

## BOARD OF TRUSTEES

Carmen. Hulu Lindsey, *Chairperson*Leina'ala Ahu Isa, *Vice Chairperson*

Dan Ahuna, Trustee Kaua'i &amp; Ni'ihau

Kalei Akaka, Trustee O'ahu

Keli'i Akina, Trustee At-Large

Luana Alapa, Trustee Moloka'i &amp; Lāna'i

Brendon Kalei'aina Lee, Trustee At-Large

Mililani Trask, Trustee Hawai'i Island

John Waihe'e IV, Trustee At-Large



**STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE BOARD OF TRUSTEES****DATE:** Thursday, April 28, 2022**TIME:** 10:00 am**PLACE:** Virtual MeetingViewable at [www.oha.org/livestream](http://www.oha.org/livestream) OR

Listen by phone: (213) 338-8477,

Webinar ID: 896 3126 5144

**Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened by phone: (213) 338-8477, Webinar ID: 896 3126 5144. A physical meeting location open to the general public will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu HI 96817. All members of the public that wish to access the physical meeting location must pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.**

**AGENDA****I. Call to Order****II. Approval of Minutes**

1. April 7, 2022
2. April 14, 2022

**III. Public Testimony\*** on Items Listed on the Agenda\* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)**IV. Community Concerns and Celebrations\*\***(Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)**V. New Business****A. Committee on Resource Management**

1. Action Item RM #22-06: Budget Management Policy Updates re: Carryover Provisions†(2<sup>nd</sup> reading)

**B. Committee on Beneficiary Advocacy and Empowerment**

1. 2022 OHA State Legislative Bill Package Updates – SB2122/HB1474, SB2121/HB1473, coordinated advocacy - Matrix 1†☞, April 26, 2022
2. 2022 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2†☞, April 26, 2022
3. 2022 OHA Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†☞, April 26, 2022
4. 2022 OHA Legislature Bill Positions and Monitored Bills Related to Measures Affecting Native Hawaiians – Matrix 4†☞, April 26, 2022
5. 2022 OHA Legislature Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – Matrix 5†☞, April 26, 2022

**VI. Executive Session‡**

- A. Consultation with Board Counsel Robert Klein, Sherry P. Broder, Esq and Interim General Counsel Everett Ohta re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Public Land Trust, Maunakea and associated legislation, pursuant to HRS§92-5(a)(4).

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## STATE OF HAWAII OFFICE OF HAWAIIAN AFFAIRS

### VII. Announcements

### VIII. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Everett Ohta at telephone number 594-1988 or by email [everetto@oha.org](mailto:everetto@oha.org) no later than three (3) business days prior to the date of the meeting. Meeting Materials will be available to the public 72 hours prior to the meeting and posted to OHA's website at: [www.oha.org/bot](http://www.oha.org/bot)

In the event that the livestream or the audiovisual connection is interrupted and cannot be restored, the meeting may continue as an audio-only meeting through the phone and Webinar ID listed at the beginning of this agenda. Meeting recordings are available upon request to [BOTmeetings@oha.org](mailto:BOTmeetings@oha.org) until the written meeting minutes are posted to OHA's website.

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

\* Public Testimony on Items Listed on the Agenda must be limited to matters listed on the meeting agenda.

\*\* Community Concerns and Celebrations is not limited to matters listed on the meeting agenda.

☼ Trustees may establish or revise an OHA position on ANY proposed bill/resolution for submission to the state legislature. The Trustees, both in Committee and as the Board of Trustees, may discuss any and all bills or resolutions before the state legislature in order to discharge their statutory and fiduciary obligations to conduct advocacy efforts for Native Hawaiians as Trustees of the Office of Hawaiian Affairs.

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

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

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

- (1) Persons wishing to provide *written testimony* on items listed on the agenda should submit testimony via email to [BOTmeetings@oha.org](mailto:BOTmeetings@oha.org) at least **24 hours prior** to the scheduled meeting or via postal mail to Office of Hawaiian Affairs, Attn: Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817 **to be received at least two business days prior** to the scheduled meeting. Any testimony received after these deadlines will be late testimony and will be distributed to the Board members after the scheduled meeting. **Due to COVID-19 office closure and limited in-office staffing, please do not fax or hand-deliver written testimony.**
- (2) Persons wishing to provide *oral testimony online* during the virtual meeting must first register at: [https://us06web.zoom.us/webinar/register/WN\\_W13ruGHTSTGKfBwXpknhLg](https://us06web.zoom.us/webinar/register/WN_W13ruGHTSTGKfBwXpknhLg)

You need to register if you would like to orally testify. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting, along with further instructions on how to provide oral testimony during the virtual meeting. The registration page will close once the Public Testimony or Community Concerns agenda items have concluded.

To provide oral testimony online, you will need:

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

PHONE (808) 594-1888

FAX (808) 594-1868

BOARD OF TRUSTEES

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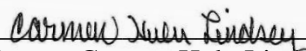
**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**

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.

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

Please visit OHA's website for more detailed information on how to submit Public Testimony OR Community Concerns at: <https://www.oha.org/how-to-submit-testimony-for-oha-bot-meetings/>

  
Trustee Carmen Hulu Lindsey  
Chairperson, Board of Trustees

04/22/2022

Date

Office of Hawaiian Affairs  
Meeting of the Board of Trustees  
April 28, 2022  
10:00 A.M.

**II. Approval of Minutes**

**A. April 7, 2022**

**B. April 14, 2022**

# DRAFT

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

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**Minutes of the Office of Hawaiian Affairs**  
**Board of Trustees**  
**MINUTES**  
**April 7, 2022**

ATTENDANCE:

Chairperson Carmen Hulu Lindsey  
Trustee Leina'ala Ahu Isa  
Trustee Dan Ahuna  
Trustee Kaleihikina Akaka  
Trustee Keli'i Akina  
Trustee Luana Alapa  
Trustee Brendon Kalei'āina Lee  
Trustee Mililani Trask  
Trustee John Waihe'e, IV

BOT STAFF:

Amber Kalua, Trustee Aide  
Kanani Iaea, Trustee Aide  
Lehua Itokazu, Board Secretary

GUEST:

Sherry Broder, External Counsel

ADMINISTRATION:

Sylvia Hussey, CEO  
Casey Brown, COO  
Ramona Hinck, CFO  
Robert Klein, Board Counsel  
Everett Ohta, Interim General Counsel  
Na'u Kamali'i, Chief Advocate  
Kevin Chak-IT Support  
Daniel Santos-IT Support

### **Call to Order**

**Chair Hulu Lindsey** Calls the Board of Trustees Meeting to order for Thursday, April 7, 2022, at 10:00 a.m. Board Secretary, please do a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	LEINA‘ALA	AHU ISA	X	
TRUSTEE	DAN	AHUNA	X	
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI‘I	AKINA	X	
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRENDON KALEI‘ĀINA	LEE	X	
TRUSTEE	MILILANI	TRASK	X	
TRUSTEE	JOHN	WAIHE‘E	X	
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			9	

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

**Chair Hulu Lindsey** Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA’s website at [www.oha.org/livestream](http://www.oha.org/livestream)

Before we begin, let me note that items V.A.1-5 were received under the 72 hour deadline.

Let me go over some quick announcements, please mute your mics when you are not speaking. We are recording today’s meeting for the sole purpose of producing written minutes, which will become the official record of this meeting.

