority (5) vote of all members to which the Board is entitled. Oversight by the appropriate Standing Committee shall include, but not be limited to, review of budgetary concerns for the

operation of said Council or Commission, and affirmation of requests for actions by such Council or Commission for the continued operations of such Council or Commission.

5. Such Council Members of Commissioners with the exception of any Members of the Board of Trustees, shall serve terms as established by the Board and shall serve terms as established by the Board and shall serve on a voluntary basis without compensation, other than reasonable expenses, such as travel, parking, and meals.

#### **H. Quorum and Voting for Committees, Councils and Commissions.**

1. For Advisory, Ad hoc, and Standing Committees, Councils and Commissions, a majority of the members of the Committee, Council or Commission shall constitute a quorum. Except for Ad Hoc Committees, three (3) members shall constitute a quorum to do business.
2. The concurrence of a quorum shall be required for any Committee (other than a Standing Committee), Council or Commission to make any recommendation to the Board or Standing Committee where appropriate, for Board or Standing Committee approval.
3. A simple majority (5) of the Members present at a Standing Committee meeting shall be required for it to make any recommendation to the Board, provided that a quorum is present at the time of the vote.
4. When Standing Committees meet jointly, each Committee shall vote separately as individual Committees.

- I. Authority to act on all matters is reserved to the Board and the functions of the Advisory and Ad hoc Committees, Councils, Commissions, and Permitted Interaction Groups shall be to investigate, consider, and make recommendations to the Standing Committee and the Board, respectively.
- J. **Staff Assignments.** The Administrator shall assign to each Standing, Advisory, and Ad hoc Committee, and to each Council, Commission and Permitted Interaction Group, appropriate Administration staff to conduct research, analyze data, draft findings, and report and provide project management and support for and to advise the respective Committee, Council, Commission or Permitted Interaction Group and to maintain records of the proceedings of same.
- K. **Committee Recommendations.** The Chairperson of the Board of Trustees shall place a Committee recommendation on a Board of Trustees agenda no later than thirty (30) calendar days after receipt of the recommendation. All Standing Committees shall do the same with respect to any matter referred to the committee by a Member.
- L. Waiver of any matter by committee to the Board of Trustees shall require two-thirds (2/3) vote of all Members to which the Board is entitled.

## **ARTICLE IX. MEETINGS**

- A.** Board meetings shall be convened at the call of the Chairperson or by a quorum, as often as may be necessary for transaction of the Board's business as required in HRS § 10-8, as amended. The Board shall meet at least once annually on each of the islands of Hawai'i, Maui, Moloka'i, Lāna'i, Kaua'i, and O'ahu. At each meeting, the Board may fix the time and place for its next regular meeting.
- B.** Board meetings may be convened by the Chairperson. In addition, upon written request of a majority of the members of the Board, the Administrator shall schedule a meeting of the Board to take place within twelve (12) calendar days after receipt of such request, provided that the notice requirement is met pursuant to HRS §§ 92-7, 41, as amended.
- C.** Emergency meetings may be called by the Chairperson in accordance HRS § 92-8, as amended.
- D.** Committee meetings shall be called by the Committee Chairperson.
- E.** The Board shall give written public notice of any regular, special, emergency or rescheduled Board or Standing Committee, at least six (6) calendar days before the meeting and in the manner as required by HRS §§ 92-7, 41, as amended. All meetings of the Board or its Committees, excluding PIGS, shall be open to the public, except for executive session meetings as required by HRS § 92-3, as amended.
- F.** Appearances before the Board, and/or Standing Committees, Councils or Commissions shall be in accordance with HRS Chapter 92, as amended.

1. Any person who wants to appear before the Board or any Standing Committee, Council, or Commission, except for executive meetings, to present testimony on a matter before the Board or any Standing Committee, Council, or Commission, shall make a request and submit a written copy of such testimony to the Administrator at least seventy-two (72) hours prior to the Board, or Standing Committee, Council or Commission meeting unless such requirement is waived by a simple majority of the Board or Standing Committee, Council, or Commission. Any verbal presentation permitted by the Board or Standing Committee, Council or Commission shall be limited to five (5) minutes.
2. The Chairperson or Standing Committee Council or Commission Chairperson shall have the authority to extend, limit, or terminate any testimony, which the Chairperson determines to be repetitious, made solely for purposes of delay, or without any substantive purpose.
3. Any person who wants to submit written testimony, data, views, or arguments on any agenda item shall submit thirteen (13) copies of such testimony to the Administrator at least seventy-two (72) hours prior to the Board or Standing Committee, Council, or Commission meeting unless waived by a majority vote of all Board, Standing Committee, Council, or Commission members present.
4. The Board or Standing Committee, Council, or Commission by a simple majority (5) vote may restrict the total time allowed per agenda item.

5. Unless a testifier's testimony is related to a specific agenda item, the testifier may only give testimony under "Community Concerns" if the item is placed on the agenda.

**G. Minutes of Meetings.** The Board and each Standing Committee, Council or Commission shall keep written or recorded minutes of all meetings as required under HRS § 92-9, as amended. The Board shall adopt standardized forms for use in the recordation of minutes of meetings. Minutes of all preceding meetings shall be available as provided by HRS § 92-9(b), as amended. The minutes shall include, but need not be limited to:

1. the date, time, and place of the meeting;
2. the members of the Board, Standing Committee, Council, or Commission recorded as either present, absent, or excused;
3. a summary of all matters proposed, discussed, or decided; and a record, by individual member, of motions made, motions seconded, and votes taken to include dissenting votes and abstentions;
4. staff assignments for investigation and the date staff reports are due;
5. departure and arrival of members from meetings to show matters discussed before arrival, while there, or after departure; and
6. any other information that any member of the Board, Standing Committee, Council, or Commission requests be included or reflected in the minutes.

**H. Packet.** At the time the Packet is distributed to its members, the Board or Committee shall also make the Packet available for public inspection in the

Board's office, as required by HRS § 92-7.5. Additionally, the Board or Committee shall provide reasonably prompt access to the Packet to any person upon request. The Board shall provide notice to persons requesting notification of meetings, pursuant to HRS Section 92-7(e), as amended. The Board is not required to mail board packets. As soon as practicable, the Board shall accommodate requests for electronic access to the Board Packet.

- I. Referrals.** The Board shall adopt procedures for research, due diligence and analysis, and referrals to staff via the Administrator.
- J.** In the unlikely event, the Board may hold additional community meetings, informational meetings and public hearings, as needed.

## **ARTICLE X. QUORUM AND VOTING**

A simple majority (5) of all the members to which the Board is entitled shall constitute a quorum to conduct business as required by HRS § 10-8, as amended. The concurrence of a simple majority (5) of all the members to which the Board is entitled shall be necessary to make any action of the Board valid provided that due notice shall be given to all members.

An abstention shall not be considered a positive or negative vote. A procedural motion may be passed by a majority (5) vote of the members present. Upon the request of any member of the Board, the Board Secretary shall call the roll.

- A.** Unless a member is excused from voting, such member's silence shall be recorded as an abstention.
- B.** A Member may use a "kanalua" response when called upon to vote and if repeated when polled again, that vote shall be recorded as an "abstention", or when polled to vote again, the second time may either vote "yes" or "no".

The Board Secretary shall record each vote in the minutes and report to the Chairperson, who shall announce the result to the Board.

## **ARTICLE XI. LEGAL COUNSEL**

- A.** Legal Counsel shall be present at all regular meetings and certain committee meetings of the Board when requested by the Chairperson or Chairperson of the relevant Committee.
- B.** The Chairperson or designee, subject to prior approval of the Board, may request any written or verbal legal opinion from OHA’s Corporate Counsel, Department of the Attorney General or from any other external legal counsel. Where a request is made in writing and a legal opinion is rendered by the Department of the Attorney General, or any other external legal counsel, such opinion along with a copy of the written request for such opinion shall be immediately distributed to all Board members in written form.
- C.** The Administrator of the Office Hawaiian Affairs or designee, subject to prior approval of the Board, may request any written or verbal legal opinion from the Department of the Attorney General, or any other external legal counsel. Where a request is made in writing and a legal opinion is rendered by the Department of the Attorney General or any other external legal counsel, such opinion along with a copy of the written request for such opinion shall be immediately distributed to all Board members in written form

## **ARTICLE XII. PARLIAMENTARY AUTHORITY**

The most recent edition of Robert's Rules of Order shall apply in situations not covered by these Bylaws, applicable statutes, or opinions of Board Legal Counsel, Corporation Counsel, or external counsel.

### **ARTICLE XIII. AMENDMENTS TO BYLAWS**

Proposed Bylaw amendments shall be submitted to the Board in writing. Before these Bylaws may be amended by a proposed Bylaw, it must be approved by a 2/3<sup>rd</sup>'s vote of all the members to which the Board is entitled (6 affirmative votes) at least twice.

#### **ARTICLE XIV. BOARD OF TRUSTEE STAFF**

The Board Chair shall appoint a Chief of Staff who will be responsible for coordinating Board staff functions and activities and shall act as a liaison between the Board staff and the Administrator.

Each Board Member shall be entitled to a maximum of two full time positions. To carry out the duties of their office, each Trustee shall choose their staff positions from the following job classifications: Trustee Aide and Trustee Secretary. Each Board member shall have the sole discretion to select their staff positions from the job classifications listed above that best suit the needs of their office.

The Chairperson of the Board shall also be entitled to one additional staff position known as the BOT Private Secretary.

Changes to the type and number of staff positions shall require Board approval.

## **ARTICLE XV. CONFLICT OF INTEREST**

Members of the Board shall comply with the provisions of this Bylaw and are subject to the standards of conduct and financial interest disclosure requirements of HRS Chapter 84, as amended, to include attending ethics training within a reasonable time upon taking office. For the purpose of this Bylaw Article:

- A.** An ‘affiliation’ exists if a Board Member or a Member of the Board member’s family is an owner (an ownership interest valued at more than \$5,000 or 10% or more ownership of the business), officer, director, trustee, partner, employee (which shall also include legal counsel, consultant, contractor, advisor, or representative), or agent of such organization.
- B.** All Members must disclose to the Chairperson and the Board their membership(s) or affiliation(s) with any organizations or person(s) who are eligible to receive grants from, may be in competition with for resources or eligible to procure from or contract with the Office of Hawaiian Affairs. Members shall disqualify themselves any time an action is being considered by the Board which would affect the funding, procurement or contracts of that organization or person. Disclosure by declaration shall be made before Board action on the matter.

Board members have a clear obligation to conduct all affairs of OHA in the best interest of beneficiaries. Members are expected to place the welfare of OHA above personal interests or the interests of family members or others who may be personally involved in affairs affecting OHA. All decisions of the Board are

to be made solely based on a desire to promote the best interest of OHA and its beneficiaries and in alignment with a Board Member's fiduciary duties.

- C. Members violating this Article shall be subject to disciplinary action, as set forth in Article XVIII herein.

## **ARTICLE XVI. CONFIDENTIALITY**

- A.** All information, data, and documents that do not qualify as Government Records that are received or reviewed by a Board Member acting in his or her official capacity shall be deemed confidential and shall not be released or utilized by any Board Member for any purpose other than OHA Board or Committee business.
- B.** The unanimous vote of all Members of the Board after full consultation with Board Counsel shall be required before any confidential communication, proprietary, or otherwise privileged communications or material received may be publicly released, except that Board Executive Session Minutes may be released after redaction by Board Counsel under HRS § 92-9 and pursuant to Board of Trustees Operations Manual, Rule 21 (July 2007).

## ARTICLE XVII. ORDER AND DECORUM

- A. While the Chairperson is putting any question to, or addressing the Board, or when a person is speaking, all persons present are expected to conduct themselves with decorum and provide respect to the speaker. While a person is speaking, no one shall pass between such speaker and the Chairperson.
- B. When a Member or other person properly before the Board wishes to speak, the speaker shall address the Chairperson, be recognized before proceeding, and shall confine remarks to the question under discussion.
- C. If a Member or other person, in speaking or otherwise, transgresses these rules, any Member may raise a question of order. The Chairperson shall then decide the question of order without debate, subject to an appeal to the Board. In addition, the Chairperson may call for the sense of the Board on any question of order.
- D. Whenever any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided and may proceed with the matter under discussion within the ruling made on the question of order.
- E. All persons attending Board meetings, including staff, witnesses, members of the media, and the general public, are expected to respect the dignity of the Board.
- F. Members who repeatedly violate any provision of any of the above sections of this Article shall be subject to disciplinary action, as set forth in Article XVIII herein.
- G. **Defamation.** OHA is concerned that no defamatory material or statements are presented at Board and Committee meetings. In the event that this situation

should develop, it will be necessary to call this to the attention of the persons making those statements, and request that they desist in their action. Such information may be stricken from the record.

**ARTICLE XVIII. TRUSTEE CODE OF CONDUCT AND SANCTIONS FOR  
VIOLATION OF THE CODE OF CONDUCT**

The professional conduct of a member of the OHA Board of Trustees shall be guided by the Code of Conduct and Sanctions for Violations of the Code of Conduct, hereinafter referred to as the “Code of Conduct,” which shall be created as a stand-alone executive policy of the Board of Trustees and made part of the OHA Board of Trustees’ Executive Policy Manual as a stand-alone policy.

The Sanctions for Violations of the Code of Conduct shall contain procedures that are fitting to the position of an elected Trustee and while ensuring that due process is afforded to a Trustee whose matter is being considered by the Board of Trustees.

The purpose of this Article is to establish guidelines relating to the Trustee Code of Conduct, including standards for the ways in which Members interact with one another staff, and beneficiaries in the pursuit of setting OHA policy and managing its trust.

## **ARTICLE XIX. HAWAIIAN LANGUAGE USAGE**

All Members and staff are expected to use Hawaiian language and the proper spelling and grammar of Hawaiian words when preparing official correspondence and documents for OHA, as required by Article XV, § 4 of the Constitution of the State of Hawai‘i, as amended.

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**Position Title: Board of Trustees Deputy Chief of Staff****Reports to:** Chair of the Board of Trustees**FLSA Status:** Exempt

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**General Purpose of Deputy Chief of Staff Position**

The Deputy Chief of Staff serves as a key advisor and strategic partner to the Chairperson of the Board of Trustees, supporting the Chief of Staff in managing day-to-day operations, executing the Chairperson's priorities, and advancing the mission of OHA. This position requires strong leadership, exceptional communication skills, and the ability to navigate complex political, cultural, and policy issues affecting Native Hawaiians.

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**Essential Functions and Responsibilities****1. Strategic Planning & Policy Development**

- Assist in developing and implementing strategic initiatives aligned with the Chairperson's vision and OHA's mission.
- Conduct research and provide policy recommendations on key issues impacting Native Hawaiians.
- Draft position papers, briefing materials, and reports to support decision-making.

**2. Operations & Administration**

- Oversee internal processes to ensure effective coordination and execution of the Chairperson's agenda.
- Assist in managing staff, setting priorities, and ensuring accountability.
- Support budget development, resource allocation, and performance evaluation.
- In coordination with the Chief of Staff, manage and execute the BOT budget and ensure that all BOT contract vendors receive payment on invoices in a timely manner.

**3. Stakeholder Engagement & Community Relations**

- Serve as a liaison between the Chairperson's office and trustees, OHA staff, government agencies, community organizations, and stakeholders.
- Represent the Chairperson in meetings and public events as needed.
- Facilitate community engagement efforts and ensure transparency in communication.

**4. Legislative & Advocacy Support**

- Monitor and analyze legislative and policy developments at the local, state, and federal levels.
- Coordinate with OHA's advocacy teams to advance policy initiatives that benefit Native Hawaiians.
- Draft testimony, policy briefings, and advocacy materials.

**5. Crisis Management & Issue Response**

- Support the Chief of Staff in responding to urgent matters, crises, and sensitive issues.
- Develop communication strategies and rapid response plans as needed.

- Maintain confidentiality and discretion in handling high-level matters.

### **Operational Responsibilities**

1. Direct, coordinate, and evaluate activities of the Chair's office and assigned personnel (e.g., BOT Secretary, Trustee Secretary, and Trustee Aide).
2. Ensure efficiency, productivity, and professionalism among the Chair's staff.
3. Coordinate activities across BOT staff to ensure smooth operations.
4. Consult BOT Counsel or OHA Corporate Counsel on BOT Executive Session agenda items.
5. Oversee the preparation and confidentiality of BOT Executive Session minutes.
6. Conduct regular meetings with Chair's staff and assist in their formal semi-annual performance evaluations.
7. Draft speeches for the Chair in collaboration with OHA Communications and Administration teams and supervise speechwriting for other Trustees representing OHA or the BOT Chair at public events.
8. Draft celebratory certificates or certificates of recognition as directed by the Board Chairperson.

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### **Knowledge, Skills, and Abilities**

#### **Knowledge**

1. Principles of public and business administration, supervision, and program planning.
2. Structure and functions of state government and OHA.
3. Federal and state laws and county regulations.
4. Public relations, supervision, and legislative processes.
5. Hawaiian culture, language ('ōlelo Hawai'i), customs, issues, and concerns.

#### **Skills and Abilities**

1. Plan, organize, develop, coordinate, and review staff activities.
2. Build and maintain cooperative relationships with public officials, government staff, community leaders, and stakeholders.
3. Develop and implement programs and policies aligned with OHA's goals.
4. Build coalitions, engage stakeholders, and lead collaborative processes.
5. Communicate clearly and tactfully, both orally and in writing.

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### **Education, Training, and Experience**

#### **Minimum Requirements**

- A bachelor's degree in public administration, political science, business, accounting, Hawaiian studies or a related field is required.
- At least five (5) years of relevant experience demonstrating the required knowledge, skills, and abilities.
- Excellent written and verbal communication skills.

#### **Preferred Qualifications**

1. Experience working in a legislative or government setting.
2. Experience in finance, accounting and or managing a multi-million-dollar budget.

3. Fluency or basic knowledge of the Hawaiian language ('ōlelo Hawai'i) and cultural protocols.
4. Background in public policy, strategic communications, or community development.
5. Familiarity with the four major elements of the Kumu Honua Mauli Ola framework.

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### Writing Sample Requirements

Applicants must submit a writing sample addressing the following:

1. What are your strengths and weaknesses, and how would you address your weaknesses if selected as Chief of Staff?
2. Describe your management philosophy and experience in managing people, including handling staff counseling and terminations.
3. Identify the top three challenges currently facing OHA and provide one actionable suggestion for each challenge.
4. Provide an example where you demonstrated servant leadership.

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### Application Requirements

To apply, submit the following documents:

1. **Resume or Curriculum Vitae (CV):** Detailing professional experience, education, and accomplishments.
2. **Cover Letter:** Explaining your interest in the position, how you meet the qualifications, and your vision for the role.
3. **Writing Sample:** Responding to the prompts listed in the Writing Sample Requirements section.
4. **References:** A list of three professional references, including contact information and their relationship to you.
5. **Educational Transcripts:** Copies verifying educational qualifications (official transcripts may be requested later).
6. **Professional Certifications or Licenses (if applicable).**
7. **Optional Portfolio:** Showcasing relevant work, such as policy proposals or strategic plans.

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### Salary Range

TBD

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### Application Deadline

Applications must be submitted by **Friday, April 11, 2025**

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### Submission Information

Submit application materials to:

#### Office of Hawaiian Affairs

560 N. Nimitz Highway, Suite 200

Honolulu, Hawai'i 96817

Or via email: [careers@oha.org](mailto:careers@oha.org)

Kaiali'i Kahele - Chairperson  
Keoni Souza - Vice Chairperson  
Dan Ahuna - Trustee, Kaua'i & Ni'ihau  
Kaleihikina Akaka - Trustee, O'ahu  
Keli'i Akina, Ph.D. - Trustee, At-Large  
Luana Alapa - Trustee, Moloka'i & Lāna'i  
Brickwood Galuteria - Trustee, At-Large  
Carmen "Hulu" Lindsey - Trustee, Maui  
John D. Waihee IV - Trustee, At-Large



Phone: (808) 594-1888  
Fax: (808)-1868

**OFFICE OF HAWAIIAN AFFAIRS  
BOARD OF TRUSTEES**

560 N. Nimitz Hwy., Suite 200  
Honolulu, HI 96817

**MEETING OF THE BOARD OF TRUSTEES**

**DATE: Thursday, March 6, 2025**

**TIME: 8:30 A.M.**

**PLACE: Remote Meeting via Interactive Conference Technology**

**Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) Or**

**Listen by phone: (213) 338-8477, Webinar ID: 815 7962 2495**

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen 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.**

**AGENDA**

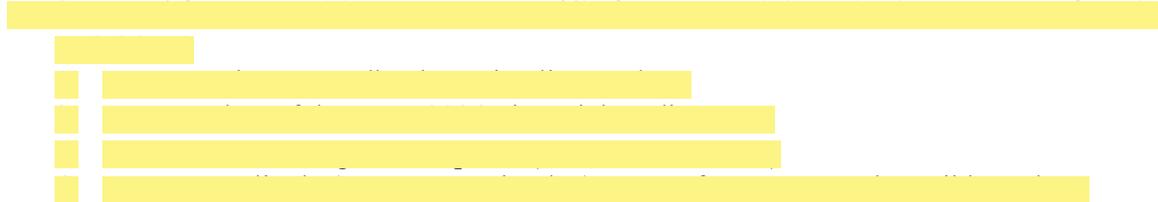
**I. Call to Order**

**II. Executive Session§**

- A.** Discussion of the settlement agreement terms in Laeha v. Office of Hawaiian Affairs. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to the settlement agreement terms in Laeha v. Office of Hawaiian Affairs.
- B.** Discussion of a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs.
- C.** Review of OHA's involvement in lawsuit against the State of Hawai'i for mismanagement of Mauna Kea. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to Office of Hawaiian Affairs v. State of Hawai'i et al., Civ. No. 17-1-1823-11.
- D.** Review of OHA's involvement in lawsuit against the establishment of the Mauna Kea Stewardship and Oversight Authority under Act 255 (SLH 2022). Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to Office of Hawaiian Affairs v. State of Hawai'i et al., Civ. No. 24-1-0082.
- E.** Approval of Executive Session Minutes
  1. April 25, 2024

**III. New Business**

**A. Action Item BOT #25-04:** Revision to the Office of Hawaiian Affairs Board of Trustees Bylaws addressing inconsistencies with HRS chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments\*, *First Reading*



**C. Committee on Beneficiary Advocacy and Empowerment – March 5, 2025**

1. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Housing - Matrix 5\*
2. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6\*
3. **Action Item BAE #25-04:** Approve the addition of a resolution to the OHA 2025 Legislative Package (“Establishing a Working Group to Examine and Consider the Transfer or Partial Transfer of Native Hawaiian Burial Site Duties under Hawai‘i Revised Statutes Chapter 6E From the Department of Land and Natural Resources State Historic Preservation Division to the Office of Hawaiian Affairs.”).