Joining the Trustees today is my staff, Aides-Kanani Iaea and Amber Kalua, and our Board Secretary-Lehua Itokazu. Also with us today is Robert Klein, our Board Counsel, and Sylvia Hussey, our CEO. I will now call on Sylvia, our Pouhana, to announce our Administration staff who is joining us today.

**Sylvia Hussey, CEO** Thank you Chair and good morning Trustees, we have our COO-Casey Brown, CFO-Ramona Hinck, Interim General Counsel-Everett Ohta, Interim Senior Legal Counsel-Nietzsche Ozawa, Chief Advocate-Na‘u Kamali‘i, as well as Sherry Broder and we are supported by Dan and Kevin in our IT Department.

### **Public Testimony & Community Concerns and Celebration**

*There were no sign-ups for testimony*

## Approval of Minutes

- A. February 3, 2022
- B. March 7, 2022
- C. March 10, 2022

**Chair Hulu Lindsey** We are now on item IV. Approval of minutes. We have three minutes to be considered for approval this morning. Can I get a motion?

**Trustee Akaka** Moves to approve all three minutes.

**Trustee Ahu Isa** Seconds the motion.

<b>MINUTES:</b> A. February 3, 2022 B. March 7, 2022 C. March 10, 2022						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA		X	X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE‘E			X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			9			
<b>MOTION:</b> [ X ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with nine ( 9 ) YES votes, one ( ) ABSTENSION and one ( ) EXCUSED vote.</b>						

## New Business

### **V.A. Committee on Beneficiary Advocacy and Empowerment**

1. **2022 OHA State Legislative Bill Package Updates – SB2122/HB1474, SB2121/HB1473, coordinated advocacy - Matrix 1†☼, March 29,2022**
2. **2022 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2†☼, March 29,2022**
3. **2022 OHA Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†☼, March 29,2022**
4. **OHA Legislature Bill Positions and Monitored Bills Related to Measures Affecting**

**Native Hawaiians – Matrix 4†, March 29, 2022**  
**5. 2022 OHA Legislature Resolution Positions and Monitored Resolutions Related to**  
**Measures Affecting Native Hawaiians – Matrix 5†, March 29, 2022**

**Chair Hulu Lindsey** Next up under new business, item V.A., Trustee Akaka

**Trustee Akaka Chair Lindsey, Your Committee on Beneficiary Advocacy and Empowerment, having met on March 29, 2022 and after full and free discussion, recommends approval of the following motion to the Board of Trustees:**

**Motion 1:**

**Move to change Administration’s recommendations on: HB2024 from COMMENT to OPPOSE on Matrix 2 -- Bill Positions Related to Measures Naming OHA– dated March 29, 2022**

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

<b>Trustee Akaka Moves</b>						
<b>Motion 1:</b> <b>Move to change Administration’s recommendations on: HB2024 from COMMENT to OPPOSE on Matrix 2 -- Bill Positions Related to Measures Naming OHA– dated March</b>						
<b>Trustee Waihe‘e Seconds the motion.</b>						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			X			
TRUSTEE DAN <b>AHUNA</b>			X			
TRUSTEE KALEI <b>AKAKA</b>	X		X			
TRUSTEE KELI‘I <b>AKINA</b>			X			
TRUSTEE LUANA <b>ALAPA</b>			X			
TRUSTEE BRENDON <b>LEE</b>					X	
TRUSTEE MILILANI <b>TRASK</b>			X			
TRUSTEE JOHN <b>WAIHE‘E</b>		X	X			
CHAIRPERSON HULU <b>LINDSEY</b>			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>		<b>1</b>	
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with eight ( 8 ) Yes votes, Zero (0) No votes and One ( 1 ) Abstention vote.</b>						

**Chair Hulu Lindsey** Please continue Trustee Akaka.



**Trustee Akaka Mahalo Madame Chair,**

**Motion 2:**

**Move to change Administration's recommendations on: SB2021 from SUPPORT WITH AMENDMENTS to COMMENT on Matrix 2 -- Bill Positions Related to Measures Naming OHA-- dated March 29, 2022.**

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

**Trustee Waihe'e Chair,** I understand this bill has changed since we made this or am I incorrect? Has it changed in such a manner that you just want to support it?

**Trustee Akaka** Yes, Ka Pouhana, is it available where you could please, read the latest version?

**Sylvia Hussey, CEO** I will ask Na'u, Chief Advocate, as well as Casey to provide that. What I do not see posted is the HD2 version, what would have codified what happened on Monday, but it is not out yet. At this point, what is listed is still in the old condition.

**Na'u Kamali'i** Yes, that is correct. We are waiting for the HD2 version that reflects the pronouncement of the Chair at the hearing at decision making. We anxiously await that version, thank you.

**Chair Hulu Lindsey** For those Trustees who are not familiar with what was announced that day, Na'u, can you please share with our Trustees?

**Na'u Kamali'i** Yes, as reported, we did change position from support to comment, in comments with reservations and with amendments. We submitted written testimony which reflected the historical context although, it did not read to the historical context, just making reference to that; however, made clear that we support the intent of the increase in payment amount to OHA of the Public Land Trust revenues; however, suggested amendments which were:

- To strongly oppose any amendments to the language, HRS10-13.5, from 20% of gross receipts to 20% of net receipts

And that was discussed in the BAE meetings extensively about how to change position. The reason to change position to comment is that, although we wish to have that dangerous section deleted in its entirety, which I would have redefined the 10-13.5 section, we favorably wanted the Finance Committee to establish an interim annual sum of \$21.5 million adjusted annually for consumer price index to begin fiscal year July 1, 2022. We wanted them to release the CAFTA (Carry Forward Trust Holding Account) funds that projected to be approximately \$31 million dollars, we wanted to continue the accounting. We wanted the working to be three members from the State and three members appointed by the Board of Trustees to address the long-standing issues concerning the accounting of the ceded lands itself, that trust inventory, income and proceeds from the PLT, the 20% share and the pass due sum. There were several questions asked after the presentation of that testimony, primarily about the agencies and the DLNR position, which in part of testimony he admitted that the net income definition was new and that they would have to deal with it but, also a part of this money, they wanted to address their concern about contested case hearings. We know that is addressed by appropriations, in any event after the questioning, which was focused on our understanding whether or not if people pay, who pays, who doesn't pay, who's under reporting, and what is our understanding of gross vs. net income. Also, Representative Kobayashi wanted to know what our definition was of consumer price

index, so there were several questions. We were able to answer many of them for about a half hour. After that time of decision making, they decided to move the bill forward as an HD2, to grant requests to delete section two and its entirety, establish an interim annual sum of \$21.5 million; however, not to be adjusted annually because the idea is that it would be interim and the working group would handle it; also, to transfer a balance of the CAFTA Fund and the thinking, as I recall, was that it would be like an escrow account. What was unclear if, whether or not, that transfer of those monies would be their understanding of what was due since 2012 to present, so we're waiting for the bill to see if, in that pronouncement, the 638 million became 30 million and they lost what is passed due. The annual counting would occur, and the working group appeared in the language that it would address the annual sum. Then there were questions from other legislators, whether it also included the past due amount. I am not sure, we are waiting for the bill to see what the language says but, she also agreed, Chair Luke, that the working group would be comprised of three members appointed by the Governor and three members appointed by the Board of Trustees, that would move forward. We haven't seen the draft, we don't know if we'll see the draft but, conceivably, it will move forward into conference and then if there is an agreement with the Senate, it will move forward to the Governor for signature. That is my understanding of the current status, thank you.

**Trustee Ahu Isa** I am looking at an article in Civil Beat and it talks about Representative Amy Perruso, raised another outstanding issue, saying that Agribusiness Development Corp. by House lawmakers, ADC has not transferred any money since OHA was created thirty years ago. Is that true?

**Na'u Kamali'i** There is a bill that addresses that proposed transfer from PLT to Ag. It has been her concern as a representative on Kaua'i; her question to me was, whether or not, could that potentially affect the Public Land Trust revenues? The answer would be yes, that is an issue and I am not sure how that is being resolved so I can't particularly answer your question but, it was a question in their trying to understand what we are dealing with particularly when lands are transferred from the Public Land Trust and their character being changed as a public lands and other agencies or if they're transferred to those agencies where the income or the revenue will be significantly less.

**Trustee Ahu Isa** Mahalo.

**Chair Hulu Lindsey** Representative Perruso represents the Wahiawā district. Any other questions, if not, I will ask for a roll call vote.

<b>Trustee Akaka Moves</b>						
<b>Motion 2:</b> <b>Move to change Administration's recommendations on: SB2021 from SUPPORT WITH AMENDMENTS to COMMENT on Matrix 2 -- Bill Positions Related to Measures Naming OHA-- dated March 29, 2022.</b>						
<b>Trustee Waihe'e</b> Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			

TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE					X	
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E		X	X			
CHAIRPERSON HULU LINDSEY			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>		<b>1</b>	
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with eight (8 ) Yes votes, Zero (0) No votes and one ( 1 ) Abstention vote.</b>						

Trustee Akaka Madame Chair,

**Motion 3:**

Move to approve Administration's recommendations on: **NEW BILLS (Items 61 - 73)** as listed on **Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians--** dated March 29, 2022, along with the following revisions:

**BILL POSITION CHANGES:**

- **HB1459** from **OPPOSE** to **COMMENT**
- **SB2600** from **SUPPORT** to **COMMENT**

Trustee Waihe'e Seconds the motion.

<b>Trustee Akaka Moves</b>						
<b>Motion 3:</b> Move to approve Administration's recommendations on: <b>NEW BILLS (Items 61 - 73)</b> as listed on <b>Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians--</b> dated March 29, 2022, along with the following revisions:  <b>BILL POSITION CHANGES:</b> • <b>HB1459</b> from <b>OPPOSE</b> to <b>COMMENT</b> • <b>SB2600</b> from <b>SUPPORT</b> to <b>COMMENT</b>						
<b>Trustee Waihe'e Seconds the motion.</b>						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			

TRUSTEE KALEI <b>AKAKA</b>	X		X			
TRUSTEE KELI'I <b>AKINA</b>			X			
TRUSTEE LUANA <b>ALAPA</b>			X			
TRUSTEE BRENDON <b>LEE</b>					X	
TRUSTEE MILILANI <b>TRASK</b>			X			
TRUSTEE JOHN <b>WAIHE'E</b>		X	X			
CHAIRPERSON HULU <b>LINDSEY</b>			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>		<b>1</b>	
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with eight ( 8 ) Yes votes, Zero (0) No votes and one ( 1 ) Abstention vote.</b>						

Trustee Akaka Madame Chair,

**Motion 4:**

Move to approve Administration's recommendations on: **NEW RESOLUTIONS (Items 3 - 60)** as listed on Matrix 5 – Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – dated March 29, 2022, along with the following revisions:

**RESOLUTION POSITION CHANGES: Committee on Beneficiary Advocacy and Empowerment Committee Report for March 29, 2022 Page 2 of 3**

- HR100 from SUPPPORT to COMMENT
- SR106 from SUPPPORT to COMMENT
- SCR119 from SUPPPORT to COMMENT

Trustee Waihe'e Seconds the motion.

<p>Trustee Akaka Moves</p> <p><b>Motion 4:</b> Move to approve Administration's recommendations on: <b>NEW RESOLUTIONS (Items 3 - 60)</b> as listed on Matrix 5 – Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – dated March 29, 2022, along with the following revisions:</p> <p><b>RESOLUTION POSITION CHANGES: Committee on Beneficiary Advocacy and Empowerment Committee Report for March 29, 2022 Page 2 of 3</b></p> <ul style="list-style-type: none"> <li>· HR100 from SUPPPORT to COMMENT</li> <li>· SR106 from SUPPPORT to COMMENT</li> <li>· SCR119 from SUPPPORT to COMMENT</li> </ul> <p>Trustee Waihe'e Seconds the motion.</p>
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	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			<b>X</b>			
TRUSTEE DAN <b>AHUNA</b>			<b>X</b>			
TRUSTEE KALEI <b>AKAKA</b>	X		<b>X</b>			
TRUSTEE KELI‘I <b>AKINA</b>					<b>X</b>	
TRUSTEE LUANA <b>ALAPA</b>			<b>X</b>			
TRUSTEE BRENDON <b>LEE</b>					<b>X</b>	
TRUSTEE MILILANI <b>TRASK</b>			<b>X</b>			
TRUSTEE JOHN <b>WAIHE‘E</b>		X	<b>X</b>			
CHAIRPERSON HULU <b>LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>7</b>		<b>2</b>	
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with seven ( 7 ) Yes votes, Zero (0) No votes and two ( 2 ) Abstention vote.</b>						

**V.B. Action Item BOT #22-05: Approve the Formation of a Permitted Interaction Group (PIG) to Investigate Multiple Aspects of the Public Land Trust**

**Chair Hulu Lindsey** We will move on to Action Item BOT #22-05, V.B on the agenda.

**Trustee Waihe‘e** I would like to move to Approve the formation of a Permitted Interaction Group (PIG) to investigate multiple aspects of the Public Land Trust, including the following purview, members and term/duration:

**Purview.** 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 multiple aspects of the Public Land Trust and engage with federal and state agencies and international and indigenous entities, on Native Hawaiians’ legal claims, land inventories, and financial accounting related to the Public Land Trust on behalf of the BOT; provided that the PIG will report back to the BOT and seek its approval prior to initiating any formal administrative complaint or process.

**Members.** The membership of the Permitted Interaction Group is proposed as follows: (a) Trustee Carmen Hulu Lindsey; (b) Trustee Mililani Trask; (c) Trustee John Waihee, IV; and (d) Trustee Kalei Akaka. Trustee Carmen Hulu Lindsey will serve as the Chair of the Permitted Interaction Group and Trustee Mililani Trask will serve as its Vice Chair. Sylvia Hussey, Ka Pouhana, will function as the Project Manager and coordinate Administration staff participants (e.g., Chief Advocate, General Counsel) and contractors.

**Term/Duration.** The term of the Permitted Interaction Group 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 October 31, 2022.

**Trustee Akaka Seconds the motion.**

**Chair Hulu Lindsey** Is there any discussion?

**Trustee Lee** Point of order Madame Chair.

**Chair Hulu Lindsey** Trustee Lee.

**Trustee Lee** Thank you madame Chair, I have forwarded to the Board Secretary for dissemination to the Board of Trustees, I am in possession of guidance from Robert Shimizu, staff attorney of the Office of Informational Practices; this Permitted Interaction Group (PIG) does not comport to HRS 92 2.5 B which stipulates the conditions of which a PIG may be formed. I will read the letter, the guidance that has been forwarded to the rest of the Board of Trustees:

Dear Mr. Lee:

Agenda Item V.B., regarding the creation of a Permitted Interaction Group (PIG) to “Investigate Multiple Aspects of the Public Land Trust” is insufficiently detailed and too broad about what the Board intends to have the PIG do. An agenda item must be sufficiently detailed that members of the public can understand what the Board will discuss at a meeting and “Investigate Multiple Aspects of the Public Land Trust” does not inform members of the public of what the Board wants to form a PIG to investigate.