**D. Committee on Budget and Finance – March 5, 2025**

1. **Action Item BF #25-09:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Nurture Cultivate Inc. for the 2025 Panina Makahiki Event on March 8, 2025, in the amount of \$5,000.
2. **Action Item BF #25-10:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to St. Andrew's Schools for the 2025 Queen Emma Ball Lū'au on the Square Event on March 13, 2025, in the amount of \$5,000
3. **Action Item BF #25-11:** Approval for funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Ho‘oulu ‘Ike Center for Hula and Mele for the 2025 ‘Āina Ho‘opulapula Mele and Hula Conference Event on March 15, 2025, in the amount of \$13,500.
4. **Action Item BF #25-12:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Pōhāhā I Ka Lani for the 2025 Ka‘e Lehua Event on March 15, 2025, in the amount of \$5,000.
5. **Action Item BF #25-13:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Hui O Kuapā for the 2025 Ke Aupuni Palapala Professional Development Workshop Event on March 17, 2025, in the amount of \$10,000.
6. **Action Item BF #25-14:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Kuana‘ike for the Spirit Fest 2025 Event on March 21, 2025, in the amount of \$15,000.

**IV. Approval of Minutes**

- A. February 6, 2025\*
- B. July 23, 2024 site visit summary - Kāneiolouma Heiau\*
- C. July 23, 2024 site visit summary - Ko‘olau Limu Project\*
- D. July 23, 2024 Kaua‘i Island Community Meeting\*
- E. July 24, 2024 Kaua‘i Island Board of Trustees Meeting\*

**V. Community Concerns and Celebrations**

**VI. Announcements**

## VII. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, please contact Everett Ohta at (808) 594-1988 or by email at everetto@oha.org as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

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 will be made available on OHA's website <https://www.oha.org/about/leadership/board-of-trustees/> as soon as practicable after the meeting.

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. Hawai'i Revised Statutes, Chapter 92, prohibits Board members from discussing or taking action on matters not listed on the meeting agenda.

\* Document(s) associated with this agenda item are anticipated to be included in the board packet for this meeting. The board packet will be available for the public to inspect at OHA's main office located at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817, OHA's neighbor island offices, and on OHA's website <https://www.oha.org/bot> no later than two business days before the meeting. 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 Board of Trustees either as: (1) **written testimony** or (2) live, oral testimony online or at the physical meeting location during the remote meeting.

- (1) Persons wishing to provide **written testimony** on items listed on the agenda should submit testimony via **email** to [botmeetings@oha.org](mailto:botmeetings@oha.org) or via **postal mail** to Office of Hawaiian Affairs, Attn: Board of Trustees Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. Testimony is requested to be received at least twenty-four hours prior to the scheduled meeting to allow board members with sufficient time to review the testimony before the meeting. All written testimony will be posted on OHA's meeting website. Please omit or redact any personal information (e.g., name, email address, phone number, home address, or materials) that you do not want to be disclosed publicly online.
- (2) Persons wishing to provide **oral testimony online** during the remote meeting, please click on the link below: <https://us06web.zoom.us/j/81579622495>

To provide oral testimony online, you will need:

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

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

Once your oral testimony is completed, you may be asked to disconnect from the meeting. If you willfully disrupt the meeting or do not disconnect 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.

Oral testimony online or at a physical meeting location will be limited to five (5) minutes. Oral testimony by telephone/landline **will not** be accepted at this time.



Trustee Kaiali'i Kahele  
Chairperson, Board of Trustees

2/28/2025  
Date



**OFFICE OF HAWAIIAN AFFAIRS**

KE'ENA KULEANA HAWAI'I

560 N. Nimitz Hwy., Suite 200  
Honolulu, HI 96817

**OFFICE OF HAWAIIAN AFFAIRS  
BOARD OF TRUSTEES  
CEO/ADMINISTRATION AGENDA ITEMS**

**Thursday, March 6, 2025**

**10:00 AM**

**Location: OHA Board Room & Virtual via Microsoft Teams**

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**AGENDA ITEMS**

**1. OHA Employee Handbook Refresh Update**

*Presented by: Stacy Ferreira, Chief Executive Officer*

**2. Performance Management System Implementation Timeline (Interim FY25)**

*Presented by: Kēhau Pu'u, Chief Operating Officer*

**3. Performance Management System Evaluation Form (Interim FY25)**

*Presented by: Kēhau Pu'u, Chief Operating Officer*

**4. Financial Audit Update**

*Presented by: Ramona Hinck, Chief Financial Officer*

**5. MiMO Strategic Plan Updates - Targets & Indicators**

*Presented by: Elena Farden, Senior Director of Strategy & Implementation*

**6. Kanaaho Dashboard**

*Presented by: Kēhau Pu'u, Chief Operating Officer*

**7. Ola Ka 'Ī Events**

*Presented by: Anu Awo-Chun, Director of Education & Culture-Based Learning -  
Strategy & Implementation*

**8. AHO (Access to Home Ownership) Program**

*Presented by: Poni Askew, Director of Economic & Business Resilience - Strategy &  
Implementation*



**OFFICE OF HAWAIIAN AFFAIRS**  
*KE'ENA KULEANA HAWAI'I*  
560 N. Nimitz Hwy., Suite 200  
Honolulu, HI 96817

## **OHA Employee Handbook Refresh – Status and Timeline**

Date: March 03, 2025

### **Objective**

To update and refresh the OHA Employee Handbook to ensure alignment with current laws, policies, and organizational best practices, fostering clarity, consistency, and compliance across all employee processes.

### **Why This Matters**

The OHA Employee Handbook serves as a foundational document that governs employee expectations, rights, responsibilities, and organizational policies. An updated and relevant handbook strengthens organizational culture, reduces legal and compliance risks, and ensures employees are equipped with clear guidance aligned with both internal values and external regulatory requirements.

Regular refreshes ensure the handbook reflects:

- Changes in employment law and labor standards;
- Updated HR policies and grievance procedures;
- Revised health, safety, IT, and travel policies;
- Organizational priorities and operational needs.

### **Current Status**

The handbook revision process is well underway with Draft 1 mostly completed by the ELT (Executive Leadership Team). Key sections still requiring review and revisions (as needed) include:

- \*Employment Status, Job Classification and Work Performance
  - Promotions & Transfers
  - Discipline Procedures
- \*Work Hours and Compensation
  - Travel and Per Diem
- Health & Safety



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**Health & Safety Deliverables & Timeline** (dates are estimated and may change based on operational priorities)

<b>Milestone</b>	<b>Deadline</b>	<b>Status/Notes</b>
ELT Handbook Section Review & Revision – Draft 1 <ul style="list-style-type: none"> <li>• Ka Pouhana Welcome Letter</li> <li>• Employment Practices</li> <li>• *Employment Status, Job Classification and Work Performance</li> <li>• *Work Hours and Compensation</li> <li>• Employee Benefits</li> <li>• Employee Responsibilities</li> <li>• Acceptable Use Policy for OHA Property and Information Technology Systems</li> <li>• Employee Acknowledgement Form</li> </ul>	3/3/2025	Complete
Draft 1 Sections Under Review & Revision <ul style="list-style-type: none"> <li>• *Employment Status, Job Classification and Work Performance               <ul style="list-style-type: none"> <li>○ Promotions &amp; Transfers</li> <li>○ Discipline Procedures</li> </ul> </li> <li>• *Work Hours and Compensation               <ul style="list-style-type: none"> <li>○ Travel and Per Diem</li> </ul> </li> <li>• Health &amp; Safety</li> </ul>	3/17/2025	In Progress
ELT Full Handbook Review & Revisions – Draft 2	3/24/2025	Planned
AE&S Legal Review (External)	4/7/2025	Planned
Legal Revisions Incorporated – Draft 3	4/10/2025	Planned
Formatting & Design by Communications	4/10/2025	Planned

Stacy Kealohalani Ferreira  
 Chief Executive Officer | Ka Pūhaha  
 Kēhaulani Pu‘u  
 Chief Operating Officer | Ka Pou Nui



Phone: (808) 594-1888  
 Fax: (808) 594-1868

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Trustee Review & Comment	4/21/2025 – 4/28/2025	Planned
BOT Feedback Incorporated	4/30/2025	Planned
Final Handbook Completion	5/1/2025	Planned
Review and Training of Handbook with Supervisors	5/1/2025- 5/16/2025	Planned
Review and Training of Handbook with Paia Teams & Dissemination of Employee Handbook <ul style="list-style-type: none"> <li>• All new and existing employees will sign and submit an Employee Acknowledgement Form</li> </ul>	5/19/2025- 5/30/2025	Planned

The OHA Employee Handbook is a living document that will be regularly reviewed and updated to reflect necessary changes in organizational policies, procedures, and practices. Updates will ensure ongoing compliance with applicable federal and state laws, as well as agency-specific requirements that support OHA’s operational needs and legal obligations. In addition, the handbook will undergo a formal review at the end of each fiscal year (May-June) to ensure continued relevance and accuracy.



FY 2025 PERFORMANCE MANAGEMENT SYSTEM  
(Interim Process for March-July 2025)

Introduction

The Office of Hawaiian Affairs (OHA) is committed to excellence through the efforts of our employees. OHA's Performance Management & Evaluation System (PMS) is a structured process designed to evaluate, improve, and recognize employee performance. This system aims to align individual goals with organizational objectives, ensuring growth and development for both employees and the Office of Hawaiian Affairs.

The following is an interim process for the remainder of FY25. Please note that Performance Evaluations shall be based on Q3 & Q4 employee performance but may also include Q1 & Q2 performance as well. Evaluations will be non-scored and filed as part of the employee record.

Objectives

- To provide a transparent and fair process for performance evaluation.
- To align individual performance with organizational goals.
- To identify and address performance gaps.
- To foster a culture of continuous improvement and development.

FY 2025 Performance Management Cycle



FY 25 Performance Management Timeline

DATES	TASKS
March 5	<ul style="list-style-type: none"> <li>• Distribution of performance evaluation form and timeline to ALL OHA staff</li> </ul>
By March 28	<ul style="list-style-type: none"> <li>• Mid-Year Performance Review Meeting Complete (Manager &amp; Direct Report). The review will include the following activities:               <ul style="list-style-type: none"> <li>○ Employee Reflection</li> <li>○ Performance Assessment (by manager)</li> <li>○ Set/reset of goals and expectations for remainder of FY</li> <li>○ Scheduled Monthly 1:1 Mtgs-April, May, June</li> <li>○ Scheduled EOY Performance Review</li> </ul> </li> </ul>
April 25	<ul style="list-style-type: none"> <li>• Monthly 1:1 Meeting Complete (Manager &amp; Direct Report)               <ul style="list-style-type: none"> <li>○ The purpose of monthly 1:1's is to monitor progress and provide feedback on goals and performance.</li> </ul> </li> </ul>
May 23	<ul style="list-style-type: none"> <li>• Monthly 1:1 Meeting Complete (Manager &amp; Direct Report)</li> </ul>
June 13	<ul style="list-style-type: none"> <li>• Monthly 1:1 Meeting Complete (Manager &amp; Direct Report)</li> </ul>
June 27	<ul style="list-style-type: none"> <li>• EOY Performance Evaluation Form completed and submitted by staff to manager</li> </ul>
July 11	<ul style="list-style-type: none"> <li>• EOY Performance Evaluation Form completed by manager</li> </ul>
July 30	<ul style="list-style-type: none"> <li>• ALL EOY Performance Evaluation Meetings complete (Manager and Direct Report)</li> </ul>
Aug 1	<ul style="list-style-type: none"> <li>• ALL performance evaluations signed via Adobe Sign and submitted to HR. Signature Routing for Performance Evaluation Forms:               <ul style="list-style-type: none"> <li>○ Administration: Employee → Manager/Director → Executive Leader</li> <li>○ BOT: Staff → Trustee</li> </ul> </li> <li>• Manager to submit signed forms to HR for employee file</li> </ul>

:

**Resources:**

- Performance Evaluation Form
  - (Incl. Performance Goals)



## OHA Values in Action

During this past period...

- **Kākou- Inclusivity & Collective Responsibility:** What steps have you taken to strengthen your relationships with colleagues and better integrate into the team?
- **Aloha- Respect, Compassion & Reciprocity:** Please share an experience that required you to demonstrate compassion and empathy to your colleagues, stakeholder, or beneficiaries.
- **Pono- Integrity, Justice & Balance:** When did you share difficult information with a colleague, manager, stakeholder, or beneficiary, and how did it go?
- **Kūlia- Striving for Excellence & Innovation:** How have you used feedback to strengthen or improve your work?
- **Ho'omau- Perseverance & Legacy Building:** Please share a challenge or failure you experienced. What are some lessons learned from that experience?

## Job Performance

1. Identify key accomplishments from this past period and the impact of those accomplishments on OHA's Mission, Foundations ('ohana, mo'omeheu, 'āina), Directions (Mana i Maui Ola-Educational Pathways, Health Outcomes, Quality Housing, Economic Stability), or operational efficiencies.
2. What is your overall assessment of your job performance during this past period?
3. What feedback do you have for your manager?
4. Identify and document 1-2 performance goals for the remainder of fiscal year using the S.M.A.R.T. framework for goal setting: Specific, Measurable, Achievable, Relevant, and Time-Bound.

**Manager Feedback on goals:**

## PERFORMANCE ASSESSMENT

### ***Completed by Manager***

1. How effectively is the employee demonstrating collaboration and teamwork?
2. Does the employee demonstrate openness to feedback and learning. Does the employee actively seek guidance?
3. How effectively does the employee incorporate feedback into their work?
4. In what ways does the employee demonstrate accountability in their work?
5. Identify key accomplishments from this past period and the impact of those accomplishments on OHA's Mission, Foundations ('ohana, mo'omeheu, 'āina), Directions (Mana i Maui Ola-Educational Pathways, Health Outcomes, Quality Housing, Economic Stability), or operational efficiencies.
6. What is your overall assessment of employee's job performance during this past period? What are areas of strength and areas of growth and/or improvement?

## PERFORMANCE PLANNING & GOAL SETTING

Provide feedback and guidance on goals identified by employee in Employee Self-Assessment Section. Document final 1-2 performance goals for the remainder of the fiscal year using the S.M.A.R.T. framework for goal setting: Specific, Measurable, Achievable, Relevant, and Time-Bound.



**Fiscal 2024 OHA Financial Statements and Single Audit--Status Report**  
**Ramona Hinck, CFO**  
**March 3, 2025**

**Management’s Responsibility** is for the preparation and fair presentation of the OHA and Single Audit financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

**Auditors’ Responsibility** is to express opinions on the OHA and the Single Audit financial statements based on their audit. The audit is conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require an Auditor’s plan and performance of the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

Per the June 30, 2023 Audit, “In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of OHA, as of June 30, 2023, and the respective changes in financial position and, where applicable, cash flows thereof.” This opinion is commonly referred to as a “clean” or “unqualified” opinion.

Posted on our website, under the Financial Transparency tab, are financial statements from June 30, 2004 to June 30, 2023---20 years of financial information plus 5 years of Single Audits for our federal grants completed by four independent audit firms. Each audit has a “clean” or an “unqualified” opinion.

**Audit Process**

1. The Audit Schedule Request required a total of 113 tasks to be provided to the external auditor to review. Within each task are numerous subtasks. For example, a task to prepare audit confirmations is comprised of 20 bank confirmations, 2 investment confirmations, 3 notes payable confirmations, 4 attorney letters, 1 State of Hawaii DAGS confirmation.
2. Prior to the audit, over 90% of these tasks are completed. That means, at least 102 audit schedules including the subtasks were already completed and uploaded to N&K’s portal at the start of the audit, on January 10, 2025.

3. After the completed schedules were provided to the auditors, additional work is required in response to audit questions. This would take the form of explanations, additional source documents, additional sample selections, etc.
4. As of February 28, there are 985 files that have been provided to the auditors, and counting...

## Timeline

1. Contracting: The N&K contract was signed January 9, 2025, and the audit kickoff was on January 10, 2025. Typically, the fieldwork starts at the end of November, on or around Thanksgiving. This was approximately 6 weeks later than normal and mainly due to:
  - a. The review and evaluation Professional Services process to replace the former auditors. On December 3, 2024, Procurement sent the N&K contract to Legal for review. It was return with suggested revisions on December 12, 2024.
  - b. However, further revisions were needed to the General Terms & Conditions due to the removal of the HOPA language and Legal waited for Chair's decision on if/how he would delegate authority. More contract language changes were needed since Chair did not sign over Procurement Authority. On January 2, 2024, Chair signed the Partial Delegation of Authority to the Procurement Department. And on January 8, 2025, Legal provided a final review with the revisions to the General Terms & Conditions.
2. Kick-off: On January 10, 2025, the OHA team (Wayne Tomita and Sylvie Chin, RGP Consultants and the CFO) and the N&K team (Charles Goodin, Principal and Tayler Mori, Senior Manager) met for a kick-off meeting. Immediately after the meeting the financial statements and 90% of the audit schedules were uploaded to the N&K secured portal.
3. Due Date: At the January 10, 2025 meeting, the team established the Action Item due date for the Audited Financial Statements for OHA and the Single Audit would be the March 19, 2025 Budget & Finance Committee Meeting with ratification to occur on March 20, 2025.
  - a. **Nine weeks** for the FY24 audit. Previous years averaged 4 months. The team understood the Single Audit was due to the Federal Audit Clearinghouse by March 31 and would execute accordingly.
  - b. On January 22, 2025, the Budget Realignment #3 Action Item was presented to the Budget & Finance Committee.
  - c. On January 23, 2025, the CFO was made aware that the BOT was not going to ratify the Budget Realignment on January 23, 2025, but it would be agendized on the February 6, 2025 meeting. A new 2-week cadence between committee meetings and BOT meetings was established.

- d. The impact to the Audited Financial Statements Action Item would be to move the Action Item to the Budget & Finance Committee meeting from March 19 to March 5, a 9-week audit to a 7-week one. An impossible feat.
- e. On January 25, 2025, an “extension” was requested for Board ratification on March 20, 2025, or a special meeting on March 27, 2025. This would allow presentation of the Action Item to the Budget & Finance Committee on March 19, 2025, as planned.



# Mana i Mauli Ola

## OHA's 15-YEAR STRATEGIC PLAN FOR 2020-2035

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OHA's Strategic Plan "Mana i Maui Ola" (Strength to Wellbeing) includes three foundations: 'Ohana (family), Mo'omeheu (culture), and 'Āina (land and water). OHA recognizes these foundations have the power to affect the wellbeing of Native Hawaiians. Therefore, they are woven into OHA's plans to affect change in the areas of education, health, housing, and economics. These four directions will be used to guide OHA's work to better the conditions of Native Hawaiians. Over the next 15 years, OHA will be implementing strategies, aligned with our foundations and directions to achieve our envisioned outcomes for a thriving and abundant lāhui.



## OUR 3 FOUNDATIONS



### 'Ohana | 'Ulu

'Ohana is represented here with 'ulu (breadfruit). According to mo'olelo, the god Kū fell in love with a human woman. He married her and together they raised a family until a time of terrible famine. Driven by love for his 'ohana, Kū transformed himself into an 'ulu tree so they would not starve. That was the first 'ulu tree; all 'ulu trees are descended from Kū.



### Mo'omeheu | Palapalai

In the time before, our kūpuna had no written language. The 'ike and mo'olelo of our people were passed from one generation to the next through oli and hula. Palapalai was one of the plants kapu to Laka, the goddess of hula. Palapalai is often worn by dancers or used to adorn the hula kuahu (altar). Because of this connection, it has been chosen to represent culture.



### 'Āina | Kalo

According to tradition, Wākea and Ho'ohōkūkalani had a stillborn son they named Hāloa. The grieving parents buried their child and from that spot the first kalo plant began to grow. They later had another, healthy boy, who they also named Hāloa. He became the first Hawaiian, and thus, kalo is considered the older brother of the Hawaiian people. Today, Kalo has become a modern symbol of mālama 'āina.

## OUR 4 DIRECTIONS



### Educational Pathways | Kukui

In traditional times, the oily kernal of the kukui nut was used for lamps. Indeed, "kukui" also means lamp, light or torch, and because of this, the kukui tree has long been a symbol of enlightenment. Education is a path towards enlightenment; acquiring 'ike (knowledge) and no'eau (wisdom), learning to think critically and to apply what is learned – these skills are critical to moving our lāhui forward.



### Health Outcomes | Noni

Noni is a "canoe plant" brought to Hawai'i from the South Pacific by the earliest Hawaiian voyagers specifically for its numerous medicinal properties. While its taste and smell are rather unpleasant, noni was known to boost the immune system and to purify the blood. It was used to treat diabetes, heart disease, high blood pressure, and as a poultice to treat various skin diseases.



### Quality Housing | 'Ōhia

As beautiful as they are strong, 'ōhia lehua are the first trees able to grow on barren lava fields and re-claim the land. It is a dominant tree of the Hawaiian rainforest, and considered a manifestation of the god, Kū. While the tree's delicate blossoms and liko (leaf buds) are used to fashion lei, 'ōhia wood is exceptionally hard and was used traditionally for many purposes, such as framing houses.



### Economic Stability | Wai

Pure, fresh water (wai) is the essence and source of all life. The word "wai" also means to retain, leave or earn, while "waiwai" means wealth, emphasizing the value of water. Our kūpuna understood that this precious resource was a gift to be carefully managed and shared. Wai flowed down from upland rainforests, nourishing the lands below which led to abundance and prosperity that enriched the entire community.

# Mana i Maui Ola

## OHA's 15-YEAR STRATEGIC PLAN FOR 2020-2035



### Our Mission

To mālama Hawai'i's people and environmental resources, and OHA's assets, toward ensuring the perpetuation of the culture, the enhancement of life-style and the protection of entitlements of Native Hawaiians, while enabling the building of a strong and healthy Hawaiian people and lāhui, recognized nationally and internationally.

### Our Vision

#### *Ho'oulu Lāhui Aloha*

OHA's vision statement (To Raise a Beloved Lāhui) blends the thoughts and leadership of both King Kalākaua and his sister, Queen Lili'uokalani. Both faced tumultuous times as we do today, and met their challenges head on.

"Ho'oulu Lāhui" was King Kalākaua's motto. Aloha expresses the high values of Queen Lili'uokalani.

### Our Roles



#### **BOT**

The Board of Trustees holds the ultimate **governance authority** over the OHA Strategic Plan. Its primary role is to approve and provide oversight of the strategic direction, ensuring that the plan aligns with OHA's mission, values, and fiduciary responsibilities. The Board sets policy, monitors progress, and holds the administration accountable for achieving strategic objectives.

#### **S&I**

The Strategy & Implementation Paia (S&I Division) serves as the **execution and implementation** arm of the strategic plan. This division is responsible for designing, coordinating, and monitoring initiatives that drive the plan forward. It develops performance measures, tracks progress, and ensures strategic initiatives are executed effectively while maintaining alignment with OHA's overarching goals.

#### **CEO**

The CEO is responsible for the **operationalization** of the strategic plan, translating high-level strategy into actionable initiatives. This includes overseeing organizational functions, allocating resources, and ensuring alignment between strategic goals and day-to-day operations. The CEO provides leadership and accountability, ensuring that the execution of the plan remains effective, efficient, and mission-driven.

#### **OHA**

All divisions, departments, and staff within OHA play a role in ensuring the **alignment** of their work with the strategic plan. Each department integrates strategic priorities into their functions, fostering organization-wide commitment to the plan's objectives. By embedding the plan's vision and goals into daily operations, OHA ensures that strategic alignment drives impactful outcomes for the Native Hawaiian community.



Direction:  
**Educational Pathways**

*Directional Outcome:*

**Strengthened and integrated community, culture-based learning systems.**

**STRATEGY 1:** Support development and use of educational resources for all Hawaiian lifelong learners in schools, communities and ‘ohana.

**STRATEGIC OUTCOMES:**

- 1.1. Increase number or percent of Native Hawaiian students who enter educational systems ready to learn;
- 1.2. Increase number or percent of Native Hawaiian students graduating high school who are college, career, and community ready; and
- 1.3. Increase number of Native Hawaiians engaged in traditional learning systems (e.g., hale, hālau, mua, hale pe‘a) that re-establish/maintain strong cultural foundations and identity.

**STRATEGY 2:** Support education through Hawaiian language medium and focused Charter Schools.

**STRATEGIC OUTCOMES:**

- 2.1. Adequately resource Hawaiian Focused Charter Schools and Hawaiian-medium schools, including funding of transportation, special education, facilities, meals, and availability of qualified teachers;
- 2.2. Increase availability of Hawaiian Focused Charter Schools and Hawaiian-medium schools; and
- 2.3. Establish a Native Hawaiian Charter School and Hawaiian-medium learning system.

**BASELINE AND TARGET DATA:**  
 MiMO Indicators Report,  
 OHA Research & Evaluation

	Baseline	Current	Target (2025)	Trend
<b>EDUCATIONAL PATHWAYS</b>				
<b>Strategy 1:</b>				
1.1 Native Hawaiian preschool/nursery school enrollment	62.7%	62.2%	74.7%	↔ ↘
1.2a Native Hawaiian Career Technical Education completion	65.0%	62.0%	80.0%	↔ ↘
1.2b Native Hawaiian college going rate	34.0%	35.0%	59.0%	↗ ↘
1.3a Native Hawaiians in traditional learning systems	N/A	43.0%	55.0%	🕒 ↘
1.3b Native Hawaiians in ‘Ōlelo Hawai‘i education	N/A	16.0%	28.0%	🕒 ↘
<b>Strategy 2:</b>				
2.1 Public charter school per-pupil expenditures	\$8,033	\$8,242	\$27,662	↗ ↘
2.2 Hawaiian Focused Charter School Native Hawaiian enrollment	2,175	2,113	4,987	↔ ↘
2.3a Native Hawaiian Focused Charter Schools	13	17	20	↔ ↘
2.3b Hawaiian Language Immersion Programs	13	26	35	↗ ↘



Direction:  
**Health Outcomes**

*Directional Outcome:*

**Strengthened ‘ōiwi (cultural identity), ea (self-governance), ‘āina momona (healthy lands and people), pilina (relationships), waiwai (shared wealth), ke akua mana (spirituality).**

**STRATEGY 3:** Advance policies, programs, and practices that strengthen Hawaiian wellbeing, including physical, spiritual, mental and emotional health.

**STRATEGIC OUTCOMES:**

- 3.1. Increase availability of and access to quality, culturally based, and culturally adapted prevention and treatment interventions in ‘ohana, schools, and communities; (E Ola Mau a Mau)
- 3.2. Establish a fully functional, high-quality, culturally adapted, primary Native Hawaiian Health System which coordinates effective wellness activities/ programs; (E Ola Mau a Mau)
- 3.3. Decrease the number / percent of Native Hawaiians in jails and prison; and
- 3.4. Empower communities to take care of iwi kūpuna.

**STRATEGY 4:** Advance policies, programs and practices that strengthen the health of the ‘āina and mo‘omeheu.

**STRATEGIC OUTCOMES:**

- 4.1. Preservation and perpetuation of Hawaiian language, culture, traditions, identity and sense of lāhui;
- 4.2. Increase community stewardship of Hawai‘i’s natural and cultural resources that foster connection to ‘āina, ‘ohana, and communities; and
- 4.3. Increase restoration of Native Hawaiian cultural sites, landscapes, kulāiwi and traditional food systems.

**BASELINE AND TARGET DATA:**  
 MiMO Indicators Report,  
 OHA Research & Evaluation

HEALTH OUTCOMES				
<b>Strategy 3:</b>				
3.1 Physical check-ups among Native Hawaiian adults	71.1% (2021)	75.9% (2022)	88.9%	 
3.2 Native Hawaiian Health Care Systems program funding	\$18,280,000 (2021)	\$19,500,000 (2022)	\$53,032,663	 
3.3 Native Hawaiians in Hawai‘i correctional facilities	37.1% (2021)	36.2% (2022)	21.8%	 
3.4 Native Hawaiians caring for iwi kūpuna	N/A	19.0% (2022)		
<b>Strategy 4:</b>				
<b>4.1a Preservation and perpetuation of Hawaiian culture</b>				
Native Hawaiians caring about Native Hawaiian issues	N/A	94.0% (2021)	95.0%	
Native Hawaiians interacting with ‘ahia or kai	N/A	24.0% (2021)	86.0%	
4.1b Native Hawaiians experienced in ‘āiea	40.0% (2021)	43.0% (2022)	51.0%	 
<b>4.2 Native Hawaiian participation rate</b>				
Restoration of cultural sites/traditional food systems	N/A	28.0% (2021)	40.0%	
Subsistence fishing areas	N/A	24.0% (2021)	90.0%	
Stewardship of natural or cultural resources	N/A	32.0% (2021)	44.0%	
4.3 Acres of kalo harvested	9%	357	720	 



Direction:  
**Quality Housing**

*Directional Outcome:*

**Strengthened capability for ‘ohana to meet living needs, including housing; strengthened effective implementation of the Hawaiian Homes Commission Act.**

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**STRATEGY 5:** Advance policies, programs and practices that strengthen Hawaiian resource management knowledge and skills to meet the housing needs of their ‘ohana.

**STRATEGIC OUTCOMES:**

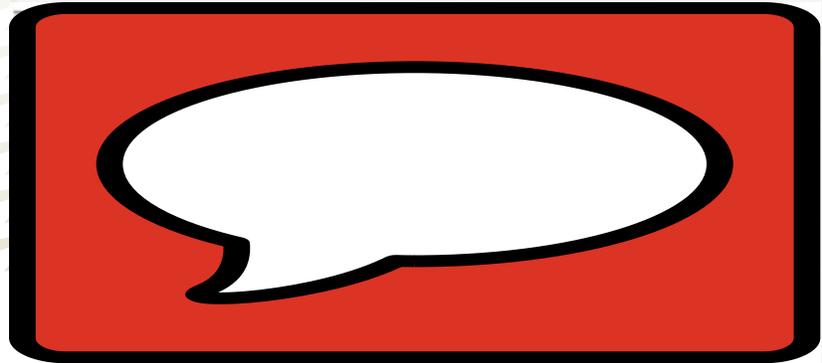
- 5.1. Increase numbers/percent of Native Hawaiians who rent housing that meets their ‘ohana’s financial and wellbeing needs;
- 5.2. Increase numbers/percent of Native Hawaiians who own housing that meets their ‘ohana’s financial and wellbeing needs; and
- 5.3. Increase safety, stability, social support networks, and cultural connection in Native Hawaiian communities.

**STRATEGY 6:** Support implementation of the Hawaiian Homes Commission Act and other efforts to meet the housing needs of ‘ohana.

**STRATEGIC OUTCOMES:**

- 6.1. Increase affordable non-traditional housing options (e.g., accessory dwelling units/tiny houses, large multi-generational lots or homes) in communities of ‘ohana’s choice;
- 6.2. Increase housing unit supply on Hawaiian Home Lands; and
- 6.3. Decrease rate of Native Hawaiian ‘ohana out of state migration.

**BASELINE AND TARGET DATA:**  
MiMO Indicators Report,  
OHA Research & Evaluation





Direction:  
**Economic Stability**

*Directional Outcome:*

**Strengthened economic capability and resilience for ‘ohana, Native Hawaiian communities, and Hawaiian-owned Businesses to build and sustain generational wealth and economic systems that are regenerative, sustainable and reflective of ‘ike kūpuna.**

**STRATEGY 7:** Advance policies, programs and practices that strengthen ‘ohana’s ability to pursue multiple pathways toward economic stability.

**STRATEGIC OUTCOMES:**

- 7.1. Increase number/percent of Native Hawaiian ‘ohana who are able to provide high-quality keiki and kūpuna care;
- 7.2. Increase access to capital and credit for community strengthening Native Hawaiian businesses and individuals;
- 7.3. Increase number of Native Hawaiian ‘ohana who are resource stable (e.g., financial, subsistence, other); and
- 7.4. Increase Native Hawaiian employment rate.

**STRATEGY 8:** Cultivate economic development in and for Hawaiian communities.

**STRATEGIC OUTCOMES:**

- 8.1. Increase the number of successful, community strengthening Native Hawaiian-owned businesses;
- 8.2. Establish new markets for Native Hawaiian products (e.g., kalo, loko i’a grown fish) that can provide Native Hawaiian producers a livable wage; and
- 8.3. Establish and operationalize an Indigenous economic system consistent with Native Hawaiian knowledge, culture, values, and practices.

**BASELINE AND TARGET DATA:**  
 MiMO Indicators Report,  
 OHA Research & Evaluation

ECONOMIC STABILITY				
<b>Strategy 7:</b>				
7.1a Afford keiki care	11.0%	12.0%	0.0%	🟡
7.1b Afford kūpuna care	28.57%	\$8,940	-\$10,329	🟢
7.2 Native Hawaiians living in banking deserts	3.0%	3.4%	0.5%	🟡
7.3 Native Hawaiian median household income	\$41,123	\$49,322	-\$12,499	🟢
7.4 Native Hawaiian unemployment rate	5.3%	4.8%	0.6%	🟢
<b>Strategy 8:</b>				
8.1 Native Hawaiian-owned businesses	5.2%	5.1%	0.1%	🟡
8.2 Market value of kalo	\$1,993,000	\$4,678,000	-\$27,158,306	🟢
8.3 Data currently unavailable	N/A	N/A	N/A	🟡

# KANA AHO

## Number of beneficiaries served

Total Number of Beneficiaries Helped:

**460**

Number of

Homeowners: **143**

Number of Renters:

**317**

Total Amount of

Funding: **\$2,546,000**

## Kanaaho Survey

The Kanaaho Survey was created for Kanaaho awardees to share their mana'o and experiences, which is vital in guiding OHA towards meaningful solutions that reflect the needs of our lāhui.

## Survey Distribution

Kanaaho Survey is scheduled for email distribution on March 17, 2025

## Kanaaho 2.0: Kupuna Wellness & Recovery

The Kupuna Wellness and Recovery Program is a vital step in ensuring our kupuna receive the support they deserve as they recover from the devastation of the Maui wildfires. A portion of unused Kanaaho funds will be dedicated to this essential program. This program will focus on:

- **Combating Social Isolation:** Connecting kupuna to regular activities that improve mental health and well-being.
- **Restoring Cultural Identity:** Engaging kupuna in Hawaiian cultural practices like storytelling, lei-making, and hula to promote healing.
- **Providing Critical Resources:** Connecting kupuna with healthcare, mental health, and financial services.
- **Supporting Caregivers:** Offering resources to ease caregiver stress and improve outcomes for kupuna.

### Why this program matters

- **Strengthens Resilience:** Helps kupuna rebuild stronger social bonds and mental health.
- **Honors Their Legacy:** Supports kupuna's cultural identity and emotional well-being.
- **Creates Lasting Support:** Builds sustainable networks to protect and uplift kupuna for years to come.

### Next Steps

- Kanaaho will reopen and close on June 30, 2025
- After final counts and reconciliation, S & I will propose reallocation of unused funds towards Kupuna wellness and housing strategies

# OLA KA ʻĪ

**5** Events Attended

**934** Coloring Books Distributed

**785** Other resources distributed

**1,096** People Engaged



**mea kāpala**  
(stamp)  
e kāpala i ka perahi  
(stamp the fish)



**kākau kuikawā,  
pepili,  
hau kī**  
(temp. tattoos,  
stickers,  
keychains)

## OHA Table Set up

**'ōmole kikī ka wai**  
(water spray bottle)



**nūpepa**  
(newspaper)

**puke kala**  
(coloring book)

**ka papa 'ea hō'ike'ike**  
(Acrylic Display for QR codes etc...)

**ka mea pā'ani  
hunahuna 'ike**  
e pili ana ka mo'olelo pōkole  
loko o kēia puke kala  
(trivia game about the short str  
in the coloring book...)



**waiho'olu'u**  
(crayons)



SCAN QR CODE  
to visit  
S&I  
Education  
Pathway's  
Webpage



Kaiali'i Kahele - Chairperson  
Keoni Souza - Vice Chairperson  
Dan Ahuna - Trustee, Kaua'i & Ni'ihau  
Kaleihikina Akaka - Trustee, O'ahu  
Keli'i Akina, Ph.D. - Trustee, At-Large  
Luana Alapa - Trustee, Moloka'i & Lāna'i  
Brickwood Galuteria - Trustee, At-Large  
Carmen "Hulu" Lindsey - Trustee, Maui  
John D. Waihee IV - Trustee, At-Large



Phone: (808) 594-1888  
Fax: (808)-1868

**OFFICE OF HAWAIIAN AFFAIRS  
BOARD OF TRUSTEES**

560 N. Nimitz Hwy., Suite 200  
Honolulu, HI 96817

**MEETING OF THE BOARD OF TRUSTEES**

**DATE: Thursday, March 6, 2025**

**TIME: 8:30 A.M.**

**PLACE: Remote Meeting via Interactive Conference Technology**

**Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) Or**

**Listen by phone: (213) 338-8477, Webinar ID: 815 7962 2495**

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen 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.**

**AGENDA**

**I. Call to Order**

**II. Executive Session§**

- A.** Discussion of the settlement agreement terms in *Laeha v. Office of Hawaiian Affairs*. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to the settlement agreement terms in *Laeha v. Office of Hawaiian Affairs*.
- B.** Discussion of a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs.
- C.** Review of OHA's involvement in lawsuit against the State of Hawai'i for mismanagement of Mauna Kea. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to *Office of Hawaiian Affairs v. State of Hawai'i et al.*, Civ. No. 17-1-1823-11.
- D.** Review of OHA's involvement in lawsuit against the establishment of the Mauna Kea Stewardship and Oversight Authority under Act 255 (SLH 2022). Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to *Office of Hawaiian Affairs v. State of Hawai'i et al.*, Civ. No. 24-1-0082.
- E.** Approval of Executive Session Minutes
  1. April 25, 2024

**III. New Business**

**A. Action Item BOT #25-04:** Revision to the Office of Hawaiian Affairs Board of Trustees Bylaws addressing inconsistencies with HRS chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments\*, *First Reading*

**B. Status of OHA Activities: Ka Pouhana/CEO and Administration’s Update on OHA’s activities.\***

1. OHA Employee Handbook & Timeline Updates
2. Status update of the OHA 2024 Financial Audit Report
3. Performance Management Update (Current and Future)
4. Mana I Maui Ola (OHA Strategic Plan) status of outcomes and possible updates

**C.** [Redacted]

**D. Committee on Budget and Finance – March 5, 2025**

1. **Action Item BF #25-09:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Nurture Cultivate Inc. for the 2025 Panina Makahiki Event on March 8, 2025, in the amount of \$5,000.
2. **Action Item BF #25-10:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to St. Andrew’s Schools for the 2025 Queen Emma Ball Lū’au on the Square Event on March 13, 2025, in the amount of \$5,000
3. **Action Item BF #25-11:** Approval for funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Ho‘oulu ‘Ike Center for Hula and Mele for the 2025 ‘Āina Ho‘opulapula Mele and Hula Conference Event on March 15, 2025, in the amount of \$13,500.
4. **Action Item BF #25-12:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Pōhāhā I Ka Lani for the 2025 Ka‘e Lehua Event on March 15, 2025, in the amount of \$5,000.
5. **Action Item BF #25-13:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Hui O Kuapā for the 2025 Ke Aupuni Palapala Professional Development Workshop Event on March 17, 2025, in the amount of \$10,000.
6. **Action Item BF #25-14:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Kuana‘ike for the Spirit Fest 2025 Event on March 21, 2025, in the amount of \$15,000.

**IV. Approval of Minutes**

- A. February 6, 2025\*
- B. July 23, 2024 site visit summary - Kāneiolouma Heiau\*
- C. July 23, 2024 site visit summary - Ko‘olau Limu Project\*
- D. July 23, 2024 Kaua‘i Island Community Meeting\*
- E. July 24, 2024 Kaua‘i Island Board of Trustees Meeting\*

**V. Community Concerns and Celebrations**

**VI. Announcements**

## VII. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, please contact Everett Ohta at (808) 594-1988 or by email at everetto@oha.org as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled. Upon request, this notice is available in alternate/accessible formats.

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 will be made available on OHA's website <https://www.oha.org/about/leadership/board-of-trustees/> as soon as practicable after the meeting.

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. Hawai'i Revised Statutes, Chapter 92, prohibits Board members from discussing or taking action on matters not listed on the meeting agenda.

\* Document(s) associated with this agenda item are anticipated to be included in the board packet for this meeting. The board packet will be available for the public to inspect at OHA's main office located at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817, OHA's neighbor island offices, and on OHA's website <https://www.oha.org/bot> no later than two business days before the meeting. 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 Board of Trustees either as: (1) **written testimony** or (2) live, oral testimony online or at the physical meeting location during the remote meeting.

- (1) Persons wishing to provide **written testimony** on items listed on the agenda should submit testimony via **email** to [botmeetings@oha.org](mailto:botmeetings@oha.org) or via **postal mail** to Office of Hawaiian Affairs, Attn: Board of Trustees Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. Testimony is requested to be received at least twenty-four hours prior to the scheduled meeting to allow board members with sufficient time to review the testimony before the meeting. All written testimony will be posted on OHA's meeting website. Please omit or redact any personal information (e.g., name, email address, phone number, home address, or materials) that you do not want to be disclosed publicly online.
- (2) Persons wishing to provide **oral testimony online** during the remote meeting, please click on the link below: <https://us06web.zoom.us/j/81579622495>

To provide oral testimony online, you will need:

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

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

Once your oral testimony is completed, you may be asked to disconnect from the meeting. If you willfully disrupt the meeting or do not disconnect 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.