Additionally, if the intended scope of the PIG is to “to engage with federal, state, and international agencies and indigenous entities on Native Hawaiians’ legal claims, land inventories, and financial accounting,” then the ongoing existence of the PIG may affect the Board’s ability to perform its duties. PIG members are not permitted to discuss the issues the PIG is investigating with other Board members who are not part of the PIG until after the PIG makes its report to the Board and dissolves. Given the broad scope of what you’ve said, the Board intends to have this PIG investigate and what sounds like a plan to have this PIG continue throughout various investigations and negotiations, the Board as a whole would not be permitted to discuss the Public Land Trust, including the legal claims against it, land inventories, and financial accounting while the PIG is investigating; that would seem to be more restrictive than the Board likely desires. In general, investigatory PIGs are intended to investigate specific issues, report the results of their investigations to the Board, and then dissolve.

If the Board wants to create a negotiating team to represent OHA in a specific matter, such as a particular legal claim or a particular negotiation, it might instead consider narrowing the scope of the PIG to reflect that, and also narrow the scope of the agenda item to more clearly indicate what the PIG will be doing. The Board might also want to consider forming a negotiatory PIG under section 92-2.5(b)(2), instead of an investigatory PIG. A negotiatory PIG may be formed to “present, discuss, or negotiate” a position a board has decided at a meeting of the board, provided that the scope of the PIG’s authority is decided at a meeting of the board prior to the negotiations. Please note that negotiatory PIGs do not follow the three-meeting structure of investigatory PIGs. Please take a look at OIP’s [Quick Review: Who Board Members Can Talk to and When \(Part 3\)](#) for more information on PIGs.

Regarding the question of whether the work of this PIG should be done by OHA Administration, that may be a question of whether these duties fall under the authority of individual Trustees as opposed to the authority of OHA, which would not necessarily present a clear Sunshine Law problem. As I noted, a board is permitted to create a negotiatory PIG to represent it in the negotiation of a specific matter.

Thank you.

Robert Shimizu  
Staff Attorney

With regards to that last paragraph, I believe what the staff attorney is eluding to is the investigation and looking into and meeting other entities to discuss the PLT. Is that specifically vested to the Board of Trustees or is that an OHA issue? If it is an OHA issue, then this should be taken up by Administration; we have a nice research team; we have a great Chief Advocate, I know she is understaff but we have a legal team that can go and do these investigations without having to involve the Board and they don't comport to Sunshine Law. They can have these negotiations, they can investigate all they want, and if they are finding significant findings in the interim during these times, they're free to report back to the Board during that time without having to present, wait, then discuss; they can agendize, come back and inform the Board on what's going on.

**Chair Hulu Lindsey** Is Judge Klein on? I would like to ask him his opinion.

**Robert Klein, Board Counsel** I don't have an opinion, I'm blindsided by this. I have not had the opportunity to read the OIP advice. I have not seen it and who knows, I might agree with it or I may not. I don't really have any advisory.

**Chair Hulu Lindsey** You know what, I am going to defer this item.

**Trustee Ahu Isa** When I read this, it sounds more like a task force formed by the legislature. I remember being in there when Cayetano was the Governor and we talked about the ceded lands. They took away the \$15 million but, this is something like a task force more than a PIG in my opinion; I kind of question this myself.

**Chair Hulu Lindsey** Thank you.

**Trustee Lee** Madame Chair, I apologize to Judge. If the Board Secretary can also please forward the guidance from staff attorney to Judge Klein, I am sorry judge that I didn't include you on that. I'm sorry if you feel blindsided as a Board member. I'm not allowed to interact with you without the Chair's permission, I apologize that you feel blindsided, that was not my intention.

**Robert Klein, Board Counsel** Thank you.

**Chair Hulu Lindsey** Okay, I will defer this matter and wait for our Board Counsel's recommendation.

**Trustee Trask** Thank you Madame Chair, I just want to say that Judge Klein is not the only one that was blindsided. I do not appreciate being a Trustee getting here for a 10:00 in the morning meeting and it's the first-time hearing from a member Trustee that he sent a request to OIP a few days ago and didn't have the courtesy to send it to the rest of the Board so that we could be prepared along with our attorney. Can we be a little more professional, Trustee Lee, by informing all of us because we need to be prepared for these

meetings. It not just a matter of complaining about procedure but getting the work done. If we needed to clarify why we're concern about the PLT, I don't mind telling you for the record that at this late date I am concerned that we do not have a comprehensive inventory of the ceded land trust; not only the lands but the revenues and proceeds relating there from. If there is a concern, share it with us but I will not be flying in from neighbor islands prepared to take action and hearing these kind of complaints, not only myself but other Trustees and Board attorneys. I am going to request that this matter be clarified. If you don't know why we need to look at the PLT, it's 2022 and we do not have a list of the inventories of this Trust. I am frankly shocked at it because I am the latest Trustee coming on.

**Trustee Lee** Unfortunately, our new Trustee, Trustee Trask, may not be familiar with Sunshine Law; unfortunately, HRS 92 does not permit me to share this information with the Board of Trustees until we are in a Board meeting. I apologize if Trustee Trask feels blindsided and feels slighted, it is not my intention that we should not look into the PLT. When she gets around to reading the guidance from OIP and my inquiry to OIP which was made after I received the board packet, I cannot ask for guidance until I see the action item. I didn't say we should be looking into the PLT, my question to OIP was is this something that we should be doing in a PIG or is this something our Administration should be doing that has the staff and the capacity to do this work and it doesn't hold the Board up from doing other things. Quite frankly, Madame Chair, continuing to have discussions about the PLT. If this PIG were to be formed, according to the guidance of OIP, that would now preclude the Board of Trustees from this, discussing the PLT at all until the PIG is resolved. I'm sorry that Trustee Trask feels that way; hopefully, as she continues to understand more about HRS 92 she will understand that was the reason I was unable to share the opinion until we are in an agenda meeting for the public. Thank you Madame Chair.

### **Announcements**

**Chair Hulu Lindsey** Our next BOT meeting will be on Thursday, April 14, 2022 at 10 am. We do have an RM and BAE meeting next, both on Tuesday, BAE at 10:00 am and RM at 1:30 pm.

### **Adjournment**

**Trustee Waihee** Moves to adjourn the meeting.

**Trustee Trask** Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
LUANA	ALAPA			X			
BRENDON KALEI'AINA	LEE			X			
MILILANI	TRASK		X	X			
JOHN	WAIHE'E	X		X			
CHAIR CARMEN HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>9</b>			



**Chairperson Carmen Hulu Lindsey** Adjourns the Board of Trustees meeting at 10:34 a.m.

Respectfully submitted,

---

Lehua Itokazu  
Board Secretary

As approved by the Board of Trustees on April 28, 2022.

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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  
(VIRTUAL MEETING - VIA ZOOM WEBINAR)

Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA's website at [www.oha.org/livestream](http://www.oha.org/livestream) or listened by phone: (213) 338-8477, Webinar ID: 849 3303 5630 A physical meeting location open to the general public will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu HI 96817. All members of the public that wish to access the physical meeting location must pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.