Oral testimony online or at a physical meeting location will be limited to five (5) minutes. Oral testimony by telephone/landline **will not** be accepted at this time.



Trustee Kaiali'i Kahele  
Chairperson, Board of Trustees

2/28/2025  
Date

## Office of Hawaiian Affairs

### 2025 Package Bills Matrix

2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Housing - Matrix 5				
Item#	BillNo	Companion	Report	Description
1	<a href="#">HB89</a>		RELATING TO TEACHER HOUSING.	Establishes the Teacher Home Assistance Program to provide housing vouchers to certain eligible teachers. Appropriates funds out of the Teachers' Housing Revolving Fund. Effective 7/1/3000. (HD2)
2	<a href="#">HB431</a>		RELATING TO HOUSING.	Appropriates funds for the continued operation of the Kahale Initiative and authorizes those funds to be used for the Ohana Zones Pilot Program. Establishes and appropriates funds into and out of the Supportive Housing Special Fund. Effective 6/29/3000. (HD2)
3	<a href="#">HB1294</a>	<a href="#">SB498</a>	RELATING TO AGRICULTURAL WORKFORCE HOUSING.	Establishes an Agricultural Workforce Housing Working Group within the Department of Agriculture to address the shortage and challenges of agricultural workforce housing in the State. Requires reports to the Legislature. Appropriates funds. Effective 7/1/3000. (HD1)
4	<a href="#">SB26</a>	<a href="#">HB1451</a>	RELATING TO AFFORDABLE HOUSING.	Establishes the Affordable Housing Land Inventory Task Force within the Hawaii Community Development Authority to update the Affordable Rental Housing Report and Ten-Year Plan maps, tier tables, and inventories of state lands suitable and available for affordable housing development. Requires a report to the Legislature. Appropriates funds. (SD1)
5	<a href="#">SB498</a>	<a href="#">HB1294</a>	RELATING TO AGRICULTURAL WORKFORCE HOUSING.	Establishes an Agricultural Workforce Housing Working Group within the Department of Agriculture to address the shortage and challenges of agricultural workforce housing in the State. Requires reports to the Legislature. Appropriates funds. (SD1)
6	<a href="#">SB749</a>		RELATING TO HOUSING.	Requires rental housing projects to maintain, in perpetuity, fifty per cent of the project's units for certain low-income tenants to be eligible for assistance under the Hawaii Housing Finance and Development Corporation's rental assistance program.
7	<a href="#">SB878</a>	<a href="#">HB703</a>	RELATING TO KUPUNA HOUSING.	Extends the sunset date for the State Rent Supplement Program for Kupuna to 6/30/2028.
8	<a href="#">SB1200</a>	<a href="#">HB1317</a>	RELATING TO WORKFORCE HOUSING.	Establishes the Workforce Housing Regulatory Sandbox Program within the Hawaii Housing Finance and Development Corporation. Establishes an Advisory Council within the Workforce Housing Regulatory Sandbox Program to advise on environmental and cultural practices within specific developments. Establishes a position. Requires annual reports to the Legislature. Appropriates funds. Repeals 6/30/2030. (SD1)
9	<a href="#">HB286</a>		RELATING TO THE INDIVIDUAL HOUSING ACCOUNT PROGRAM.	Increases the maximum annual deduction for contributions to, and maximum account levels for, individual housing accounts. Effective 7/1/3000. (HD1)
10	<a href="#">HB606</a>		RELATING TO THE DEPARTMENT OF HAWAIIAN HOMELANDS.	Extends the Act 279 Special Fund to 6/30/2028. Deposits funds into and appropriates funds out of the Act 279 Special Fund to eliminate its waitlist. Requires the Department of Hawaiian Home Lands to submit a strategic plan detailing the anticipated uses of the funds appropriated. Requires an annual report. Sunsets 6/30/2028. Effective 7/1/3000. (HD1)
11	<a href="#">HB703</a>	<a href="#">SB878</a>	RELATING TO KUPUNA HOUSING.	Extends the sunset date for the State Rent Supplement Program for Kupuna to 6/30/2028. Effective 7/1/3000. (HD1)
12	<a href="#">SB491</a>	<a href="#">HB740</a>	RELATING TO HOUSING.	Establishes the Accessory Dwelling Unit Financing and Deed Restriction Program to be administered by the Hawaii Housing Finance and Development Corporation to allocate funds to the counties for the purchase of equity for eligible homeowners or homebuyers to finance construction costs, development costs, and non-reoccurring closing costs associated with the construction of an accessory dwelling unit and purchase deed restrictions on such property. Exempts the conveyance tax for certain properties for taxable years beginning on 1/1/2026. Effective 7/1/2050. (SD1)

2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Housing - Matrix 5				
Item#	BillNo	Companion	Report	Description
13	<a href="#">HB739</a>	<a href="#">SB490</a>	RELATING TO HOUSING.	Establishes the Kamaaina Homes Program to provide funding to the counties to purchase voluntary deed restrictions from eligible homeowners or homebuyers. Effective 7/1/3000. (HD2)

2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6				
Item#	BillNo	Companion	Report	Description
1	<a href="#">HB129</a>		RELATING TO YOUTH FEES AND FINES.	Prohibits the assessment of any fees, fines, or court costs against a person who was adjudicated for an offense committed during the person's minority, or against the person's parent or guardian, and discharges all related debt obligations assessed before the effective date of the Act. Limits court-ordered community service for a minor to no more than seventy-two hours. Repeals certain penalties imposed on parents, guardians, or other persons associated with unaccompanied children in streets and unmarried minors in dance halls. Effective 7/1/3000. (HD2)
	<a href="#">HB146</a>	<a href="#">SB781</a>	RELATING TO THE JUDICIARY'S 'ŌLELO HAWAI'I INITIATIVES.	Appropriates funds to the Judiciary to support the Olelo Hawaii Initiatives. Effective 7/1/3000. (HD1)
2	<a href="#">HB557</a>	<a href="#">SB1281</a>	RELATING TO TELEHEALTH.	Extends the sunset date of Act 107, SLH 2023, which allows for the reimbursement of services provided through telehealth via an interactive telecommunications system, until 12/31/2026. (HD2)
	<a href="#">HB610</a>		RELATING TO COLD CASE INVESTIGATIONS.	Establishes and appropriates funds for a Cold Case Investigation Unit within the Department of the Attorney General. Effective 7/1/3000. (HD1)
3	<a href="#">HB617</a>	<a href="#">SB119</a>	RELATING TO NURSING.	Appropriates funds to establish the Bachelor of Science in Nursing degree program at the University of Hawaii Maui College. Effective 7/1/3000. (HD1)
	<a href="#">HB689</a>	<a href="#">SB292</a>	RELATING TO SEXUAL EXPLOITATION.	Establishes safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance. Effective 7/1/3000. (HD1)
4	<a href="#">HB714</a>	<a href="#">SB294</a>	RELATING TO HEALTH CARE WORKFORCE DEVELOPMENT.	Appropriates funds to support educational training programs to expand the State's health care workforce, including health care certificate programs and classroom renovations for health care training in public high schools and education programs that support certified nurse assistants in becoming licensed practical nurses. Effective 7/1/3000. (HD1)
	<a href="#">HB784</a>	<a href="#">SB569</a>	RELATING TO HEALTH.	Makes an appropriation for the operation of an additional ambulance for the island of Hawaii to be based in Makalei. Effective 7/1/3000. (HD1)
5	<a href="#">HB900</a>	<a href="#">SB1228</a>	RELATING TO CHILD WELFARE SERVICES.	Establishes a working group for legal services for youth in the child welfare system within the Judiciary. Appropriates funds for the working group. Effective 7/1/3000. (HD2)
	<a href="#">HB905</a>		RELATING TO AMBULANCES.	Appropriates funds to the Department of Health to purchase of one advanced life support ambulance and related equipment to be based in central Maui, fund pay-related personnel costs for state-certified emergency medical services personnel, and increase the predictability and stability of available air ambulance services for all islands in the State. Effective 7/1/3000. (HD1)
6	<a href="#">HB957</a>	<a href="#">SB1101</a>	RELATING TO LAULAU DAY.	Designates the first Friday in May of each year as "Laulau Day" in the State. Effective 7/1/3000. (HD1)
	<a href="#">HB1002</a>	<a href="#">SB1321</a>	RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.	Beginning July 1, 2025, extends the term of the Oversight Coordinator for the Hawaii Correctional System Oversight Commission. Authorizes the Hawaii Correctional System Commission to review the Coordinator's performance and make a recommendation to the Governor as to whether the Coordinator should be retained. Clarifies that the Oversight Coordinator has the general authority to inspect agencies and correctional facilities without notice. Effective 7/1/3000. (HD1)
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2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6				
Item#	BillNo	Companion	Report	Description
12	<a href="#">HB1300</a>		RELATING TO CANCER.	Appropriates funds to the University of Hawaii Cancer Center to conduct a multiethnic cohort study focusing on the social determinants of health, lifestyles, environmental exposures, and resilience factors of Native Hawaiians, Pacific Islanders, and Filipinos, including an analysis of the health effects and risks of individuals living in close proximity to landfills in Nanakuli, Oahu. Requires the University of Hawaii Cancer Center to seek federal funding to complete the study. Effective 7/1/3000. (HD1)
	<a href="#">HB1382</a>		RELATING TO CHILD WELFARE SERVICES.	Appropriates funds for the Department of Human Services to contract with a non-profit specializing in domestic violence to provide training and staff to be housed on-site in Child Welfare Services Branch offices to support all aspects of screening for and addressing domestic violence within a case. Effective 7/1/3000. (HD1)
14	<a href="#">SB104</a>	<a href="#">HB1322</a>	RELATING TO CORRECTIONS.	Restricts the use of restrictive housing in state-operated and state-contracted correctional facilities, with certain specified exceptions. Requires the Department of Corrections and Rehabilitation to develop written policies and procedures regarding restrictive housing by 7/1/2026. Requires the Hawaii Correctional System Oversight Commission to review certain housing placements. Requires the Department to develop policies and procedures to review committed persons placed in restrictive housing and develop a plan for committed persons currently in restrictive housing by 4/1/2026. Requires a report to the Legislature and Hawaii Correctional System Oversight Commission. Effective 7/1/2077. (SD1)
	<a href="#">SB119</a>	<a href="#">HB617</a>	RELATING TO NURSING.	Appropriates funds to establish the Bachelor of Science in Nursing degree program at the University of Hawaii Maui College. Effective 7/31/2050. (SD1)
16	<a href="#">SB193</a>		RELATING TO CRIME.	Specifies that the penalty for sex trafficking shall be payment of a fine of no less than \$50,000 but no more than \$100,000, and a definite term of imprisonment of up to 20 years without the possibility of a suspended sentence, probation, or parole. Provides that consent to sexual conduct is not a defense. Defines "sexual conduct". Provides that a minor who reports that the minor is a victim of sex trafficking shall not be subject to criminal liability.
	<a href="#">SB224</a>	<a href="#">HB677</a>	RELATING TO IDENTIFICATION.	Requires the Department of Corrections and Rehabilitation, in collaboration with various agencies and upon request of the inmates, to assist inmates in obtaining the inmates' civil identification card, birth certificate, social security card, and other relevant identification necessary for successful reentry into society, as soon as practicable. Requires the Department of Corrections and Rehabilitation to initiate the process of obtaining identifying documents for inmates released to work furlough, extended furlough, or community placement programs, by providing the forms necessary for the inmate to obtain civil identification cards and other identifying documents to the inmate as soon as practicable.
18	<a href="#">SB292</a>	<a href="#">HB689</a>	RELATING TO SEXUAL EXPLOITATION.	Establishes safe harbor protections for survivors of sexual exploitation who seek medical or law enforcement assistance.
	<a href="#">SB351</a>	<a href="#">HB1284</a>	RELATING TO PESTICIDES.	Requires quarterly rather than annual reporting of all use of restricted use pesticides. Amends the contents of reports to include specific geospatial data and information and increased detail on the amount of restricted use pesticides used. Requires the Department of Agriculture to develop an online reporting tool for restricted use pesticides.
19				

**Office of Hawaiian Affairs**

2025 Package Bills Matrix

2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6				
Item#	BillNo	Companion	Report	Description
20	<a href="#">SB352</a>	<a href="#">HB1285</a>	RELATING TO PESTICIDES.	Requires the Department of Agriculture to use consistent units of measurement in its summary to the public on the amounts of restricted use pesticides applied. Establishes a one-half mile buffer zone for pesticides around schools during normal school hours and state and county public parks. (SD1)
21	<a href="#">SB487</a>	<a href="#">HB726</a>	RELATING TO A STATEWIDE DATA AND ARTIFICIAL INTELLIGENCE GOVERNANCE AND DECISION INTELLIGENCE CENTER.	Establishes and appropriates funds for a data and artificial intelligence governance and decision intelligence center and necessary positions to improve data quality and data sharing statewide.
22	<a href="#">SB544</a>		RELATING TO SENTENCING OF MINOR DEFENDANTS.	Requires courts to consider certain factors when sentencing a person convicted as an adult for an offense that the person committed when the person was a minor. Allows courts to reduce a mandatory minimum period of incarceration or depart from a mandatory sentencing enhancement if the court determines that the reduction or departure is warranted given certain factors.
23	<a href="#">SB557</a>		RELATING TO HEALTH.	Requires Huli Au Ola to conduct a study on physician and dentist recruitment and retention to serve the island of Molokai. Appropriates funds. Effective 7/31/2050. (SD1)
24	<a href="#">SB694</a>		RELATING TO THE DETENTION OF MINORS.	Prohibits minors from being held in jails, lockups, or prisons for adults.
25	<a href="#">SB742</a>	<a href="#">HB665</a>	RELATING TO DATA SHARING.	Establishes a Data Sharing and Governance Working Group within the Office of Enterprise Technology Services. Requires the Working Group to submit annual reports to the Legislature. Appropriates funds. Effective 7/1/2050. (SD1)
26	<a href="#">SB781</a>	<a href="#">HB146</a>	RELATING TO THE JUDICIARY'S 'ŌLELO HAWAI'I INITIATIVES.	Appropriates funds to support the Olelo Hawaii Initiatives. Effective 4/23/2057. (SD1)
27	<a href="#">SB1228</a>	HB900 HB1381	RELATING TO CHILD WELFARE SERVICES.	Establishes a working group for legal services for youth in the child welfare system within the Judiciary. Requires a report to the Legislature. Appropriates funds for the working group. Effective 12/31/2050. (SD1)
28	<a href="#">SB1281</a>	<a href="#">HB557</a>	RELATING TO TELEHEALTH.	Updates the State's laws on telehealth services to conform with federal Medicare regulations. Requires the Insurance Commissioner to report to the Legislature on reimbursements claimed in the previous year for certain telehealth services. Repeals the sunset date of Act 107, Session Laws of Hawaii 2023. Effective 12/31/2050. (SD1)
29	<a href="#">SB1304</a>	<a href="#">HB985</a>	RELATING TO PESTICIDE DRIFT MONITORING.	Appropriates funds to the Department of Agriculture to continue the statewide pesticide drift monitoring study. (SD1)
30	<a href="#">SB1321</a>	<a href="#">HB1002</a>	RELATING TO THE HAWAII CORRECTIONAL SYSTEM OVERSIGHT COMMISSION.	Beginning July 1, 2025, extends the term of the oversight coordinator for the Hawaii Correctional System Oversight Commission. Clarifies that the Oversight Coordinator has the general authority to inspect agencies and correctional facilities without notice. (SD1)
31	<a href="#">SB1445</a>	<a href="#">HB1126</a>	RELATING TO YOUTH MENTAL HEALTH.	Establishes a two-year digital youth mental health platform pilot project under which the child and adolescent mental health division of the department of health shall develop and make publicly available a digital platform providing tools and resources designed to help young people address and manage mental health challenges. Requires reports to the Legislature. Appropriates funds. (SD1)
32	<a href="#">HB111</a>		RELATING TO SEX TRAFFICKING.	Authorizes civil claims to be made against a person, business, business owner, or business operator that profits from sexual exploitation or sex trafficking. Extends the statute of limitations for civil claims related to sexual exploitation or sex trafficking to ten years.

2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6				
Item#	BillNo	Companion	Report	Description
33	<a href="#">HB239</a>	<a href="#">SB1104</a>	RELATING TO CHILD ABUSE.	Amends the definition of "child abuse or neglect" by clarifying that the failure to provide certain needs to a child shall not constitute child abuse or neglect if the sole reason the person responsible for the care of the child is unable to adequately provide for the child's care is due to a lack of financial resources. Effective 7/1/3000. (HD1)
34	<a href="#">HB665</a>	<a href="#">SB742</a>	RELATING TO DATA SHARING.	Establishes a data sharing and governance working group within the office of enterprise technology services. Appropriates funds.
35	<a href="#">HB726</a>	<a href="#">SB487</a>	RELATING TO A STATEWIDE DATA AND ARTIFICIAL INTELLIGENCE GOVERNANCE AND DECISION INTELLIGENCE CENTER.	Establishes and appropriates funds for a data and artificial intelligence governance and decision intelligence center and necessary positions to improve data quality and data sharing statewide.
36	<a href="#">SB1194</a>		RELATING TO TRANSPORTATION.	Prohibits any person from engaging in any activity that has the intent and effect of distracting drivers along streets, roadways, or other public property within one hundred feet of an intersection.
37	<a href="#">SB1399</a>	<a href="#">HB1080</a>	RELATING TO FAMILY RESILIENCE PILOT PROGRAM.	Establishes the Family Resilience Pilot Program within the Office of Wellness and Resilience and appropriates funds to execute the program, including the contracting of services. Appropriates funds. Effective 12/31/2050. Repeals 6/30/2030. (SD1)
38	<a href="#">SB1442</a>	<a href="#">HB1123</a>	RELATING TO MENTAL HEALTH SERVICES FOR CHILDREN AND ADOLESCENTS.	Clarifies and updates the responsibilities of the Child and Adolescent Mental Health Division of the Department of Health to reflect the current mental health systems of care that address the mental health needs of children and adolescents in the State. (SD1)

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\_\_\_\_ CONCURRENT  
RESOLUTION

ESTABLISHING A WORKING GROUP TO EXAMINE AND CONSIDER THE  
TRANSFER OR PARTIAL TRANSFER OF NATIVE HAWAIIAN BURIAL  
SITE DUTIES UNDER HAWAI'I REVISED STATUTES CHAPTER 6E FROM  
THE DEPARTMENT OF LAND AND NATURAL RESOURCES STATE  
HISTORIC PRESERVATION DIVISON TO THE OFFICE OF HAWAIIAN  
AFFAIRS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:**

1           WHEREAS, the Legislature recognizes the State's duty to  
2 protect the Native Hawaiian cultural and religious practice of  
3 caring for iwi kūpuna pursuant to article XII, section 7 of the  
4 Hawai'i State Constitution; and

5           WHEREAS, the Legislature recognized and declared when  
6 enacting Hawai'i Revised Statutes, Chapter 6E, the State's  
7 Historic Preservation law, that "it shall be the public policy  
8 of this State to provide leadership in preserving, restoring,  
9 and maintaining historic and cultural property, to ensure the  
10 administration of such historic and cultural property in a  
11 spirit of stewardship and trusteeship for future generations,  
12 and to conduct activities, plans, and programs in a manner  
13 consistent with the preservation and enhancement of historic and  
14 cultural property"; and

1           Whereas HRS Chapter 6E further recognizes that historic  
2 properties and burial sites are part of Hawai'i's public trust;  
3 and

4           WHEREAS, the Legislature enacted amendments in 1990 to  
5 Hawai'i Revised Statutes, Chapter 6E section 43 stating, "(a) At  
6 any site, other than a known, maintained, actively used cemetery  
7 where human skeletal remains are discovered or are known to be  
8 buried and appear to be over fifty years old, the remains and  
9 their associated burial goods shall not be moved without the  
10 department's approval. (b) All burial sites are significant and  
11 shall be preserved in place until compliance with this section  
12 is met;" and

13           WHEREAS, chapter 10H, Hawaii Revised Statutes, formally  
14 recognizes Native Hawaiians as the "only indigenous, aboriginal,  
15 maoli people of Hawaii" and facilitates and furthers Native  
16 Hawaiian self-governance; and

17           WHEREAS, the United Nations Declaration on the Rights of  
18 Indigenous Peoples states that "[i]ndigenous peoples have the  
19 right to self-determination," and the "right to maintain,  
20 protect, and have access [...] to their religious and cultural  
21 sites" and "repatriation of their human remains"; and

22           WHEREAS, the Legislature and the State also recognize that  
23 the Office of Hawaiian Affairs was constitutionally established  
24 as a trust vehicle to act on behalf of Native Hawaiians until a

1 Native Hawaiian governing entity could be reestablished; and

2 WHEREAS, the Department of Land and Natural Resources,  
3 State Historic Preservation Division, was established to  
4 administer a comprehensive historic preservation program  
5 pursuant to chapter 6E, Hawai'i Revised Statutes; and

6 WHEREAS, the State Historic Preservation Division is tasked  
7 with the identification and protection of historic burial sites,  
8 and, with respect to Native Hawaiian burials, is tasked with  
9 sharing decision making over relocation and preservation in  
10 place, transfer, or other disposition of previously identified  
11 Native Hawaiian burials with the island burial councils  
12 established pursuant to 6E-43.5, Hawai'i Revised Statutes; and

13 WHEREAS, the State Historic Preservation Division has been  
14 the subject of numerous lawsuits and audits; and

15 WHEREAS, pursuant to the 2021 Hawai'i State Legislature  
16 directives in House Resolution 113 (HR 113) and Senate Resolution  
17 171 (SR 171), the Office of Hawaiian Affairs convened a Burial  
18 Sites Working Group (BSWG) in 2022 to investigate the matter of  
19 burials treatment and to offer recommendations for improvements;  
20 and

21 WHEREAS, the BSWG took extensive community testimony  
22 as part of its fact-finding mandate and in a Final Report  
23 dated February 2023 made three key findings: (1) The State  
24 of Hawai'i has failed to adequately manage its burial law

1 responsibilities, including a failure to provide, or  
2 advocate for the provision of, adequate resources to  
3 administer burial laws and a failure to adequately  
4 administer laws intended to protect Native Hawaiian  
5 burials; (2) The State of Hawai'i has demonstrated a lack  
6 of will to fulfill its burial law responsibilities; and (3)  
7 There are fundamental inadequacies in the laws affecting  
8 burials; and

9 WHEREAS, many within the Native Hawaiian community,  
10 especially lineal and cultural descendants, have expressed  
11 concern with inadequate action by the State Historic  
12 Preservation Division concerning the inventory and protection of  
13 Native Hawaiian burial sites, among other problems; and

14 WHEREAS an opinion editorial authored by Dr Kēhaulani Abad  
15 and Edward Halealoha Ayau, a burials expert and one of three  
16 authors of the 1990 amendments to HRS Chapter 6E establishing  
17 the island burial councils published in *Ka Wai Ola* in June 1  
18 2021 entitled, *Place the Kuleana with OHA* opined that the most  
19 effective manner by which to improve the care and protection of  
20 unmarked burial sites over fifty years old and Hawaiian human  
21 remains inadvertently discovered is to transfer the burial  
22 program from the State of Historic Preservation Division to the  
23 Office of Hawaiian Affairs; and

24 WHEREAS, despite calls for assistance from island burial

1 council members, the councils continue to be inadequately  
2 staffed and trained; and

3 WHEREAS, section 10-3(3), Hawai'i Revised Statutes, states  
4 that it is a purpose of the Office of Hawaiian Affairs to  
5 "[s]erv[e] as the principal public agency in this State  
6 responsible for the performance, development, and coordination  
7 of programs and activities relating to native Hawaiians and  
8 Hawaiians[...]" ; and

9 WHEREAS, section 10-3(4), Hawai'i Revised Statutes, states  
10 that the Office of Hawaiian Affairs shall work toward the  
11 betterment of native Hawaiians and Hawaiians by "[a]ssessing the  
12 policies and practices of other agencies impacting on native  
13 Hawaiians and Hawaiians[...]" ; now, therefore,

14 BE IT RESOLVED by the Senate of the Thirty-Third  
15 Legislature of the State of Hawai'i, Regular Session of 2025,  
16 that the Office of Hawaiian Affairs is requested to convene and  
17 facilitate a working group to examine and consider the transfer  
18 of Native Hawaiian burial site management under chapter 6E,  
19 Hawai'i Revised Statutes, from the Department of Land and  
20 Natural Resources, State Historic Preservation Division to the  
21 Office of Hawaiian Affairs; and

22 BE IT FURTHER RESOLVED that the working group is  
23 requested to:

- 1           (1) identify and determine what duties and  
2                   responsibilities of the State Historic Preservation  
3                   Division with respect to protection of Native Hawaiian  
4                   burial sites and administration of the island burial  
5                   councils under chapter 6E, Hawai'i Revised Statutes,  
6                   can and should be fully assumed by or shared with the  
7                   Office of Hawaiian Affairs; and
- 8           (2) evaluate the feasibility and impacts of the Office of  
9                   Hawaiian Affairs assuming such duties and  
10                  responsibilities by considering agency staff and  
11                  financial resources, legal requirements, technological  
12                  needs, and other relevant factors; and
- 13          (3) develop and recommend an implementation plan and  
14                  associated timeline for any transfer of duties,  
15                  considering any required statutory and administrative  
16                  amendments necessary to effectuate such a transfer;  
17                  and
- 18          (4) consider in its discussions how implementing  
19                  recommendations from the 2023 Burial Sites Working  
20                  Group Final Report may improve operations of the  
21                  burial sites program and protection of Native Hawaiian  
22                  burials; and
- 23          (5) submit a report of its findings and recommendations to  
24                  the Office of Hawaiian affairs Board of Trustees for

1           comments and decision making on whether or not OHA  
2           should accept any transfer of burial related  
3           responsibilities under HRS 6E; and  
4       (6) submit a report of its findings and recommendations  
5           (inclusive of the Office of Hawaiian Affairs Board of  
6           Trustees' comments and decision), including any  
7           proposed legislation, to the Legislature no later than  
8           twenty days prior to the convening of the Regular  
9           Session of 2027; and

10           BE IT FURTHER RESOLVED that the working group include  
11 the following members:

- 12       (1) Two representatives of the State Historic Preservation  
13           Division;
- 14       (2) Two representatives of the Office of Hawaiian Affairs;
- 15       (3) One individual from each Island Burial Council, to be  
16           selected by a majority vote of its respective members;  
17           and
- 18       (4) One member of Hui Iwi Kuamo'o, the leading  
19           repatriation and reburial advocacy organization; and

20           BE IT FURTHER RESOLVED that no member be made subject to  
21 chapter 84, Hawai'i Revised Statutes, solely because of that  
22 member's participation as a member of the working group; and

23           BE IT FURTHER RESOLVED that certified copies of this  
24 Resolution be transmitted to the Governor; Attorney General;

1 Chief Executive Officer of the Office of Hawaiian Affairs; Chief  
2 of the History and Culture Branch of the State Historic  
3 Preservation Division of the Department of Land and Natural  
4 Resources; and Chairpersons of the Hawai'i Island Burial  
5 Council, Kaua'i/Ni'ihau Island Burial Council, Maui/Lāna'i  
6 Island Burial Council, O'ahu Island Burial Council, and Moloka'i  
7 Island Burial Council, and the Executive Director of Hui Iwi  
8 Kuamo'o.



Kaiali'i Kahele - Chairperson  
Keoni Souza - Vice Chairperson  
Dan Ahuna - Trustee, Kaua'i & Ni'ihau  
Kaleihikina Akaka - Trustee, O'ahu  
Keli'i Akina, Ph.D. - Trustee, At-Large  
Luana Alapa - Trustee, Moloka'i & Lāna'i  
Brickwood Galuteria - Trustee, At-Large  
Carmen "Hulu" Lindsey - Trustee, Maui  
John D. Waihee IV - Trustee, At-Large



Phone: (808) 594-1888  
Fax: (808)-1868

**OFFICE OF HAWAIIAN AFFAIRS  
BOARD OF TRUSTEES**

560 N. Nimitz Hwy., Suite 200  
Honolulu, HI 96817

**MEETING OF THE BOARD OF TRUSTEES**

**DATE: Thursday, March 6, 2025**

**TIME: 8:30 A.M.**

**PLACE: Remote Meeting via Interactive Conference Technology**

**Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) Or**

**Listen by phone: (213) 338-8477, Webinar ID: 815 7962 2495**

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen 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.**

**AGENDA**

**I. Call to Order**

**II. Executive Session§**

- A.** Discussion of the settlement agreement terms in Laeha v. Office of Hawaiian Affairs. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to the settlement agreement terms in Laeha v. Office of Hawaiian Affairs.
- B.** Discussion of a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs.
- C.** Review of OHA's involvement in lawsuit against the State of Hawai'i for mismanagement of Mauna Kea. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to Office of Hawaiian Affairs v. State of Hawai'i et al., Civ. No. 17-1-1823-11.
- D.** Review of OHA's involvement in lawsuit against the establishment of the Mauna Kea Stewardship and Oversight Authority under Act 255 (SLH 2022). Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to Office of Hawaiian Affairs v. State of Hawai'i et al., Civ. No. 24-1-0082.
- E.** Approval of Executive Session Minutes
  1. April 25, 2024

**III. New Business**

**A. Action Item BOT #25-04:** Revision to the Office of Hawaiian Affairs Board of Trustees Bylaws addressing inconsistencies with HRS chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments\*, *First Reading*

**B. Status of OHA Activities: Ka Pouhana/CEO and Administration’s Update on OHA’s activities.\***

1. OHA Employee Handbook & Timeline Updates
2. Status update of the OHA 2024 Financial Audit Report
3. Performance Management Update (Current and Future)
4. Mana I Maui Ola (OHA Strategic Plan) status of outcomes and possible updates

**C. Committee on Beneficiary Advocacy and Empowerment – March 5, 2025**

1. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Housing - Matrix 5\*
2. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6\*
3. **Action Item BAE #25-04:** Approve the addition of a resolution to the OHA 2025 Legislative Package (“Establishing a Working Group to Examine and Consider the Transfer or Partial Transfer of Native Hawaiian Burial Site Duties under Hawai‘i Revised Statutes Chapter 6E From the Department of Land and Natural Resources State Historic Preservation Division to the Office of Hawaiian Affairs.”).

[Redacted content]

**IV. Approval of Minutes**

- A. February 6, 2025\*
- B. July 23, 2024 site visit summary - Kāneiolouma Heiau\*
- C. July 23, 2024 site visit summary - Ko‘olau Limu Project\*
- D. July 23, 2024 Kaua‘i Island Community Meeting\*
- E. July 24, 2024 Kaua‘i Island Board of Trustees Meeting\*

**V. Community Concerns and Celebrations**

**VI. Announcements**

## VII. Adjournment

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\* Document(s) associated with this agenda item are anticipated to be included in the board packet for this meeting. The board packet will be available for the public to inspect at OHA's main office located at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817, OHA's neighbor island offices, and on OHA's website <https://www.oha.org/bot> no later than two business days before the meeting. The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

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Trustee Kaiali'i Kahele  
Chairperson, Board of Trustees

2/28/2025  
Date

Kaiali'i Kahele - Chairperson  
Keoni Souza - Vice Chairperson  
Dan Ahuna - Trustee, Kaua'i & Ni'ihau  
Kaleihikina Akaka - Trustee, O'ahu  
Keli'i Akina, Ph.D. - Trustee, At-Large  
Luana Alapa - Trustee, Moloka'i & Lāna'i  
Brickwood Galuteria - Trustee, At-Large  
Carmen "Hulu" Lindsey - Trustee, Maui  
John D. Waihee IV - Trustee, At-Large



Phone: (808) 594-1888  
Fax: (808)-1868

**OFFICE OF HAWAIIAN AFFAIRS  
BOARD OF TRUSTEES**

560 N. Nimitz Hwy., Suite 200  
Honolulu, HI 96817

**MEETING OF THE BOARD OF TRUSTEES**

**DATE: Thursday, March 6, 2025**

**TIME: 8:30 A.M.**

**PLACE: Remote Meeting via Interactive Conference Technology**

**Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) Or**

**Listen by phone: (213) 338-8477, Webinar ID: 815 7962 2495**

**This virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listen 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.**

**AGENDA**

**I. Call to Order**

**II. Executive Session§**

- A.** Discussion of the settlement agreement terms in *Laeha v. Office of Hawaiian Affairs*. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to the settlement agreement terms in *Laeha v. Office of Hawaiian Affairs*.
- B.** Discussion of a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to a complaint and claim for a wrongful employment action against the Office of Hawaiian Affairs.
- C.** Review of OHA's involvement in lawsuit against the State of Hawai'i for mismanagement of Mauna Kea. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to *Office of Hawaiian Affairs v. State of Hawai'i et al.*, Civ. No. 17-1-1823-11.
- D.** Review of OHA's involvement in lawsuit against the establishment of the Mauna Kea Stewardship and Oversight Authority under Act 255 (SLH 2022). Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Richard Naiwieha Wurdeman and Interim General Counsel Everett Ohta on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to *Office of Hawaiian Affairs v. State of Hawai'i et al.*, Civ. No. 24-1-0082.
- E.** Approval of Executive Session Minutes
  1. April 25, 2024

**III. New Business**

**A. Action Item BOT #25-04:** Revision to the Office of Hawaiian Affairs Board of Trustees Bylaws addressing inconsistencies with HRS chapter 92 Public Agency Meetings and Records as well as inconsistencies with HRS chapter 10 Office of Hawaiian Affairs, the establishment of the Chair Emerita/Emeritus, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency, clarity, statutory compliance and technical amendments\*, *First Reading*

**B. Status of OHA Activities: Ka Pouhana/CEO and Administration’s Update on OHA’s activities.\***

1. OHA Employee Handbook & Timeline Updates
2. Status update of the OHA 2024 Financial Audit Report
3. Performance Management Update (Current and Future)
4. Mana I Maui Ola (OHA Strategic Plan) status of outcomes and possible updates

**C. Committee on Beneficiary Advocacy and Empowerment – March 5, 2025**

1. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Housing - Matrix 5\*
2. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health - Matrix 6\*
3. **Action Item BAE #25-04:** Approve the addition of a resolution to the OHA 2025 Legislative Package (“Establishing a Working Group to Examine and Consider the Transfer or Partial Transfer of Native Hawaiian Burial Site Duties under Hawai’i Revised Statutes Chapter 6E From the Department of Land and Natural Resources State Historic Preservation Division to the Office of Hawaiian Affairs.”).

**D. Committee on Budget and Finance – March 5, 2025**

1. **Action Item BF #25-09:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Nurture Cultivate Inc. for the 2025 Panina Makahiki Event on March 8, 2025, in the amount of \$5,000.
2. **Action Item BF #25-10:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to St. Andrew’s Schools for the 2025 Queen Emma Ball Lū’au on the Square Event on March 13, 2025, in the amount of \$5,000
3. **Action Item BF #25-11:** Approval for funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Ho‘oulu ‘Ike Center for Hula and Mele for the 2025 ‘Āina Ho‘opulapula Mele and Hula Conference Event on March 15, 2025, in the amount of \$13,500.
4. **Action Item BF #25-12:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Pōhāhā I Ka Lani for the 2025 Ka‘e Lehua Event on March 15, 2025, in the amount of \$5,000.
5. **Action Item BF #25-13:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Hui O Kuapā for the 2025 Ke Aupuni Palapala Professional Development Workshop Event on March 17, 2025, in the amount of \$10,000.
6. **Action Item BF #25-14:** Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship to Kuana‘ike for the Spirit Fest 2025 Event on March 21, 2025, in the amount of \$15,000.

**IV.**

[Redacted content]

**V. Community Concerns and Celebrations**

**VI. Announcements**

## VII. Adjournment

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Trustee Kaiali'i Kahele  
Chairperson, Board of Trustees

2/28/2025  
Date

**DRAFT**

**STATE OF HAWAII**  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200  
(In-Person Meeting)

The OHA Board of Trustees meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened by phone: (213) 338-8477.

A physical meeting location open to the general public will be available at the  
A physical meeting location open to the general public will be available at 560 N. Nimitz Hwy.,  
Suite 200, Honolulu HI 96817.

**Minutes of the  
BOARD OF TRUSTEES MEETING  
MINUTES  
February 6, 2025  
10:00 a.m.**

ATTENDANCE:

Chairperson Kaiali'i Kahele  
Trustee Dan Ahuna  
Trustee Kalei Akaka  
Trustee Keli'i Akina  
Trustee Luana Alapa  
Trustee Brickwood Galuteria  
Trustee Carmen Hulu Lindsey  
Trustee Keoni Souza  
Trustee John Waihe'e, IV.

ADMINISTRATION:

Stacy Ferreira, CEO  
Kēhaulani Pu'u, COO  
Ramona Hinck, CFO  
Everett Ohta, Interim General Counsel  
Naiwi Wurdeman, Board Counsel  
Hailama Farden, Dir. of Hawaiian Culture  
Kū'ike Kamakea-Ōhelo, Dir. of 'Ōiwi  
Well-being and 'Āina Momona  
Leina'ala Ley, Dir. of Advocacy  
Bill Brennan, Dir. Communications  
Lisa Vaughn-Sekona, Dir. of Community Engagement  
Kelcie Wade, IT  
Arlene Aguinaldo, IT  
Daniel Santos, IT

BOT STAFF:

Lehua Itokazu, Board Secretary  
Kauikeaolani Wailehua, Trustee Aide  
Kanani Iaea, Trustee Aide  
LeiAnn Durrant, Trustee Aide  
Anuheha Diamond, Trustee Aide  
Kyla Hee, Trustee Secretary  
Mark Watanabe, Trustee Aide  
Sommer Soares, Trustee Secretary  
Pohai Ryan, Trustee Aide  
Carina Lee, Trustee Aide  
Remi Keli'ihō'omalū, Trustee Aide

GUEST:

Call to Order

**Chair Kaiali'i Kahele** Calls the Board of Trustees Meeting to order for Thursday, February 6, 2025 at 10:02 a.m. Board Secretary, please do a roll call.

MEMBERS			Present	Notes
TRUSTEE	DAN	AHUNA	X	Left meeting at 12:55pm
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI'I	AKINA	X	
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRICKWOOD	GALUTERIA	X	
TRUSTEE	CARMEN "HULU"	LINDSEY	X	
TRUSTEE	KEONI	SOUZA	X	
TRUSTEE	JOHN	WAIHE'E	X	
CHAIRPERSON	KAIALI'I	KAHELE	X	
			9	

At the Call to Order, **nine (9)** Trustees are PRESENT, thereby constituting a quorum.

**Chair Kaiali'i Kahele** This meeting can be viewed via live stream on all his website at [www.oha.org/livestream](http://www.oha.org/livestream) For those joining us on Zoom to testify or listen, please note that we are using the webinar platform rather than the standard Zoom meeting format. As an attendee, you will be able to watch and listen to the proceedings. If you wish to testify on a specific agenda item, please follow these steps:

1. Raise your hand to indicate that you would like to speak.
2. We will change your status from attendee to panelist when it is your turn. This may take a few seconds, so we appreciate your patience.
3. As a panelist, you will have the option to turn on your camera and unmute yourself to provide testimony.
4. Once you have finished testifying, please mute yourself, and you will be returned to attendee status.

Our first item is status of OHA activities. Lehua, do we have anyone signed up to speak on this item?

**Board Secretary** No one has signed up to speak on item.

## II. Status of OHA Activities: Ka Pouhana/CEO and Administration's Update on OHA's activities.

**Stacy Ferreira, CEO** gives the Board of Trustees a brief update on OHA activities.

### Approval of Minutes

**Trustee Souza** I move to approve all the minutes.

**Trustee Akina** Seconds the motion.

**Chair Kaiali'i Kahele** Do we have anyone signed up to speak on this item?

**Board Secretary** No one has signed up to speak on item.

**Chair Kaiali'i Kahele** Please do a roll call vote for the approval of the minutes.

10:16 a.m. Trustee Souza moves to						
Approve the following minutes:           A. June 27, 2024						
B. January 9, 2025						
Trustee Akina seconds the motion						
Vote: 10:16 a.m.	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA		X	X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA	X		X			
TRUSTEE JOHN WAIHE'E			X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**New Business**

- A. Committee on Beneficiary Advocacy and Empowerment – February 5, 2025**  
**1. 2025 OHA State Legislative Package-Matrix 1**

*This item was not voted on in the Beneficiary Advocacy and Empowerment Committee*

- 2. 2025 Legislature: OHA Position on Bills Naming OHA-Matrix 2**

**Trustee Galuteria** Your Committee on Beneficiary Advocacy and Empowerment moves to approve the staff's recommendation on OHA bills naming OHA as reflected in Matrix 2.

**Trustee Souza** Seconds the motion.

10:18 a.m. Trustee Galuteria moves to						
approve the staff's recommendation on OHA bills naming OHA as reflected in Matrix 2.						
Trustee Souza seconds the motion						
Vote: 10:18 a.m.	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		X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA		X	X			
TRUSTEE JOHN WAIHE'E			X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			9			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**3. 2025 Legislature: OHA Position on Bills Affecting the Public Land Trust-Matrix 3**

Trustee Galuteria I move to approve the staff's recommendation for positions on bills affecting the Public Land Trust as reflected in Matrix 3.

Trustee Souza Seconds the motion.