**Minutes of the Office of Hawaiian Affairs**  
**Board of Trustees**  
**MINUTES**  
**April 14, 2022**

ATTENDANCE:

Chairperson Carmen Hulu Lindsey  
Trustee Leina'ala Ahu Isa  
Trustee Dan Ahuna  
Trustee Kaleihikina Akaka  
Trustee Keli'i Akina  
Trustee Luana Alapa  
Trustee Brendon Kalei'āina Lee  
Trustee Mililani Trask

BOT STAFF:

Amber Kalua, Trustee Aide  
Kanani Iaea, Trustee Aide  
Lehua Itokazu, Board Secretary

GUEST:

Sherry Broder, External Counsel

ADMINISTRATION:

Sylvia Hussey, CEO  
Casey Brown, COO  
Ramona Hinck, CFO  
Kurt Klein, Board Counsel  
Everett Ohta, Interim General Counsel  
Nietzsche Ozawa, Interim Senior Legal Counsel  
Na'u Kamali'i, Chief Advocate  
Kevin Chak-IT Support  
Erin Nakama-IT Support

### **Call to Order**

**Chair Hulu Lindsey** Calls the Board of Trustees Meeting to order for Thursday, April 14, 2022, at 10:00 a.m. Board Secretary, please do a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	LEINA‘ALA	AHU ISA	X	
TRUSTEE	DAN	AHUNA	X	
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI‘I	AKINA	X	
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRENDON KALEI‘ĀINA	LEE	X	
TRUSTEE	MILILANI	TRASK	X	
TRUSTEE	JOHN	WAIHE‘E		excused
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			8	

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

**Chair Hulu Lindsey** Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA’s website at [www.oha.org/livestream](http://www.oha.org/livestream)

Before we begin, let me note that items IV.A 1-3 and IV.B 1-5 were received under the 72 hour deadline. Let me go over some quick announcements, please mute your mics when you are not speaking. We are recording today’s meeting for the sole purpose of producing written minutes, which will become the official record of this meeting.

Joining the Trustees today is my staff, Aides-Kanani Iaea and Amber Kalua, and our Board Secretary-Lehua Itokazu. Also with us today is Kurt Klein, our Board Counsel, and Sylvia Hussey, our CEO. I will now call on Sylvia, our Pouhana, to announce our Administration staff who is joining us today.

**Sylvia Hussey, CEO** Good morning Trustees, we have our COO-Casey Brown, CFO-Ramona Hinck, Interim General Counsel-Everett Ohta, Interim Senior Legal Counsel-Nietzsche Ozawa, Chief Advocate-Na‘u Kamali‘i, as well as Sherry Broder and we are supported by Erin and Kevin in our IT department.

### **Public Testimony & Community Concerns and Celebration**

**Christopher Kam** Thank you for giving me time to speak, I appreciate it. My name is Christopher Cassidy Kekaulike Kam. I was born in Honolulu, Hawai‘i and graduated class of 1998, Waiākea High School on the Big Island. I moved immediately back to Honolulu after graduating. We had a hard lifestyle, violence, drugs, and crime. I moved here and became a City and County Ocean Safety Lifeguard in 2001. I was one of the few lifeguards to work the old lifeguard towers and trained under the tutelage of Clarence Moses from the Moses family. We implemented some of the safety measures that are in Hanauma Bay right now and I’ve

been in the community saving people since I was in the eighth grade. Until recently, I worked at Hawaiian Airlines. This is a major community concern of mine as a Hawaiian and someone who grew up on these islands, Hawaiian Airlines has gone out of their way to terminate many employees in the name of safety. The employees were the very first people to speak up about the atrocities going on. We were in danger from the very beginning of this pandemic and we voiced our concerns to Hawaiian Airlines, and they ignored our concerns. When we asked to wear masks on the plane at the beginning of this virus, they denied our right to wear a mask. This is a human right violation. They were endangering not only our employees, but the passengers and the people of Hawai'i. These people were coming in infected and we were letting Hawaiian Airlines know that there were a lot of infected people on our planes before anybody really knew. We knew in October and we were voicing our concerns. In November, we asked to wear mask and we were denied, that is a work place violation. We were trained by Hawaiian Airlines to know where the safest spot is to place a bomb. If we locate a bomb, we know where to put it. Safety is everything to us. I have letters from the President regarding my safety, saving people on the plane, and letters called "orchid letters" for safety from them. They are terminating tons of employees. Some people are going to lose their mortgage; I am on the verge of homelessness because of what they are doing. We cannot collect unemployment, many of us because the way they went about terminating us. They are making it like we quit our job and there are tons of families being affected. I am here to request assistance from anything you can help us with. I request if you can help us with attorneys; many of us cannot get attorneys even with class action, it will cost money. I've been saving people on these islands since the eighth grade and Hawaiian Airlines has terminated me and tons of people who have been working there for fifty-two years, thirty-seven years, twenty-four years and tons of people who are still working there who want to speak up against what Hawaiian airlines has done to our people. If you guys really knew the facts, I promise on my father's grave that they are lying about a lot of things and many people want to speak about it. Everybody knows but it is not being announced on the news. I am asking if you folks can contact me. *Offers phone number and email.* Please contact me, I am reaching out for some help, not only for me, but for other flight attendants and other workers of Hawaiian Airlines who have been betrayed by this company. There are so many things that need to be said but haven't been said. Please reach out.

**Trustee Lee** Can he please repeat his contact information. As a former shop steward for the union for Hawaiian, I believe I can help him.

**Christopher Kam** repeats contact information.

### **New Business**

**Chair Hulu Lindsey** Okay, moving on to new business, Committee on Resource Management. Trustee Alapa, would you please read your first action.

**Trustee Alapa Chair, Your Committee on Resource Management, having met on April 12, 2022, and after full and free discussion, recommends approval of the following five (5) actions to the Board of Trustees:**

#### **Action 1**

**re: Kaka'ako Makai Site A, 1101 Ala Moana Blvd.**

**Approve and activate the Kaka'ako Makai Site A, 1101 Ala Moana Blvd, Business Plan, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23) as detailed in Table 1. below:**

**Table 1. Kaka‘ako Makai Site A FY 2022 Budget**

CATEGORY	FY 2022
Contracts	\$2,945,459
Debt Service	26,600
Program	27,941
Total	\$3,000,000

**Trustee Akaka Seconds the motion.**

**Trustee Alapa Moves**

**Action 1**

**re: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd.**

**Approve and activate the Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Business Plan, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23) as detailed in Table 1. below:**

**Table 1. Kaka‘ako Makai Site A FY 2022 Budget**

CATEGORY	FY 2022
Contracts	\$2,945,459
Debt Service	26,600
Program	27,941
Total	\$3,000,000

**Trustee Akaka Seconds the motion.**

	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA		X	X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRENDON LEE				X		
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE‘E						Excused

CHAIRPERSON HULU LINDSEY			X			
<b>TOTAL VOTE COUNT</b>			<b>7</b>	<b>1</b>		<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with seven ( 7 ) Yes votes, one ( 1 ) No votes and zero ( 0 ) Abstention votes</b>						

## Trustee Alapa Action 2

re: Impacts of Nā Lama Kukui Refinancing

**Approve the budgeted uses and related expenses, associated with the Board of Trustees' authorized refinancing of Nā Lama Kukui, for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23), as detailed in the tables below:**

Table 2a: FY22 Refinancing Impacts

LOAN REFINANCING	FY 2022				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
<b>CORE BUDGET<sup>1</sup></b>					
Debt Service	\$553,178	\$553,178	\$553,178	\$408,358	\$(144,820)
Program <sup>2</sup>	-	-	-	1,717	1,717
<b>Subtotal</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$410,075</b>	<b>\$(143,103)</b>
<b>KAKA'AKO MAKAI</b>					
Debt Service	-	-	-	\$26,600	\$26,600
Program	-	-	-	27,941	27,941
<b>Subtotal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$54,541</b>	<b>\$54,541</b>
<b>NA LAMA KUKUI</b>					
Contracts <sup>3</sup>	\$900	\$900	\$900	\$110,000	\$109,100
Debt Service	2,550,979	2,550,979	2,550,979	2,013,821	(537,158)
Program	-	-	-	190,807	190,807
<b>Subtotal</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,314,627</b>	<b>\$(237,252)</b>
<b>TOTAL</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$2,779,243</b>	<b>\$(325,814)</b>

<sup>1</sup> Core budget's line of credit financing for OHA's governance planning initiative and other projects.