10:19 a.m. Trustee Galuteria moves to						
approve the staff's recommendation for positions on bills affecting the Public Land Trust as reflected in Matrix 3.						
Trustee Souza seconds the motion						
Vote: 10:19 a.m.	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		X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA		X	X			
TRUSTEE JOHN WAIHE'E			X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**4. 2025 Legislature: OHA Position on Bills Affecting Natural Resources and Native Hawaiian Traditional & Customary Practices-Matrix 4**

**Trustee Galuteria I move to approve the staff's recommendation for positions on bills affecting Natural Resources and Native Hawaiian Traditional & Customary Practices Matrix 4**

**Trustee Waihe'e Seconds the motion.**

10:19 a.m. Trustee Galuteria moves to						
approve the staff's recommendation for positions on bills affecting the Natural Resources and Native Hawaiian Traditional & Customary Practices-Matrix 4						
Trustee Waihe'e seconds the motion						
Vote: 10:20 a.m.	<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>'A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA	X		X			
CHAIRPERSON HULU LINDSEY			X			

<b>TRUSTEE J. KEONI SOUZA</b>			<b>X</b>			
<b>TRUSTEE JOHN WAIHE'E</b>		<b>X</b>	<b>X</b>			
<b>CHAIR KAIALI'I KAHELE</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**5. on Bills Affecting Native Hawaiian Housing-Matrix 5**

**Trustee Galuteria I move to approve the staff's recommendation for positions on bills affecting Native Hawaiian Housing-Matrix 5**

**Trustee Waihe'e Seconds the motion.**

10:19 a.m. Trustee Galuteria moves to approve the staff's recommendation for positions on bills affecting Native Hawaiian Housing-Matrix 5 Trustee Waihe'e seconds the motion						
Vote: 10:20 a.m.	<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>'A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
<b>TRUSTEE DAN AHUNA</b>			<b>X</b>			
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI'I AKINA</b>			<b>X</b>			
<b>TRUSTEE LUANA ALAPA</b>			<b>X</b>			
<b>TRUSTEE BRICKWOOD GALUTERIA</b>	<b>X</b>		<b>X</b>			
<b>CHAIRPERSON HULU LINDSEY</b>			<b>X</b>			
<b>TRUSTEE J. KEONI SOUZA</b>			<b>X</b>			
<b>TRUSTEE JOHN WAIHE'E</b>		<b>X</b>	<b>X</b>			
<b>CHAIR KAIALI'I KAHELE</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**6. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Health-Matrix 6**

**Trustee Galuteria I move to approve the staff’s recommendation for OHA’s Position on Bills Affecting Native Hawaiian Health-Matrix 6**

**Trustee Waihe’e Seconds the motion.**

10:21 a.m. Trustee Galuteria moves to						
approve the staff’s recommendation for positions on bills affecting Native Hawaiian Health-Matrix 6						
Trustee Waihe’e seconds the motion						
Vote: 10:21 a.m.	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
<b>TRUSTEE DAN AHUNA</b>			<b>X</b>			
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI‘I AKINA</b>			<b>X</b>			
<b>TRUSTEE LUANA ALAPA</b>			<b>X</b>			
<b>TRUSTEE BRICKWOOD GALUTERIA</b>	<b>X</b>		<b>X</b>			
<b>CHAIRPERSON HULU LINDSEY</b>			<b>X</b>			
<b>TRUSTEE J. KEONI SOUZA</b>			<b>X</b>			
<b>TRUSTEE JOHN WAIHE‘E</b>		<b>X</b>	<b>X</b>			
<b>CHAIR KAIALI‘I KAHELE</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**7. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Education -Matrix 7**

**Trustee Galuteria I move to approve the staff’s recommendation for OHA’s Position on Bills Affecting Native Hawaiian Education Matrix 7**

**Trustee Waihe’e Seconds the motion.**

10:22 a.m. Trustee Galuteria moves to						
approve the staff's recommendation for positions on bills affecting Native Hawaiian Education Matrix 7						
Trustee Waihe'e seconds the motion						
Vote: 10:22 a.m.	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		X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			9			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**8. 2025 Legislature: OHA Position on Bills Affecting Native Hawaiian Economic Development-Matrix 8**

Trustee Galuteria I move to approve the staff's recommendation for OHA's Position on Bills Affecting Native Hawaiian Economic Development Matrix 8

Trustee Waihe'e Seconds the motion.

10:22 a.m. Trustee Galuteria moves to						
approve the staff's recommendation for positions on bills affecting Native Hawaiian Economic Development Matrix 8						
Trustee Waihe'e seconds the motion						
Vote: 10:23 a.m.	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		X		
CHAIRPERSON HULU LINDSEY			X		
TRUSTEE J. KEONI SOUZA			X		
TRUSTEE JOHN WAIHE'E		X	X		
CHAIR KAIALI'I KAHELE			X		
<b>TOTAL VOTE COUNT</b>			<b>9</b>		
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>					
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>					

**9. 2025 Legislature: OHA Position on Bills Affecting HRS Chapter 6E (Iwi kūpuna)  
-Matrix 9**

Trustee Galuteria I move for the approval of the staff's recommendations for the position on bills affecting HRS Chapter 6E as reflected in Matrix 9.

Trustee Waihe'e Second the motion.

10:23 a.m. Trustee Galuteria moves to approve the staff's recommendations for the position on bills affecting HRS Chapter 6E as reflected in Matrix 9. Trustee Waihe'e seconds the motion						
Vote: 10:24 a.m.	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		X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA			X			

<b>TRUSTEE JOHN WAIHE'E</b>		<b>X</b>	<b>X</b>			
<b>CHAIR KAIALI'I KAHELE</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**10. OHA Position on Honolulu County Council, Resolution 25-037, Urging the State of Hawai'i to Create a Hawaiian Language Commission**

**Leina'ala Ley, Advocacy Director** Shares with the Board of Trustees, for the record, that the commission will be responsible for coordinating the State and City efforts to perpetuate 'ōlelo Hawai'i, encourage more people to speak 'ōlelo, support private and public organizations, and conduct and commission research.

**Trustee Galuteria Moves to approve the staff recommendations for position on Honolulu County Council Resolution 25-037 urging thre State of Hawai'i to create a Hawaiian Language Commission.**

**Trustee Waihe'e Seconds the motion.**

*Discussion takes place at the table. The Board moves onto the BAE Committee Report and and then comes back to raify BAE OHA Position on Honolulu County Council, Resolution 25-037, Urging the State of Hawai'i to Create a Hawaiian Language Commission*

**B. Committee on Budget and Finance – January 22, 2025**

**1. Action Item BF #25-01: OHA Biennium Budget for the Fiscal Biennium Periods 2023- 2024 (FY24) and 2024-2025 (FY25) - Realignment #3 – Approval of Core and Non-Core Budget Realignments\***

**Trustee Alapa Your Committee on Budget and Finance, having met on January 22, 2025; and after full and free discussion, recommends the approval of the following motions to the Board of Trustees: the approval of action Item BF #25-01 as presented: Fiscal Biennium periods 2023-2024 (FY24) and 2024-2025 (FY25) – Realignment #3-Approval of core and non-core Budget Realignment.**

**Trustee Waihe'e seconds the motion.**

10:31 a.m. Trustee Alapa moves to						
approve action Item BF #25-01 as presented: Fiscal Biennium periods 2023-2024 (FY24) and 2024-2025 (FY25) – Realignment #3-Approval of core and non-core Budget Realignment.						
Trustee Waihe'e seconds the motion						
Vote: 10:32 a.m.	<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>'A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>

TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
TOTAL VOTE COUNT			9			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**2. Action Item BF #25-04: Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for the Native Hawaiian Hospitality Association’s Ho‘okipa Hawai‘i Weekend on February 15 & 16, 2025, in the amount of \$15,000.\***

**Trustee Alapa Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for the Native Hawaiian Hospitality Association’s Ho‘okipa Hawai‘i Weekend on February 15 & 16, 2025, in the amount of \$15,000.**

**Trustee Waihe‘e Seconds the motion.**

10:33 a.m. Trustee Alapa moves to						
Approve OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for the Native Hawaiian Hospitality Association’s Ho‘okipa Hawai‘i Weekend on February 15 & 16, 2025, in the amount of \$15,000.						
Trustee Waihe‘e seconds the motion						
Vote: 10:34 a.m.	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		X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
TOTAL VOTE COUNT			9			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**3. Action Item BF #25-05: Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for Hale Kipa’s Pā‘ina 2025 themed “Kūkulu ‘ana i ke kaiāulu” event on February 22, 2025, in the amount of \$15,000.\***

**Trustee Alapa Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for Hale Kipa’s Pā‘ina 2025 themed “Kūkulu ‘ana i ke kaiāulu” event on February 22, 2025, in the amount of \$15,000.**

**Trustee Waihe’e Seconds the motion.**

10:34 a.m. Trustee Alapa moves to						
Approve OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for Hale Kipa’s Pā‘ina 2025 themed “Kūkulu ‘ana i ke kaiāulu” event on February 22, 2025, in the amount of \$15,000.						
Trustee Waihe’e seconds the motion						
Vote: 10:35 a.m.	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		X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA			X			

TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**4. Action Item BF #25-06: Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for Kanu o ka ‘Āina Learning ‘Ohana for the 2025 Kanaeokana Aloha ‘Āina Leader Awards (AALA) on March 3, 2025, in the amount of \$10,000.\***

**Trustee Alapa Approval of OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for Kanu o ka ‘Āina Learning ‘Ohana for the 2025 Kanaeokana Aloha ‘Āina Leader Awards (AALA) on March 3, 2025, in the amount of \$10,000.**

**Trustee Waihe‘e Seconds the motion.**

10:37 a.m. Trustee Alapa moves to						
Approve OHA funding for a Ho‘ākoakoa Lāhui Event Sponsorship for Kanu o ka ‘Āina Learning ‘Ohana for the 2025 Kanaeokana Aloha ‘Āina Leader Awards (AALA) on March 3, 2025, in the amount of \$10,000.						
Trustee Waihe‘e seconds the motion						
Vote: 10:37 a.m.	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						

**Motion passes with Nine (9) Yes votes, Zero (0) No votes**

We continue item IV. A. 10 – OHA staff shares the updated resolution. Additional discussion takes place and a few key points are shared on what can be considered:

- OHA submit a resolution to the legislature and name a member from OHA to be on the commission.
- OHA work with a legislator at the legislature
- Change the language of Hawaiian Language to ‘Ōlelo Hawai‘i

**10. OHA Position on Honolulu County Council, Resolution 25-037, Urging the State of Hawai‘i to Create a Hawaiian Language Commission**

10:26 a.m. Trustee Galuteria moves to						
approve the staff recommendations for position on Honolulu County Council Resolution 25-037 urging thre State of Hawai‘i to create a Hawaiian Language Commission.						
Trustee Waihe‘e seconds the motion						
Vote: 11:02 a.m.	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		X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA			X			
TRUSTEE JOHN WAIHE‘E		X	X			
CHAIR KAIALI‘I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**A. Committee on Investment and Land Management – January 22, 2025**

**1. Action Item ILM #25-01: Approval of the Updated 2024 Guidelines for the Native Hawaiian Trust Fund (NHTF) Private Markets Commitment Plan\***

Trustee Souza Your Committee on Investment and Land Management, having met on January 22, 2024, and after full and free discussion, recommends approval of the following five (5) actions to the Board of Trustees:

**Approval of the Updated 2024 Guidelines for the Native Hawaiian Trust Fund (NHTF) Private Markets Commitment Plan**

Trustee Waihe'e Seconds the motion.

11:02 a.m. Trustee Souza moves to						
Approve of the Updated 2024 Guidelines for the Native Hawaiian Trust Fund (NHTF) Private Markets Commitment Plan						
Trustee Waihe'e seconds the motion						
Vote: 11:03 a.m.	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			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA	X		X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with Nine (9) Yes votes, Zero (0) No votes						

2. Action Item ILM #25-02: Approval to undertake Due Diligence Phase 2 activities for a proposed land transfer of Mauna'ala, Nu'uaniu, O'ahu to the Office of Hawaiian Affairs, in reference to Action Item ILM #25-02, as amended.\*

Trustee Souza I would like to move for the Approval to undertake Due Diligence Phase 2 activities for a proposed land transfer of Mauna'ala, Nu'uaniu, O'ahu to the Office of Hawaiian Affairs and

2. Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for phase two due diligence to inform the potential transfer of land from the DLNR to OHA.

Trustee Waihe'e Seconds the motion.

11:03 a.m. Trustee Souza moves to						
<ol style="list-style-type: none"> <li>Approval to undertake Due Diligence Phase 2 activities for a proposed land transfer of Mauna'ala, Nu'uaniu, O'ahu to the Office of Hawaiian Affairs and</li> <li>Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for phase two due diligence to inform the potential transfer of land from the DLNR to OHA.</li> </ol>						
Trustee Waihe'e seconds the motion						
Vote: 11:04 a.m.	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			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA	X		X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
TOTAL VOTE COUNT			8		1	
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with Eight (8) Yes votes, Zero (0) No votes, and One (1) Abstention						

3. Action Item ILM #25-03: Approval to undertake Due Diligence Phase 2 activities for a proposed land transfer of Kānei'olouma Heiau Complex, Kōloa, Kaua'i to the

**Office of Hawaiian Affairs\***

**Trustee Souza I move the Approval to undertake Due Diligence Phase 2 activities for a proposed land transfer of Kānei‘olouma Heiau Complex, Kōloa, Kaua‘i to the Office of Hawaiian Affairs.**

**Approve and authorize the CEO to delegate to OHA administration the authority to:**

- 1) Undertake Due Diligence Phase 2 activities for a proposed land transfer of Kanei'olouma Heiau Complex, Koloa, Kaua'i to the Office of Hawaiian Affairs**
  
- 2) Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for phase two due diligence to inform the potential transfer of land from the County of Kaua'i to OHA;**
  
- 3) Take all other reasonable actions necessary and appropriate to implement the foregoing.**

**Trustee Waihe‘e Seconds the motion.**

11:05 a.m. Trustee Souza moves to						
Approve and authorize the CEO to delegate to OHA administration the authority to:						
1) Undertake Due Diligence Phase 2 activities for a proposed land transfer of Kanei'olouma Heiau Complex, Koloa, Kaua'i to the Office of Hawaiian Affairs						
2) Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for phase two due diligence to inform the potential transfer of land from the County of Kaua'i to OHA;						
3) Take all other reasonable actions necessary and appropriate to implement the foregoing.						
Trustee Waihe‘e seconds the motion						
Vote: 11:05 a.m.	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
<b>TRUSTEE DAN AHUNA</b>			<b>X</b>			
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI‘I AKINA</b>			<b>X</b>			
<b>TRUSTEE LUANA ALAPA</b>			<b>X</b>			
<b>TRUSTEE BRICKWOOD GALUTERIA</b>			<b>X</b>			
<b>CHAIRPERSON HULU LINDSEY</b>			<b>X</b>			
<b>TRUSTEE J. KEONI SOUZA</b>	<b>X</b>		<b>X</b>			
<b>TRUSTEE JOHN WAIHE‘E</b>		<b>X</b>	<b>X</b>			

<b>CHAIR KAIALI‘I KAHELE</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

**4. Action Item ILM #25-04: Approval to undertake Due Diligence Phase 2 activities for a proposed land transfer of the Ahupua‘a ‘O Kahana parcels, Kahana, O‘ahu to the Office of Hawaiian Affairs\***

**Trustee Souza I would like to approve and authorize the CEO to delegate to Office of Hawaiian Affairs (OHA) administration the authority to:**

- 1) Undertake Due Diligence Phase 2 activities for a proposed land transfer of the Ahupua'a 'O Kahana parcels, Kahana, O'ahu to the Office of Hawaiian Affairs;**
- 2) Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for due diligence to inform the potential transfer of the aforementioned parcels from the DLNR to OHA**
- 3) Take all other reasonable actions necessary and appropriate to implement the foregoing.**

**Trustee Waihe‘e Seconds the motion.**

<b>11:06 a.m. Trustee Souza moves to</b>						
<b>Approve and authorize the CEO to delegate to Office of Hawaiian Affairs (OHA) administration the authority to:</b>						
<b>1) Undertake Due Diligence Phase 2 activities for a proposed land transfer of the Ahupua'a 'O Kahana parcels, Kahana, O'ahu to the Office of Hawaiian Affairs;</b>						
<b>2) Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for due diligence to inform the potential transfer of the aforementioned parcels from the DLNR to OHA</b>						
<b>3) Take all other reasonable actions necessary and appropriate to implement the foregoing.</b>						
<b>Trustee Waihe‘e seconds the motion</b>						
<b>Vote: 11:07 a.m.</b>	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
<b>TRUSTEE DAN AHUNA</b>			<b>X</b>			
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI‘I AKINA</b>			<b>X</b>			

TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA	X		X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIR KAIALI'I KAHELE			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes with Nine (9) Yes votes, Zero (0) No votes						

Break for recess at 11:07 am

Reconvene from recess at 11:14 am

5. **Action Item ILM #25-05: Approval to undertake Due Diligence Phase 2 activities for a proposed land transfer of the Nation of Hawai'i parcels, Waimānalo, O'ahu to the Office of Hawaiian Affairs.\***

**Trustee Souza Moves to approve and authorize the CEO to delegate to OHA administration the authority to:**

- 1) **Undertake Due Diligence Phase 2 activities for a proposed land transfer of the Nation of Hawai'i parcels, Waimānalo, O'ahu to the Office of Hawaiian Affairs;**
- 2) **Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for due diligence to inform the potential transfer of land from the HDOA to OHA;**
- 3) **Take all other reasonable actions necessary and appropriate to implement the foregoing.**

**Trustee Galuteria Seconds the motion.**

*Public Testimony is offered by the following:*

**A'opohakuku Craig-Rodenhurst** – From the Spiritual Nation of Kū, Hui Ea. She shares her background and opposes this action item.

**Onepo'okela Craig-Rodenhurst** – Offers an oli, he is from the Spiritual Nation of Kū, Hui Ea. He shares his background and opposes this action item.

**Luckie Rodenhurst** – He is from the Spiritual Nation of Kū, Hui Ea. He shares his background and opposes this action item.

**Hiwahiwa Kaheaku** – She is from the Spiritual Nation of Kū, Hui Ea. She shares her background and opposes this action item.

**Annamarie Castro Howel** – She speaks on laws and compliance to land and private properties.

Testifiers that joined via zoom are next.

**Tennielle Kanahale** – Shares she is the daughter of Bumpy Kanahale. She is full support of the due diligence process.

**Brandon Makaawa‘a** – Shares that he is in full support of this action item.

**Keone DeFranco** – States that he is in support of this action item and the process.

**Makaha‘a Wolfgram** – Shares that he supports this land transfer and action item.

**Nani Wolfgram** – Shares that she supports this action item.

**Tara Rojas** – Shares her mana‘o on the present land transfers.

**Sambo Hokuakalani Souza** – Shares his mana‘o on the present land transfers.

**Maile Denielle** – Shares that she and her ‘ohana are in full support of this action item.

**Bumpy Kanahale** - States he is in full support of this action item.

**Shar Kahumoku** – Offers her mana‘o regarding the lineal descendants of these lands.

Full Testimony can be viewed at the following link: [OHA BOT Youtube](#)

11:15 a.m. Trustee Souza moves to						
Approve and authorize the CEO to delegate to OHA administration the authority to:						
1) Undertake Due Diligence Phase 2 activities for a proposed land transfer of the Nation of Hawai'i parcels, Waimanalo, O'ahu to the Office of Hawaiian Affairs;						
2) Execute and/or procure all necessary agreements, instruments, applications, and other appropriate documents necessary for due diligence to inform the potential transfer of land from the HDOA to OHA;						
3) Take all other reasonable actions necessary and appropriate to implement the foregoing.						
Trustee Galuteria seconds the motion						
Vote: 12:27 p.m.	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN			X			

AHUNA						
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA		X	X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA	X		X			
TRUSTEE JOHN WAIHE'E			X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>9</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Nine (9) Yes votes, Zero (0) No votes</b>						

*The chair takes the agenda out of order and takes up community concerns first.*

**Community Concerns and Celebrations**

**Rory Nakamura** – Shares with the Board of Trustees that he has documents stating we are not a part of the United States and that the annexation did not happen.

**Annamarie Castro Howel** – Speaks to the Board about the identity of the Hawaiian people.

**John** – Shares that he is born and raised on the island of Moloka'i and now resides in Kāne'ōhe. His question to OHA is how does OHA classify what is Hawaiian and Native Hawaiian? Does the classification of kānaka maoli come under OHA or DHHL?

Testifier joined via zoom are next.

**Germaine Meyers** Asks the Board to agenda her so that she can give a fifteen-minute presentation at an upcoming Board of Trustees (BOT) meeting or committee meeting. Her presentation would reflect the various things going on in her community. She also requests information from the BOT and Administration regarding the O'ahu island Mea'ai and Mana'o meeting; when and what time is the meeting. She shares her appreciation for sunshine law.

**Shar Kahumoku** Shares a short video from her phone on two different presentations on June 17 and 18 at Mauna'ala.

*Break for recess at 12:55 p.m*

Reconvene from recess at 1:31 p.m

**E. Item BOT #25-02: Request to establish a Permitted Interaction Group (PIG) to investigate the United States Army’s (Army) and State of Hawai‘i’s (State) progress in Army Training Land Retention efforts and inform the Office of Hawaiian Affairs (OHA) Board of Trustees (BOT) on how OHA might contribute to the State’s decision-making on the future of these leased lands, pursuant to Haw. Rev. Stat. §92-2.5(b)(1)(A).\***

**Trustee Waihe‘e** Moves the motion.

**Trustee Alapa** Seconds the motion.

1:32 p.m. Trustee Waihe‘e moves to						
<p>Approve the formation of a Permitted Interaction Group (PIG) to: (1) investigate the status of negotiations between the United States Army (Army) and State of Hawai‘i (State) regarding the Army’s Training Land Retention efforts at Pōhakuloa Training Area (PTA), Mākua Military Reservation (MMR), Poamoho Training Area, and Kahuku Training Area; (2) inform the Office of Hawaiian Affairs (OHA) Board of Trustees (BOT) how OHA might contribute to the State’s decision-making on the future of these “ceded” lands currently leased to the Army.</p> <p>Scope. The purview of the PIG is for the Board of Trustees (BOT or Board), BOT staff, and OHA Administration staff to work together to investigate the status of the United States Army’s (Army) and State of Hawai‘i’s (State) Army Training Land Retention efforts and make findings to the OHA BOT and recommendations on ways in which it may engage or participate in the decision-making regarding the subject state parcels.</p> <p>Members. The membership of the PIG is proposed as follows:                      (a) Trustee Brickwood Galuteria Keoni Souza                      and (d) Trustee Luana Alapa. Trustee will serve as the Chair of the PIG and Trustee Keoni Souza will serve as its Vice Chair.</p> <p>Term/Duration. The term of the PIG 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, 2025.</p>						
Trustee Alapa seconds the motion						
Vote: 2:05 p.m.	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA						Left meeting at 12:55 p.m.
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE LUANA ALAPA		X	X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			

<b>TRUSTEE J. KEONI SOUZA</b>			<b>X</b>			
<b>TRUSTEE JOHN WAIHE‘E</b>	<b>X</b>		<b>X</b>			
<b>CHAIR KAIALI‘I KAHELE</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED</b>						
<b>Motion passes with Eight (8) Yes votes, Zero (0) No votes</b>						

**Chair Kaiali‘i Kahele** announces that he will take item BOT #25-02 to establish a Permitted Interaction Group (PIG) to investigate the United States Army’s (Army) and State of Hawai‘i’s (State) progress in Army Training Land Retention efforts and inform the Office of Hawaiian Affairs (OHA) Board of Trustees (BOT) on how OHA might contribute to the State’s decision-making on the future of these leased lands, pursuant to Hawai‘i Revised Statutes.

**Trustee Waihe‘e** moves the motion.

**Trustee Alapa** Seconds the motion.

**Everett Ohata, Interim General Counsel** Offers a brief overview of the proposed action. The PIG will be looking at the Army retention plans for the lands that are currently being leased. The leases for these lands are set to expire in 2029.

*Testimony given 2:10 pm*

**Germaine Meyer** Shares her concerns regarding the Bylaw changes, specifically the Deputy Chief Officer Staff (DCOS) position and the additional Vice Chair position. Her concern is the Board should utilize all nine Trustees for the work that needs to be done.

*Full testimony can be viewed at the following link: [OHA BOT Youtube](#)*

*Continued discussion takes place among the trustees.*

**Executive Session**

**Trustee Souza** Moves to move the Board into executive session pursuant to HRS Section 92-5.

**Trustee Lindsey** Seconds the motion.

**The Board recuses into Executive Session at 2:22 p.m.**

<b>Motion to recuse into executive session pursuant to HRS Section§92-5</b>						
	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>

TRUSTEE DAN	AHUNA						Left meeting at 12:55 p.m.
TRUSTEE KALEI	AKAKA			X			
TRUSTEE KELI'I	AKINA			X			
TRUSTEE LUANA	ALAPA		X	X			
TRUSTEE BRICKWOOD GALUTERIA				X			
TRUSTEE KEONI	SOUZA	X		X			
TRUSTEE HULU	LINDSEY			X			
TRUSTEE JOHN	WAIHE'E			X			
CHAIRPERSON KAIALI'I	KAHELE			X			
TOTAL VOTE COUNT				9			
MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED							
Motion passes with a Eight (8) YES votes, and Zero (0) NO vote.							

Board returns to open session at 2:22 p.m.

Chair Kaiali'i Kahele Reports that the Board of Trustees had a discussion to consult with Board Counsel Richard Naiwieha Wurdeman on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to Office of Hawaiian Affairs Board of Trustees Bylaws and also any proposed revisions. **No action was taken.**

*Continued discussion takes place among the Trustees regarding action item BOT #25-01.  
The first amendment to this action is voted on.*

Chair Kaiali'i Kahele Chair Kahele reads the following Article 8: Committees of the Board; Item H: Quorum and Voting for Committees Counsels and Commissions Subsection 4 the amendment is to strike that language. It will now reflect only 3 subsections.

Trustee Waihe'e moves the motion.

Trustee Souza Seconds the motion.

3:33 p.m. Trustee Waihe'e moves to						
Amendment 1: moves that Article 8 Section H Subsection 4 be stricken in its entirety from the OHA Bylaws. It will now reflect only 3 subsections.						
Trustee Souza seconds the motion						
Vote: 3:33 p.m.	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA						Left meeting at 12:55 p.m.
TRUSTEE KALEI AKAKA			X			

TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA		X	X			
TRUSTEE JOHN WAIHE'E	X		X			
CHAIR KAIALI'I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Eight (8) Yes votes, Zero (0) No votes</b>						

*The second amendment to this action is voted on.*

**Trustee Lindsey I make a motion to remove all references to a second Vice Chairperson in the Bylaws.**

**Trustee Akina Seconds the motion.**

3:34 p.m. Trustee Lindsey moves to						
Amendment 2: moves to remove all references to a second Vice Chair Person in the ByLaws.						
Trustee Akina seconds the motion						
Vote: 3:33 p.m.	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA						Left meeting at 12:55 p.m.
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X			
TRUSTEE J. KEONI SOUZA		X	X			

TRUSTEE JOHN WAIHE‘E	X		X			
CHAIR KAIALI‘I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Eight (8) Yes votes, Zero (0) No votes</b>						

The Board continues discussion on action item BOT #25-01 and votes on the motion as amended.

**Chair Kaiali‘i Kahele**

2:06 p.m. Trustee Souza moves to						
Voting on the motion as amended.						
Revision to the Office of Hawaiian Affairs Board of Trustees Bylaws relating to the establishment of Board Vice-Chairpersons and Chair Emerita/Emeritus positions, succession of a Board officer and Committee Chairperson, approval of Committee agendas by the Committee Chairperson, requirements for meeting presentations and testifiers, revisions to the Board of Trustee staff positions, and miscellaneous revisions for consistency and clarity*, <i>First Reading</i>						
Trustee Alapa seconds the motion						
Vote: 3:59 p.m.	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE DAN AHUNA						Left meeting at 12:55 p.m.
TRUSTEE KALEI AKAKA				X		
TRUSTEE KELI‘I AKINA			X	X		
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRICKWOOD GALUTERIA			X			
CHAIRPERSON HULU LINDSEY			X	X		
TRUSTEE J. KEONI SOUZA		X	X			
TRUSTEE JOHN WAIHE‘E	X		X			
CHAIR KAIALI‘I KAHELE			X			
<b>TOTAL VOTE COUNT</b>			<b>5</b>	<b>3</b>		
<b>MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion Fails with Five (5) Yes votes, Three (3) No votes</b>						

**Announcements**

**Trustee Waihe'e** Shares that his Aide, Crayn Akina, is celebrating 24 years at OHA.

**Chair Kaiali'i Kahele** Announces that our next Board of Trustees meeting will be on February 20, 2025.

**Adjournment**

**Chair Kaiali'i Kahele** Announces that if there are no objections the Board meeting is now adjourn.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA						Left meeting at 12:55 p.m.
KALEI	AKAKA			X			
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRICKWOOD	GALUTERIA			X			
CARMEN HULU	LINDSEY			X			
KEONI	SOUZA			X			
JOHN	WAIHE'E			X			
CHAIR KAIALI'I	KAHELE			X			
<b>TOTAL VOTE COUNT</b>				<b>8</b>			

**Chair Kaiali'i Kahele** Adjourns the Board of Trustees meeting at 4:03 p.m.

Respectfully submitted,

\_\_\_\_\_  
Lehua Itokazu  
Board Secretary

As approved by the Board of Trustees on XXXXXXXXXXX

\_\_\_\_\_  
Kaiali'i Kahele  
Chairperson, Board of Trustees

**DRAFT**

**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

**Kaua'i Island Site Visit Summary  
Kāneiolouma Heiau**

**of the Office of Hawaiian Affairs  
Board of Trustees  
Summary Report  
July 23, 2024 – 10:30 am**

ATTENDANCE:

Trustee Dan Ahuna  
Trustee Kalei Akaka  
Trustee Keli'i Akina  
Trustee Brickwood Galuteria

ADMINISTRATION:

Stacy Ferreira, CEO  
Kū'ike Kamakea-Ōhelo, Dir. of  
    'Ōiwi Well-Being & 'Āina Momona  
Luci Meyer, Geneology Ancestry Specialist  
Ku'uleianuheha Awo-Chun, Dir. of Education &  
    Culture-Based Learning

BOT STAFF:

Lehua Itokazu, Board Secretary  
Amber Kalua, Trustee Aide  
Crayn Akina, Trustee Aide  
Ruben Sierra, Trustee Aide  
Nathan Takeuchi, Trustee Aide  
Anuheha Diamond, Trustee Aide  
Mele Moniz, Trustee Aide  
Richelle Kim, Trustee Secretary  
Kauai Robello, Trustee Aide  
Kyla Hee, Trustee Aide  
Kauikeaolani Wailehua, Trustee Aide

GUEST:

Rupert Rowe

**I. Call to Order**

Site visit starts at 10:34 a.m.

**II. Site Visit**

**Kāneiolouma Heiau**

**Rupert Rowe** – Shares background on the heiau. It is a cultural site with a sacred heiau and an ancient village located in Kōloa, Kaua‘i. The area is 20-acres and includes an old hale site and fishpond. Hui Mālama O Kāneiolouma is the non-profit that oversees and was granted formal stewardship over this place.

He speaks briefly of Henry Kekahuna who was a gifted surveyor and known for mapping over sixty heiau across Hawai‘i. Kāneiolouma is considered his last heiau surveyed. His blueprints are used in restoration efforts.

There is a restoration plan. Phase I is completed, phase II has a three-year time frame, and phase III is projected over a five-year time frame.

He has applied and received a \$800K grant and the second grant he received was \$600K. He was able to use the money to fix up the entire area and recruit individuals with expertise in different cultural aspects. Among some of the things they have lined up is on August 1<sup>st</sup> they plan to place the demigod heiau. He is hoping to have the restoration done within two years by the help of volunteers.

Now, the heiau has a problem with drainage. There is no river on this side of the island. He explains that when you look at an archaeologist report, it will reflect a cattle coral wall, but it was walls built to channel the water westward. All the caves in the area were blown up so that they could build condominiums. As they started to grow and expand, he states that they knew they would be in the battle front. He continues to explain that the State recognizes what is going on, but it is the County of Kaua‘i that does not recognize the culture. He has been told that the County controls the Heiau, and he has been told that the archaeologist is the kahu of this area also. He explains that later SHPD called to tell him that the archaeologist has not been trained properly and is not the kahu of this place. At the moment, the fight is about the water, and they continue to do research on this area.



**III. Public Testimony**

None

**IV. Announcements**

None

**V. Adjournment**

The site visit ends.

Respectfully submitted,

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Lehua Itokazu  
Board Secretary

Site Visit Summary Approved at Board of Trustees Meeting on XXXXXXXXXXXX.

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Carmen Hulu Lindsey  
Chairperson, Board of Trustees

**DRAFT**

**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

**Kaua'i Island Site Visit Summary  
Ko'olau Limu Project**

**Office of Hawaiian Affairs  
Board of Trustees  
Summary Report  
July 23, 2024 – 12:30 pm**

ATTENDANCE:

Trustee Dan Ahuna  
Trustee Kalei Akaka  
Trustee Keli'i Akina  
Trustee Brickwood Galuteria  
Trustee Hulu Lindsey

ADMINISTRATION:

Stacy Ferreira, CEO  
Kū'ike Kamakea-Ōhelo, Dir. of 'Ōiwi Well-Being  
& 'Āina Momona  
Luci Meyer, Geneology Ancestry Specialist  
Ku'uleianuheha Awo-Chun, Dir. of Education &  
Culture-Based Learning

BOT STAFF:

Lehua Itokazu, Board Secretary  
Amber Kalua, Trustee Aide  
Crayn Akina, Trustee Aide  
Ruben Sierra, Trustee Aide  
Nathan Takeuchi, Trustee Aide  
Anuheha Diamond, Trustee Aide  
Mele Moniz, Trustee Aide  
Richelle Kim, Trustee Secretary  
Kau Robello, Trustee Aide  
Kyla Hee, Trustee Aide  
Kauikealani Wailehua, Trustee Aide

GUEST:

Nālani Kāneakua  
Lei Wann

**I. Call to Order**  
Site visit starts at ???

**II. Site Visit**

### **Ko'olau Limu Project**

**Nālani Kāneakua** Shares that the project started back in the 90's under the name Haliamanu Limu Restoration Project, and they just started back up again in the last ten years. Their goal is to restore, preserve and maintain. They offer programs that offer limu education, stream education, restoring and building relationships with the community and the Charter school, restore place names, and restore stream flow. She shares that they would normally have groups of students come in to make buckets and add weights to weigh them down but have not planted limu since October due to the rough seas. Many of the activities are hands on.

She found their current location ten years ago. It took them three years to get the paperwork done and on an agenda during Covid. After their presentation, they got all the thumbs up. They had to wait several years for the clean-up but eventually they were able to get donations of time and machines to clear the place out.

The overall goal is bringing groups of people together to grow limu, create oxygen, feed the fish, bring fish back to the area. Their vision is to eventually have an open hale with limu tanks and create an educational space for everyone.

**Lei Wann** Shares the benefits of limu and how the air we breathe comes from limu, the micro and macro algae. There has been strong research that has been shared recently on the value of limu. If every nation grew 10% more limu, then the earth could put a dent into the problems of global warming. She also shares about a project in Europe where the building grew limu on the side of their building and used it for energy. Limu can be used to feed cows and reduce methayne by 80+%. Hawai'i limu is both medicine and food, and it'solder than many plants on land.

She concludes by stating that if OHA is participating in the 30x30 Coastal Management Projects, she would like OHA to consider using them as an example.

**III. Public Testimony**  
None

**IV. Announcements**  
None

**V. Adjournment**  
The site visit ends.



Respectfully submitted,

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Lehua Itokazu  
Board Secretary

Site Visit Summary Approved at Board of Trustees Meeting on XXXXXXXXXXXX.

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Carmen Hulu Lindsey  
Chairperson, Board of Trustees

**DRAFT**

**STATE OF HAWAII**  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200  
(In-person meeting)

This meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened by phone: (213) 338-8477. A physical meeting location open to the general public will be available at 3-1901 Kaunualii Hwy. Lihue, HI. 96766  
To watch the full meeting please visit [Youtube.org/OHAHawaii](https://Youtube.org/OHAHawaii)

**Minutes of the  
KAUA'I ISLAND COMMUNITY MEETING  
MINUTES  
July 23, 2024  
6:00 p.m.**

ATTENDANCE:

Chairperson Hulu Lindsey  
Trustee Dan Ahuna  
Trustee Keli'i Akina  
Trustee Kalei Akaka  
Trustee Brickwood Galuteria  
Trustee John Waihe'e

ADMINISTRATION:

Stacy Ferreira, CEO  
Ku'ulei Awo-Chun, Dir of ED. & Cultural  
Base Learning  
Ku'ike Kamakea-Ohelo, Dir. of 'Oiwī Well-Being &  
'Āina Momona  
Kelli Soileau, Communications  
Joshua Koh, XXXX  
Dan Santos, IT  
Kelce Wade, IT  
Luci Meyers, Genealogy Ancestry Specialist  
Ilima Kela, Interim BSA Mngr.  
Kaliko Santos, BSA

BOT STAFF:

Lehua Itokazu, Board Secretary  
Amber Kalua, Trustee Aide  
Kanani Iaea, Trustee Aide  
Crayn Akina, Trustee Aide  
Nathan Takeuchi, Trustee Aide  
Kyla Hee, Trustee Aide  
Kauī Robello, Trustee Aide  
Richelle Kim, Trustee Aide  
Anuheā Diamond, Trustee Aide  
Mele Moniz, Trustee Aide  
Ruben Sierra, Trustee Secretary  
Kauī Wailehua, Trustee Aide

GUEST:

Jeremy Makepa  
Lorilani Kaho'okalole  
Presley Wann  
Piko Vaughn  
Roslyn Cummings  
Kanani Kagawa

**Call to Order**

**Chair Hulu Lindsey** Calls the Kaua‘i Island Community Meeting to order for Tuesday, July 23rd at 6:09 p.m. Board Secretary, please do a roll call.

MEMBERS			Present	Notes
TRUSTEE	DAN	AHUNA	X	
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI‘I	AKINA	X	
TRUSTEE	LUANA	ALAPA	Excused	
TRUSTEE	BRICKWOOD	GALUTERIA	X	
TRUSTEE	KEONI	SOUZA	Excused	
TRUSTEE	MILILANI	TRASK	Excused	
TRUSTEE	JOHN	WAIHE‘E	X	
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			6	

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

**Introductions**

**Trustees Waihe‘e** Aloha Kākou to the island of Kaua‘i. Thank you to everyone who made this meeting possible especially to our friend Trustee Dan Ahuna. My aide is Crayn Akina.

**Trustee Akaka** Aloha pumehana, I am honored to serve as your Oahu Trustee as well as OHA’s Chair of the Committee of Beneficiary Advocacy and Empowerment. Much of what we do is advocacy as well as legislative. Joining me this evening is my kōkua Nathan Takeuchi and my ‘ohana, my husband Tyler and our baby. Mahalo for joining us this evening, we always appreciate hearing your mana‘o so that we can stay on the pulse and know what is working within the community and to collaborate best with you all. I also want to mahalo our Kaua‘i island Trustee, Dan Ahuna for the wonderful site visits we had today and mahalo his team for making all of this possible for us for administration team as well. Mahalo.

**Trustee Dan Ahuna** Welina mai Kealoha, I am Dan Ahuna the Trustee for Kaua‘i and Ni‘ihau. Tonight I have my two Aides, Anuheia Diamond and Mele Moniz. I want to thank all of you here tonight for taking the time to be here for this meeting. Mahalo.

**Trustee Galuteria** I would like to have the words of the previous speakers to be entered into the record as if they were my own because I feel the same way they do. Thank you for welcoming us. My Aide here with me this evening is Kyla Hee.

**Trustee Akina** Aloha kākou, I am Keali‘i Akina, Trustee-At-Large. I want to thank you for taking time out of your busy schedules. We have a lot to do and you coming here means a lot to us. I am accompanied here with my Aide, Ruben Sierra. I encourage you to share your mana‘o and to hear what’s on your hearts. We need to pay close attention to what you need to tell us. Again, I thank you for coming here this evening.

**Chair Hulu Lindsey** Aloha again, I am Carmen Hulu Lindsey and I am the Maui Trustee and I also serve as Chair of the Board. My Aides are, Kanani Iaea and Amber Kalua. Our Board Secretary is Lehua Itokazu. With out further adue, I will turn this meeting over to your Trustee, Dan Ahuna.

**Trustee Ahuna** Mahalo nui Chair and mahalo everyone for being here. I would like to call on Stacy, our Ka Pouhana to introduce staff that is here with us tonight.

**Stacy Ferreira, CEO** Mahalo nui to all of you being here this evening with us. I would like to introduce our team from OHA that is here with us offering support to this meeting. Joining us this evening we have Director of ‘Oiwī Well-Being and ‘Āina Mamona Kuik‘e Kamakea-Ohelo, Director of Education Culture Base Learning Anuhea Awo-Chan, our IT systems Engineer and Administrator, Daniel Santos and Kelcie Wade, our Interim Beneficiary Services Manager, ‘Ilima Kela, Communication Strategist Kelly Soileau, Multimedia Designer Joshua Koh, Genealogy and Ancestry Specialist, Lucy Meyer.

**Trustee Ahuna** Mahalo, I will call on our Ka Pouhana for next item.

**Status of OHA Activities: Ka Pouhana/CEO’s Kaua‘i Island Community Report and Update on OHA’s activities.**

**Stacy Ferreira, CEO** Every year the Office of Hawaiian Affairs puts out a community report, tonight I will do a high overview of this report. Two challenges that we are keeping an eye on are the Pacific Missile Range and Kōke‘e Park Geophysical Observatory lease renewals. We are making sure our compliance division is monitoring these concerns. We are also monitoring Kānei‘olouma and we evaluating and pursuing advocacy actions to protect the heiau. I also wanted to share the funding activities for Kaua‘i is at an all time high. There are twenty one active grantees providing services to Kaua‘i with \$16 millions dollars. We also have over thirty active revolving loan funds and consumer mico- loan funds.

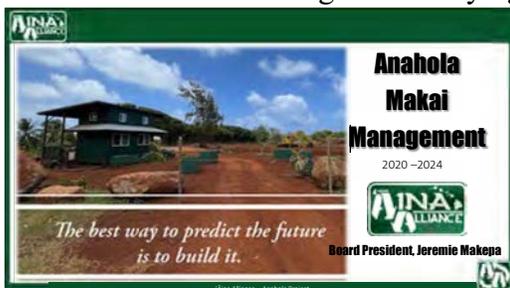
**Trustee Ahuna** Our next item on the agenda is our community presenters. Lehua, do we have anyone signed up to speak on this agenda item?

**Board Secretary** There is no one signed up to testify on this item.

**Community Presentations**

**A. ‘Āina Alliance – Jeremy Makepa**

**Jeremy Makepa** I am the Board President for ‘Āina Alliance, I am a Anahola resident and Fire Captain. We have been doing alot of work in the Anahola area for the last four years, by cleaning the property and removing the abandon cars. Our project got started back in 2020, ‘Āina Alliance is Hawaiian Homelands, particularly Anahola back roads where nobody takes care of it. We have recently had a bunch of fires, just this week over 1,000 acres in Kōke‘e. One of the things we are trying to do is create defensible space by creating fire breaks



And remove the pollution that was being dumped in the area. Some of the objectives we are trying to do is install cliff guard rails, security fencing, a security gate, and an access gate. We are also looking at control grazing with animals which is environmentally friendly. This offers economic stability with low impact activities such as bike riding, hiking, camp clean-ups, and workforce development. Our mission is to convert land liabilities into community assets and help build the future.

**Trustee Akaka** How does water access affect all of this now and in the future as far as what you showed us?

**Jeremy Makepa** definitely advocating for more water will be beneficial. Right now we do not have enough water credits and that is one of the reasons on what is holding up these projects.