<sup>2</sup> Program expenses relating to loan refinancing, i.e., other charges, title and escrow fees.

<sup>3</sup> Legal services relating to loan refinancing.

Table 2b: FY23 Refinancing Impacts

LOAN REFINANCING	FY 2023				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
<b>CORE BUDGET</b>					
Debt Service	\$531,742	\$531,742	\$531,742	\$24,834	\$(506,908)
<b>KAKA'AKO MAKAI</b>					
Debt Service				83,838	83,838
<b>NA LAMA KUKUI</b>					
Debt Service	2,510,952	2,510,952	2,510,952	552,188	(1,958,764)
<b>TOTAL</b>	<b>\$1,521,347</b>	<b>\$1,521,347</b>	<b>\$1,521,347</b>	<b>\$330,430</b>	<b>\$(1,190,917)</b>

Trustee Akaka Seconds the motion.

### Trustee Alapa Moves

#### Action 2

#### re: Impacts of Nā Lama Kukui Refinancing

Approve the budgeted uses and related expenses, associated with the Board of Trustees' authorized refinancing of Nā Lama Kukui, for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23), as detailed in the tables below:

Table 2a: FY22 Refinancing Impacts

LOAN REFINANCING	FY 2022				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
<b>CORE BUDGET<sup>1</sup></b>					
Debt Service	\$553,178	\$553,178	\$553,178	\$408,358	\$(144,820)
Program <sup>2</sup>	-	-	-	1,717	1,717
<b>Subtotal</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$410,075</b>	<b>\$(143,103)</b>
<b>KAKA'AKO MAKAI</b>					
Debt Service	-	-	-	\$26,600	\$26,600
Program	-	-	-	27,941	27,941
<b>Subtotal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$54,541</b>	<b>\$54,541</b>
<b>NA LAMA KUKUI</b>					
Contracts <sup>3</sup>	\$900	\$900	\$900	\$110,000	\$109,100
Debt Service	2,550,979	2,550,979	2,550,979	2,013,821	(537,158)
Program	-	-	-	190,807	190,807
<b>Subtotal</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,314,627</b>	<b>\$(237,252)</b>
<b>TOTAL</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$2,779,243</b>	<b>\$(325,814)</b>

<sup>1</sup> Core budget's line of credit financing for OHA's governance planning initiative and other projects.

<sup>2</sup> Program expenses relating to loan refinancing, i.e., other charges, title and escrow fees.

<sup>3</sup> Legal services relating to loan refinancing.

Table 2b: FY23 Refinancing Impacts

LOAN REFINANCING	FY 2023				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
<b>CORE BUDGET</b>					
Debt Service	\$531,742	\$531,742	\$531,742	\$24,834	\$(506,908)
<b>KAKA'AKO MAKAI</b>					
Debt Service				83,838	83,838
<b>NA LAMA KUKUI</b>					
Debt Service	2,510,952	2,510,952	2,510,952	552,188	(1,958,764)
<b>TOTAL</b>	<b>\$1,521,347</b>	<b>\$1,521,347</b>	<b>\$1,521,347</b>	<b>\$330,430</b>	<b>\$(1,190,917)</b>

Trustee Akaka Seconds the motion.

	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA		X	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRENDON LEE				X		
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E						Excused
CHAIRPERSON HULU LINDSEY			X			
<b>TOTAL VOTE COUNT</b>			<b>7</b>	<b>1</b>		<b>1</b>
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with seven ( 7 ) Yes votes, one ( 1 ) No votes and zero ( 0 ) Abstention votes</b>						

Trustee Alapa Moves to

### Action 3

Approve the addition of item 3.45.g. to section 3045 Budget Management of the Executive Policy Manual as follows (and at Attachment A in its entirety):

**3.45.g. Multi-Year, Carryover.** Multi-year budgets and/or carryover budget provisions (e.g., programs, projects), as a part of the budget evaluation activities described above, are to be presented to the Board for action including all projected impacts on related policies (e.g., spending, cash management) and other considerations (e.g., funding source).



**Trustee Akaka Seconds the motion.**

<b>Trustee Alapa Moves</b>  <b><u>Action 3</u></b>  <b>Approve the addition of item 3.45.g. to section 3045 Budget Management of the Executive Policy Manual as follows (and at Attachment A in its entirety):</b> <b>3.45.g. Multi-Year, Carryover. Multi-year budgets and/or carryover budget provisions (e.g., programs, projects), as a part of the budget evaluation activities described above, are to be presented to the Board for action including all projected impacts on related policies (e.g., spending, cash management) and other considerations (e.g., funding source).</b>  <b>Trustee Akaka Seconds the motion.</b>						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA		X	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E						Excused
CHAIRPERSON HULU LINDSEY			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			<b>1</b>
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>  <b>Motion passes with eight ( 8 ) Yes votes, zero ( 0 ) No votes and zero ( 0 ) Abstention votes</b>						

**Trustee Alapa Moves to**

**Action 4**

**re: Core Personnel Reclassification**

**Approve the reclassification of \$300,000, from 52150 Severance & Retirement Program (\$150,000) and 57015 COBRA Health Insurance (\$150,000) to 57110 Services on a Fee Basis (\$300,000) within the FY 2020-2021 (FY21) Reorganization budget, for 3<sup>rd</sup> party contracting, to address unfilled, authorized positions, and the related operational impacts, processes, and functions.**

Trustee Akaka Seconds the motion.

Trustee Alapa Moves						
<b>Action 4</b>						
<b>re: Core Personnel Reclassification</b>						
Approve the reclassification of \$300,000, from 52150 Severance & Retirement Program (\$150,000) and 57015 COBRA Health Insurance (\$150,000) to 57110 Services on a Fee Basis (\$300,000) within the FY 2020-2021 (FY21) Reorganization budget, for 3 <sup>rd</sup> party contracting, to address unfilled, authorized positions, and the related operational impacts, processes, and functions.						
Trustee Akaka Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA		X	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRENDON LEE				X		
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E						Excused
CHAIRPERSON HULU LINDSEY			X			
<b>TOTAL VOTE COUNT</b>			<b>7</b>	<b>1</b>		<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with seven ( 7 ) Yes votes, one ( 1 ) No votes and zero ( 0 ) Abstention votes</b>						

Trustee Alapa Moves to

**Action 5**

**re: Non-Core Budget Adjustments – Kaka‘ako Makai**

Approve the following budgetary adjustments between expense categories for Kaka‘ako Makai in Table 1 below:

**Table 1: FY2022 Approved Budgets and RM #22-07 Budget Comparison**

Category	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed in Action Item RM #22-05	Proposed in Action Item RM #22-07	Adjustments
CONTRACTS	\$ 944,443	\$1,499,443	\$2,106,885	\$5,052,344	\$4,561,123	\$(491,221)
DEBT SERVICE	-	-	-	26,600	26,600	-
EQUIPMENT	243,060	628,060	628,060	628,060	1,175,879	547,819
OVERHEAD	445,285	391,927	391,927	391,927	633,838	241,911
PERSONNEL	102,819	102,819	102,819	102,819	102,819	-
PROGRAM	60,651	60,651	53,209	81,150	82,050	(53,209)
TRAVEL	-	-	-	-	-	-
<b>Total</b>	<b>\$1,796,258</b>	<b>\$2,682,900</b>	<b>\$3,282,900</b>	<b>\$6,282,900</b>	<b>\$6,582,309</b>	<b>\$299,409</b>

**Trustee Akaka Seconds the motion.**

<b>Trustee Alapa Moves</b>						
<b>Action 5</b> <b>re: Non-Core Budget Adjustments – Kaka‘ako Makai</b> Approve the following budgetary adjustments between expense categories for Kaka‘ako Makai in Table 1 below:						
<b>Table 1: FY2022 Approved Budgets and RM #22-07 Budget Comparison</b>						
Category	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed in Action Item RM #22-05	Proposed in Action Item RM #22-07	Adjustments
CONTRACTS	\$ 944,443	\$1,499,443	\$2,106,885	\$5,052,344	\$4,561,123	\$(491,221)
DEBT SERVICE	-	-	-	26,600	26,600	-
EQUIPMENT	243,060	628,060	628,060	628,060	1,175,879	547,819
OVERHEAD	445,285	391,927	391,927	391,927	633,838	241,911
PERSONNEL	102,819	102,819	102,819	102,819	102,819	-
PROGRAM	60,651	60,651	53,209	81,150	82,050	(53,209)
TRAVEL	-	-	-	-	-	-
<b>Total</b>	<b>\$1,796,258</b>	<b>\$2,682,900</b>	<b>\$3,282,900</b>	<b>\$6,282,900</b>	<b>\$6,582,309</b>	<b>\$299,409</b>
<b>Trustee Akaka Seconds the motion.</b>						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			

TRUSTEE KALEI <b>AKAKA</b>		X	X			
TRUSTEE KELI'I <b>AKINA</b>			X			
TRUSTEE LUANA <b>ALAPA</b>	X		X			
TRUSTEE BRENDON <b>LEE</b>				X		
TRUSTEE MILILANI <b>TRASK</b>			X			
TRUSTEE JOHN <b>WAIHE'E</b>						Excused
CHAIRPERSON HULU <b>LINDSEY</b>			X			
<b>TOTAL VOTE COUNT</b>			<b>7</b>	<b>1</b>		<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with seven ( 7 ) Yes votes, one ( 1 ) No votes and zero ( 0 ) Abstention votes</b>						

**Chair Hulu Lindsey** We are moving on to item B, I will call on Trustee Akaka.

## **B. Committee on Beneficiary Advocacy and Empowerment**

### **3. 2022 OHA Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†, April 12, 2022**

**Trustee Akaka** Madame Chair, your Committee on Beneficiary Advocacy and Empowerment, having met on April 12, 2022 and after full and free discussion, recommends approval of the following motion to the Board of Trustees:

#### **Motion 1:**

**Move to approve Administration's recommendations on BILL position changes (Items 54 - 55) as listed on Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians-- dated April 12, 2022:**

#### **BILL POSITION CHANGES:**

- **HB1459 from COMMENT to SUPPORT SD1**
- **HB2466 from SUPPORT to COMMENT**

**Trustee Alapa** Seconds the motion.

#### **Trustee Akaka Moves**

#### **Motion 1:**

**Move to approve Administration's recommendations on BILL position changes (Items 54 - 55) as listed on Matrix 3 -- Bill Positions Related to Measures Affecting Native Hawaiians-- dated April 12, 2022:**

<b>BILL POSITION CHANGES:</b>						
<ul style="list-style-type: none"> <li>· <b>HB1459</b> from <b>COMMENT</b> to <b>SUPPORT SD1</b></li> <li>· <b>HB2466</b> from <b>SUPPORT</b> to <b>COMMENT</b></li> </ul>						
<b>Trustee Alapa</b> Seconds the motion.						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			<b>X</b>			
TRUSTEE DAN <b>AHUNA</b>			<b>X</b>			
TRUSTEE KALEI <b>AKAKA</b>	X		<b>X</b>			
TRUSTEE KELI‘I <b>AKINA</b>			<b>X</b>			
TRUSTEE LUANA <b>ALAPA</b>		X	<b>X</b>			
TRUSTEE BRENDON <b>LEE</b>					<b>X</b>	
TRUSTEE MILILANI <b>TRASK</b>			<b>X</b>			
TRUSTEE JOHN <b>WAIHE‘E</b>						<b>X</b>
CHAIRPERSON HULU <b>LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>7</b>		<b>1</b>	<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with seven ( 7 ) Yes votes, Zero (0) No votes and one ( 1 ) Abstention vote.</b>						

Trustee Akaka Madame Chair,

**Motion 2:**

Move to approve Administration’s recommendations on: **NEW RESOLUTIONS** (Items 55 - 56) as listed on Matrix 5 – Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – dated April 12, 2022 along with the following addition(s):

**RESOLUTION ADDITIONS:**

- **ADD HCR104** as **COMMENT**

Trustee Alapa Seconds the motion.

<b>Trustee Akaka Moves</b>						
<b><u>Motion 2:</u></b> <b>Move to approve Administration's recommendations on: NEW RESOLUTIONS (Items 55 - 56) as listed on Matrix 5 – Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – dated April 12, 2022 along with the following addition(s):</b>  <b>RESOLUTION ADDITIONS:</b>  <b>· ADD HCR104 as COMMENT</b>						
<b>Trustee Alapa</b> Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			<b>X</b>			
TRUSTEE DAN <b>AHUNA</b>			<b>X</b>			
TRUSTEE KALEI <b>AKAKA</b>	X		<b>X</b>			
TRUSTEE KELI'I <b>AKINA</b>			<b>X</b>			
TRUSTEE LUANA <b>ALAPA</b>		X	<b>X</b>			
TRUSTEE BRENDON <b>LEE</b>					<b>X</b>	
TRUSTEE MILILANI <b>TRASK</b>			<b>X</b>			
TRUSTEE JOHN <b>WAIHE'E</b>						<b>X</b>
CHAIRPERSON HULU <b>LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>7</b>		<b>1</b>	
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with seven ( 7 ) Yes votes, Zero (0) No votes and one ( 1 ) Abstention vote.</b>						

**Chair Hulu Lindsey** Moving on to item C., before I call on someone to read the action, I want to share that our attorneys collaborated, our Board Counsel and Everett, and tried to narrow down the PIG's responsibilities. If you have any questions, we welcome them. Otherwise, I will ask Trustee Akaka to read the motion.

**C. Action Item BOT #22-05: Approve the Formation of a Permitted Interaction Group (PIG) to investigate and engage with federal agencies and international and indigenous entities, on Native Hawaiians' legal claims, land inventories, and financial accounting related to the Public Land Trust.**

**Trustee Lee** Point of order Madame Chair, under new Business item B for the Committee on Beneficiary Advocacy and Empowerment, we have five items listed. We took only two actions.