**Chair Hulu Lindsey** We were told that people were diverting the water. Is that a fact?

**Jeremy Makepa** My understanding of the water on in the mauka area is that there are 4-5 reservoirs. Hawaiian homes is in the process of decommissioning them due to the maintenance. That will limit our water access.

**Trustee Akaka** This where I feel we lean on our kupuna, those that are still alive with us to share how it worked before. This is a key part to move forward.

**Jeremy Makepa** Recently the flooding has been greater because the reservoirs are not able to absorb the water and gets flushed down the Anahola river.

**Trustee Akaka** Those involved in this are the community, DHHL, the State, and the County?

**Jeremy Makepa** I am not sure.

**Trustee Galuteria** In a perfect world, what would you want to see.

**Jeremy Makepa** The ancient Hawaiians had the perfect world. They had the ahupua'a system, that is the perfect system.

**Trustee Galuteria** How can OHA help?

**Jeremy Makepa** You are already helping, we got grant money. Just continue to support us so that we can do good work.

## **B. Kukulū Kumuhana o Anahola (KKOA) – Lorilani Kao'okalole**

**Lorilani Kao'okalole** Aloha, I am Lorilani and this is my husband Kapule. We met most of you last year and we were so humbled to have you on our farm. We came into Kukulū Kumuhana o Anahola half way through their grant. We were initially invited by our son who was in the 7th grade. We came to volunteer to do work with the 'āina. The essence of what we do is working with kids from kindergarten to 8th grade. Currently we are not receiving grants from OHA but you have seeded something in our community that will continue to grow. Thank you for all the work that you do. We hope that our director or future director will write a grant and you will remember how awesome all of the funding has been.

*She shares to reflection pieces by previous students.*

**Trustee Ahuna** I want to add that KKOA was started back during COVID during a time when there was mental health issues and suicide was happening. ‘Aina is one way to learn about your identity and this is one way the children connect. Thank you for being here.

**Trustee Akaka** Thank you for welcoming us last year. It was so nice to see how much they were thriving and thank you for the mea‘ai you provided.

### **C. Hui Makaainana o Makana – Presley Wann**

**Presley Wann** I am a lineal descendant of Ha‘ena, Kalalau, and Nihoa. I serve as the President for Hui Makaainana o Makana. The history of the hui goes back 150 years. Our mission is to perpetuate and teach the skills and knowledge of our practices of our kupuna. Our hui has had the honor of hosting many indigenous groups from all over the world. We were able to work with the State to incorporate and enforce a maximum visitor count to Ha‘ena State park. I think we have inadvertently become a role model for regenerative tourism and sustainable practices. Currently we take care of fourteen acres and our success is because we have been able to trust and work with the State. We have been able to open the taro lo‘i. We have partnered with the State parks and the Hanalei Initiatives. Between the three of us we have been able to share the revenues. OHA has supported us since 1999 with our first loan for a trailer and then again with our community based subsistence fishing area process. I applaud you guys for standing with us.

**Trustee Galuteria** I have always felt that OHA should become involved with regenerative visitor energy. This may be a model that we can support to move into the mainstream industry.

**Trustee Akaka** Do you collaborate with Miloli‘i that does something similar?

**Presley Wann** We belong to an umbrella organization, a hui called Kua‘āina Ulu ‘Auamo under Kevin Chang. We advocate for each other.

**Trustee Akaka** Legislatively how can we kokua you and your hui?

**Presley Wann** Continue to support and advocate for any community based subsistence fishing.

**Trustee Akaka** Please keep us posted on how we can kokua you such as writing testimony, watching bills and so forth.

### **Community Concerns and Celebrations**

*Three community members shared their mana ‘o. Testimony starts at 7:51 pm.*

1. **Roslyn Commings – summarized.** She shares about her kahua, E Ola Kākou Hawai‘i. There are 30 members. She expresses one of the main barriers on Kaua‘i is ignorance and the disregard of the rights of Kanaka. She speaks on the ongoing issues of water diversion and iwi.
2. **Kanani Kagawa – summarized.** She is from Kaua‘i and one time she was employed by OHA in 2005. She advocates for water and asks for support from OHA. Kaua‘i is presently working on their water use plan and this is to determine the water use for the island. She shares that the plan presently is horrible because it allocates and prioritizes water for developers. She asks OHA to call for the Kapa‘akai water analyses. Her requests are the following:
  - a. Help to advocate with the State Commission on Water Resource Management (CWRM)

b. Fill the commission seats. Burial council seats need to be filled.

**Trustee Ahuna** Shares that OHA did submit names for the Island Burial Counsel (IBC) but it was not approved by the Governor.

3. **Piko Vaughn – summarized.** Is an intern with the biocultural internship program in Haena. He shares his learning about the Community-based Subsistence Fishing Area (CBSFA) on Kaua‘i

**Announcements**

Chair Ahuna shares that the Board of Trustees will be back tomorrow at 9:30 am for the BOT meeting.

**Adjournment**

**Trustee Akaka** 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		X			
KELI'I	AKINA			X			
LUANA	ALAPA						
BRICKWOOD	GALUTERIA			X			
J. KEONI	SOUZA						
MILILANI	TRASK						
JOHN	WAIHE'E		X	X			
CHAIR CARMEN HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>6</b>			

**Trustee Ahuna** Adjourns the Kaua‘i Island Community meeting at 7:50 p.m.

Respectfully submitted,

\_\_\_\_\_  
Lehua Itokazu  
Board Secretary

As approved by the Board of Trustees on XXXXXXXXXXXXXXX

\_\_\_\_\_  
Carmen Hulu Lindsey  
Chairperson, Board of Trustees

**Attachments:** (any handouts will be posted with final approved minutes)

1. 'Āina Alliance – Powerpoint
2. Island Community Report - Executive Summary
3. Excuse Memo – Trustee Souza
4. Excuse Memo – Trustee Trask

DRAFT

**DRAFT**

**STATE OF HAWAII**  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. NIMITZ HIGHWAY, SUITE 200  
(In-Person Meeting)

The OHA Board of Trustees meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened by phone: (213) 338-8477.

A physical meeting location open to the general public will be available at the Lili'uokalani Trust – Kīpuka Kaua'i: 4530 Kali Road, Lihue, HI. 96766

This meeting can be viewed at [Youtube.com/user/OHAHawaii](https://www.youtube.com/user/OHAHawaii)

**Minutes of the  
KAUA'I ISLAND BOARD OF TRUSTEES COMMUNITY MEETING  
MINUTES  
July 24, 2024  
9:30 a.m.**

ATTENDANCE:

Chairperson Hulu Lindsey  
Trustee Dan Ahuna  
Trustee Kalei Akaka  
Trustee Keli'i Akina  
Trustee Brickwood Galuteria  
Trustee John Waihe'e

ADMINISTRATION:

Stacy Ferreira, CEO  
Ku'u lei Awo-Chun, Dir of ED. & Cultural-Based Learning  
Kū'ike Kamakea-Ōhelo, Dir. of Ōiwi Well-Being & 'Āina Momona  
Kelli Soileau, Communications Strategist  
Joshua Koh, Multi-media Designer  
Dan Santos, IT  
Kelcie Wade, IT  
Luci Meyers, Genealogy Ancestry Specialist  
'Ilima Kela, Interim BSA Mngr.  
Kaliko Santos, BSA

BOT STAFF:

Lehua Itokazu, Board Secretary  
Amber Kalua, Trustee Aide  
Kanani Iaea, Trustee Aide  
Nathan Takeuchi, Trustee Aide  
Kyla Hee, Trustee Secretary  
Kauī Robello, Trustee Aide  
Richelle Kim, Trustee Aide  
Anuheā Diamond, Trustee Aide  
Mele Moniz, Trustee Aide  
Crayn Akina, Trustee Aide  
Kauī Wailehua, Trustee Aide

GUEST:

Sabra Kauka

## Call to Order

**Chair Hulu Lindsey** Calls the Board of Trustees Meeting to order for Wednesday, July 24, 2024 at 9:30 a.m. Board Secretary, please do a roll call.

MEMBERS			Present	Notes
TRUSTEE	DAN	<b>AHUNA</b>	X	
TRUSTEE	KALEI	<b>AKAKA</b>	X	
TRUSTEE	KELI'I	<b>AKINA</b>	X	
TRUSTEE	LUANA	<b>ALAPA</b>	Excused	
TRUSTEE	BRICKWOOD	<b>GALUTERIA</b>	X	
TRUSTEE	KEONI	<b>SOUZA</b>	Excused	
TRUSTEE	MILILANI	<b>TRASK</b>	Excused	
TRUSTEE	JOHN	<b>WAIHE'E</b>	X	
CHAIRPERSON	CARMEN HULU	<b>LINDSEY</b>	X	
			6	

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

**Chair Hulu Lindsey** Aloha kakahiaka everyone and welcome to our Board of Trustees meeting here in Kaua'i. We are so happy to be here again with all of you and to hear your concerns. This meeting can be viewed via livestream at [www.oha.org/livestream](http://www.oha.org/livestream). Before we start our meeting, I would like to ask each Trustee to introduce themselves and their staff.

## Introductions

**Trustee Akina** Aloha everyone. I am Trustee Keali'i Akina, I'm with my Aide, Ruben Sierra, and we really enjoyed hearing from all the people who came last night to our community meeting. They shared what's going on here on Kaua'i and I hope that we can do more. So thank you for coming this morning, appreciate it.

**Trustee Galuteria** Aloha, I am Brickwood Galuteria and I echo the same sentiments as Trustee Akina. We had a great night last evening sharing and reflecting with friends and family, and we hope to do the same today. I'm one of the At-Large Trustees, which means that I share in representing this island as well with Trustee Ahuna. We're happy to be here. Kyla Hee is my Aide and she's sitting in the back there, aloha.

**Trustee Akaka** Aloha pumehana, I am Kalei Akaka. I am honored to serve as OHA's O'ahu Trustee and Chair of one of OHA's committees, which is the Beneficiary Advocacy Empowerment Committee. I want to mahalo you all for joining us today. We look forward to hearing your mana'o and I want to mahalo everyone that made this trip here possible. All the great site visits, mahalo to our Kaua'i Trustee and our Chair and all of our Administration that made this a great one, thank you. I also want to acknowledge I'm here today with my kōkua, Nathan Takeuchi, over here and my 'ohana right over there. Mahalo everyone.

**Trustee Ahuna** My name is Dan Ahuna and I represent all of you here today, the islands of Kaua'i and Ni'ihau. With me today are my two Aides, Anuheia Diamond and Mele Moniz, over there. I, too, would like to thank everyone for showing up today and having a great meeting last night.

**Trustee Waihe‘e** Aloha my friends, I am John Waihe‘e, IV. I am a Trustee At-Large and my Aide joining me is Crayn Akina.

**Chair Hulu Lindsey** I am Trustee Hulu Lindsey from the island of Maui. I represent our entire State of Hawai‘i with the rest of my Trustees. That is what makes us different, we run for our seats statewide like the Governor and Lieutenant Governor, so we all represent your folks voices. That’s how strong an advocate you folks have so, please use us to represent you. At our meeting is our board staff, we have Lehua is our Board Secretary, and my Aides are Amber Kalua and Kanani Iaea. Thank you again for coming. We would like to thank Trustee Ahuna for hosting us and being such a gracious host and welcoming us to your island, mahalo. Joining us this morning is our CEO, Stacy Ferreira, and I’m going to ask her to introduce our staff that’s with her on this meeting as well as supporting us here.

**Stacy Ferreira, CEO** Mahalo Chair. Joining us today, if you could just stand and let everybody know who you are, we have our Chief Operating Officer - Kēhau Pu‘u, Director of ‘Ōiwi Well-Being and ‘Āina Momona - Kū‘ike Kamakea-‘Ōhelo, Director of Education Culture-Based Learning - Anuheha Awo-Chan, our IT Systems Engineer and Administrator - Daniel Santos and Kelcie Wade, our Interim Beneficiary Services Manager - ‘Ilima Kela, Communications Strategist - Kelly Soileau, Multi-media Designer - Joshua Koh, Genealogy Ancestry Specialist - Lucy Meyer, and I also have the privilege of introducing our Trustee At-Large, Keoni Souza’s staff- Richelle Kim and Kauai Robello, and Hawai‘i Island Trustee Mililani Trask’s Aide - Kauai Wailehua, Mahalo.

**Chair Hulu Lindsey** Mahalo Nui, Stacy. I’d like to entertain a motion to approve the minutes.

**Approval of Minutes**

- A. October 19, 2023
- B. October 26, 2023

**Trustee Waihe‘e** moves to approve the following minutes: **October 19 and October 26, 2024.**

**Trustee Ahuna** Seconds the motion.

<b>Motion made at 9:37 am Trustee Waihe‘e Moves to</b>						
<ul style="list-style-type: none"> <li>A. October 19, 2024</li> <li>B. October 26, 2024</li> </ul>						
<b>Trustee Ahuna Seconds the motion.</b>						
Vote taken at 9:37 am	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
<b>TRUSTEE DAN AHUNA</b>		<b>X</b>	<b>X</b>			
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI‘I AKINA</b>			<b>X</b>			
<b>TRUSTEE LUANA ALAPA</b>						<b>X</b>

<b>TRUSTEE BRICKWOOD GALUTERIA</b>			<b>X</b>			
<b>TRUSTEE J. KEONI SOUZA</b>						<b>X</b>
<b>TRUSTEE MILILANI TRASK</b>						<b>X</b>
<b>TRUSTEE JOHN WAIHE'E</b>	<b>X</b>		<b>X</b>			
<b>CHAIRPERSON HULU LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>6</b>			<b>3</b>
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with six (6) Yes votes, Zero (0) No votes and Three (3) Excused</b>						

**Status of OHA Activities: Ka Pouhana/CEO's Kaua'i Island Community Report and Update on OHA's activities – Island Community Report: Kaua'i Executive Summary**

**Chair Hulu Lindsey** Lehua, do we have anyone signed up to testify on the next agenda item?

**Board Secretary** No one is signed up to speak.

**Stacy Ferreira, CEO** I want to remind those who are here in person that you can pick up our executive summary for the Kauai Island Community Report. Please help yourself to one of those. If you're online, you can also access that same report at oha.org because there's a lot of information, I'm only going to address a couple of things in there and keep it high level. First, I wanted to share about the work OHA has been doing in response to the Pacific Missile Range and Koke'e Park Geophysical Observatory Real Estate Renewal, Environmental Impact Statements. We're still at the public scoping stage for these lease renewals, OHA' Compliance has provided comments on June 7, 2024 to kōkua in the drafting of the draft Environmental Impact Statement in a way that prioritizes our beneficiary concerns, and these include coordinating State and Federal Historic Preservation requirements with HRS343 and the National Environmental Policy Act (NEPA), we also want to ensure up to date and seasonally appropriate biological surveys. We want to request shorter term lease alternatives as none are currently offered in the standing lease now. We want to request any alternatives include a restoration component for post military use of State lands. We want to request consultation with OHA as State lands are also classified as ceded 5B lands, requesting consultation with the Office of Conservation and Coastal Lands as the State lands are in the conservation district and recommending that unaltered written comments be provided in the draft Environmental Impact Statement. All comments are in line with past OHA advocacy requests related to military lease renewals. OHA Compliance will continue to monitor the NEPA and hours 343 process and review comments as they come in. I also wanted to share very quickly an update in addressing the drainage impacts on Kāneolouma Heiau, OHA Corporation Counsel procured legal services to retain an attorney to review the ongoing County Planning Commission proceedings, even the greater project permitting approval process to determine what course of action OHA may have to take as far as advocacy. Since February 2024, Sherry Broder, who was hired on by OHA, has been retained and has been looking into the issues surrounding the heiau with guidance and leadership provided by Uncle Rupert Rowe. OHA Compliance has supplied Ms Broder with OHA correspondence and SHPD files pertaining to the heiau. In July 2024, Ka Wai Ola did a cover story profiling the history of the heiau and the longstanding issues created by the surrounding development, as well as detailing many years of stewardship and restoration by Uncle Rupert and Hui Mālama

O Kāneolouma. I also wanted to share very quickly about all the funding activities for Kaua‘i. We have 21 current active grantees providing services to beneficiaries here on Kaua‘i totaling \$16 million, 8 of the 21 are exclusively just for Kaua‘i, 30 active Native Hawaiian Revolving Loan fund/Consumer Micro Loan Program loans provided to Kaua‘i in the total of over \$2,000,000. So that’s our report. Mahalo.

**New Business**

- A. Request for approval to waive Action Item BOT #24-04: Approval of OHA funding for an Event Sponsorship for the 2024 Queen Lili‘uokalani Keiki Hula Competition from the Committee on Resource Management to the Board of Trustees pursuant to the Office of Hawaiian Affairs Board of Trustees Bylaws (approved March 5, 2020) Article VIII, Section L.**

**Trustee Waihe‘e I move to waive Action Item BOT #24-04: Approval of OHA funding for an Event Sponsorship for the 2024 Queen Lili‘uokalani Keiki Hula Competition from the Committee on Resource Management to the Board of Trustees pursuant to the Office of Hawaiian Affairs Board of Trustees Bylaws (approved March 5, 2020) Article VIII, Section L.**

**Trustee Ahuna Seconds the motion.**

<b>Motion made at 9:42 am Trustee Waihe‘e Moves to</b>						
<b>Waiver: move to waive Action Item BOT #24-04: Approval of OHA funding for an Event Sponsorship for the 2024 Queen Lili‘uokalani Keiki Hula Competition from the Committee on Resource Management to the Board of Trustees pursuant to the Office of Hawaiian Affairs Board of Trustees Bylaws (approved March 5, 2020) Article VIII, Section L.</b>						
<b>Trustee Ahuna Seconds the motion.</b>						
Vote taken at 9:43 am	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
<b>TRUSTEE DAN AHUNA</b>		<b>X</b>	<b>X</b>			
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI‘I AKINA</b>			<b>X</b>			
<b>TRUSTEE LUANA ALAPA</b>						<b>X</b>
<b>TRUSTEE BRICKWOOD GALUTERIA</b>			<b>X</b>			
<b>TRUSTEE J. KEONI SOUZA</b>						<b>X</b>
<b>TRUSTEE MILILANI TRASK</b>						<b>X</b>
<b>TRUSTEE JOHN WAIHE‘E</b>	<b>X</b>		<b>X</b>			
<b>CHAIRPERSON HULU LINDSEY</b>			<b>X</b>			

<b>TOTAL VOTE COUNT</b>			<b>6</b>			<b>3</b>
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Six (6) Yes votes, Zero (0) No votes and Three (3) Excused</b>						

**B. Action Item BOT #24-04: Approval of OHA funding for an Event Sponsorship for the 2024 Queen Lili'uokalani Keiki Hula Competition\***

**Trustee Waihe'e Moves to approve and authorize the following fiscal year 2025 event sponsorship disbursement totaling \$15,000**

**Trustee Ahuna Seconds the motion.**

<b>Motion made at 9:43 am Trustee Waihe'e Moves to</b>						
<b>Approve and authorize the following fiscal year 2025 event sponsorship disbursement totaling \$15,000</b>						
<b>Trustee Ahuna Seconds the motion.</b>						
<b>Vote taken at 9:43 am</b>	<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>'A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
<b>TRUSTEE DAN AHUNA</b>		<b>X</b>	<b>X</b>			
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI'I AKINA</b>			<b>X</b>			
<b>TRUSTEE LUANA ALAPA</b>						<b>X</b>
<b>TRUSTEE BRICKWOOD GALUTERIA</b>			<b>X</b>			
<b>TRUSTEE J. KEONI SOUZA</b>						<b>X</b>
<b>TRUSTEE MILILANI TRASK</b>						<b>X</b>
<b>TRUSTEE JOHN WAIHE'E</b>	<b>X</b>		<b>X</b>			
<b>CHAIRPERSON HULU LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>6</b>			<b>3</b>
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with Six (6) Yes votes, Zero (0) No votes and Three (3) Excused</b>						

**Community Concerns & Celebrations**

Only one beneficiary shared their mana‘o.  
 Testimony is given at 9:44 am

1. **Sabra Kauka - summarized.** Offers her blessings to the Trustees for this year. She has not really kept up with OHA rather than speaking to friends or reading things. She had today free and wanted to attend the meeting and show her support to OHA.

**Announcement**

**Chair Hulu Lindsey** Says mahalo to all the Trustees for traveling to Kaua‘i, Trustee Ahuna and all of Kaua‘i for hosting us over the last few days, and lastly to our beneficiares that came out to spend time with OHA and to share their mana‘o

**Adjournment**

**Trustee Ahuna** Moves to adjourn the meeting.

**Trustee Akaka** Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA	X		X			
KALEI	AKAKA		X	X			
KELI'I	AKINA			X			
LUANA	ALAPA						X
BRICKWOOD	GALUTERIA			X			
J. KEONI	SOUZA						X
MILILANI	TRASK						X
JOHN	WAIHE'E			X			
CHAIR CARMEN HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>6</b>			

**Chairperson Carmen Hulu Lindsey** Adjourns the Hawai‘i Island Community meeting at 9:46 a.m.

Respectfully submitted,

\_\_\_\_\_  
 Lehua Itokazu  
 Board Secretary

As approved by the Board of Trustees on XXXXXXXXXX

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Carmen Hulu Lindsey  
Chairperson, Board of Trustees

**Attachments:**

*\*\*all handouts will be attached once the draft minutes are approved by the Board of Trustees.*

DRAFT