**Chair Hulu Lindsey** There are no motions on the others.

**Trustee Lee** Okay, Thank you.

**Chair Hulu Lindsey** Trustee Akaka can you read the motion.

**Trustee Akaka** Madame Chair, to  
Approve the formation of a Permitted Interaction Group (PIG) with the purview, members, term/duration detailed below:

**Purview:** 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 and engage with federal agencies and international and indigenous entities on Native Hawaiians' legal claims, land inventories, and financial accounting related to the Public Land Trust on behalf of the BOT; provided that the PIG will report back to the BOT and seek its approval prior to initiating any formal administrative complaint or process. The purview of the PIG does not include state or county legislation or engaging directly with state or county agencies.

**Members:** The membership of the Permitted Interaction Group is proposed as follows: (a) Trustee Carmen Hulu Lindsey; (b) Trustee Mililani Trask; (c) Trustee John Waihee, IV; and (d) Trustee Kalei Akaka. Trustee Carmen Hulu Lindsey will serve as the Chair of the Permitted Interaction Group and Trustee Mililani Trask will serve as its Vice Chair. Sylvia Hussey, Ka Pouhana, will function as the Project Manager and coordinate Administration staff participants (e.g., Chief Advocate, General Counsel) and contractors.

**Term/Duration:** The term of the Permitted Interaction Group 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 October 31, 2022.

**Trustee Alapa** Seconds the motion.

**Chair Hulu Lindsey** Is there any discussion?

**Trustee Lee** Can I get clarification on how engaging with federal, international, and other indigenous entities relates to the work of the Board of Trustees? In relation to the Public Land Trust (PLT) as the PLT is a State entity and the Hawai'i Supreme Court has ruled that the revenues that are due to the Office of Hawaiian Affairs by the PLT are a legislative matter. If this PIG's purpose is to look into the PLT and possibly legal claims as it relates to the revenues of the PLT, I don't see how not engaging with the high court is a legislative issue and not engaging with them but engaging with other entities that have no purview over the PLT. How is that relevant?

**Chair Hulu Lindsey** Well, that is what the word investigate is for Trustee.

**Kurt Klein, Board Counsel** Excuse me Chair, to the extent where the Board wants legal advice, we should be discussing this in executive session. I believe there is an agenda item appropriate for that.

**Chair Hulu Lindsey** Yes, we can do that.

Trustee Lee Madame Chair, I move that we recuse ourselves into executive session based on counsel from our Board Counsel.

Trustee Ahuna Seconds the motion.

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

Motion to recuse into executive session pursuant to HRS Section §92-5						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA		X	X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE	X		X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE‘E						X
CHAIRPERSON HULU LINDSEY			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with a eight ( 8 ) YES votes and Zero (0) EXCUSED vote.</b>						

**Board returns to open session at 12:02 p.m.**

Chair Hulu Lindsey I will ask Trustee Akaka to read an amended motion to the motion she made.

Trustee Akaka Yes, Madame Chair,

Approve the formation of a Permitted Interaction Group (PIG) with the purview, members, term/duration detailed below:

**Purview:** 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 potential involvement of federal agencies in enforcement of legal claims, land inventories, financial accountings, and indigenous consultations related to the federal trust responsibilities and the trust set forth in Section 5(f) of the Admission Act; provided that the PIG will report back to the BOT and seek its approval prior to initiating any formal



administrative complaint or process. The purview of the PIG does not include state or county legislation or engaging directly with state or county agencies.

**Members:** The membership of the Permitted Interaction Group is proposed as follows: (a) Trustee Carmen Hulu Lindsey; (b) Trustee Mililani Trask; (c) Trustee John Waihee, IV; and (d) Trustee Kalei Akaka. Trustee Carmen Hulu Lindsey will serve as the Chair of the Permitted Interaction Group and Trustee Mililani Trask will serve as its Vice Chair. Sylvia Hussey, Ka Pouhana, will function as the Project Manager and coordinate Administration staff participants (e.g., Chief Advocate, General Counsel), contractors, and international and indigenous entities, as determined necessary by the PIG.

**Term/Duration:** The term of the Permitted Interaction Group 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 October 31, 2022.

**Trustee Alapa** Seconds the motion.

**Chair Hulu Lindsey** Is there any discussion?

**Trustee Ahu Isa** Chair, when does it start?

**Chair Hulu Lindsey** Immediately.

**Kurt Klein, Board Counsel** Upon confirmation.

Trustee Akaka Moves						
Approve the formation of a Permitted Interaction Group (PIG) with the purview, members, term/duration detailed below:						
<b>Purview:</b> 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 potential involvement of federal agencies in enforcement of legal claims, land inventories, financial accountings, and indigenous consultations related to the federal trust responsibilities and the trust set forth in Section 5(f) of the Admission Act; provided that the PIG will report back to the BOT and seek its approval prior to initiating any formal administrative complaint or process. The purview of the PIG does not include state or county legislation or engaging directly with state or county agencies.						
<b>Members:</b> The membership of the Permitted Interaction Group is proposed as follows: (a) Trustee Carmen Hulu Lindsey; (b) Trustee Mililani Trask; (c) Trustee John Waihee, IV; and (d) Trustee Kalei Akaka. Trustee Carmen Hulu Lindsey will serve as the Chair of the Permitted Interaction Group and Trustee Mililani Trask will serve as its Vice Chair. Sylvia Hussey, Ka Pouhana, will function as the Project Manager and coordinate Administration staff participants (e.g., Chief Advocate, General Counsel), contractors, and international and indigenous entities, as determined necessary by the PIG.						
<b>Term/Duration:</b> The term of the Permitted Interaction Group 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 October 31, 2022.						
Trustee Alapa Seconds the motion.						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			

TRUSTEE DAN <b>AHUNA</b>			<b>X</b>			
TRUSTEE KALEI <b>AKAKA</b>	X		<b>X</b>			
TRUSTEE KELI'I <b>AKINA</b>			<b>X</b>			
TRUSTEE LUANA <b>ALAPA</b>		X	<b>X</b>			
TRUSTEE BRENDON <b>LEE</b>			<b>X</b>			
TRUSTEE MILILANI <b>TRASK</b>			<b>X</b>			
TRUSTEE JOHN <b>WAIHE'E</b>						<b>X</b>
CHAIRPERSON HULU <b>LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with eight ( 8 ) Yes votes, Zero (0) No votes and zero ( 0 ) Abstention vote.</b>						

**Trustee Lee** Chair, that was the vote on the amendment. We now have to vote on the main motion.

**Chair Hulu Lindsey** Yes, thank you. Let us now vote on the main motion.

<b>Vote on the main motion.</b>						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI <b>AHU ISA</b>			<b>X</b>			
TRUSTEE DAN <b>AHUNA</b>			<b>X</b>			
TRUSTEE KALEI <b>AKAKA</b>	X		<b>X</b>			
TRUSTEE KELI'I <b>AKINA</b>			<b>X</b>			
TRUSTEE LUANA <b>ALAPA</b>		X	<b>X</b>			
TRUSTEE BRENDON <b>LEE</b>			<b>X</b>			
TRUSTEE MILILANI <b>TRASK</b>			<b>X</b>			
TRUSTEE JOHN <b>WAIHE'E</b>						<b>X</b>
CHAIRPERSON HULU <b>LINDSEY</b>			<b>X</b>			

<b>TOTAL VOTE COUNT</b>			<b>8</b>			<b>1</b>
<b>MOTION:</b> [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
<b>Motion passes with eight ( 8 ) Yes votes, Zero (0) No votes and zero ( 0 ) Abstention vote.</b>						

### Announcements

**Chair Hulu Lindsey** Thank you, are there are announcements to be made?

**Trustee Lee** Sunshine Law requires that we notify the public that myself, Trustee Ahu Isa, Chair Lindsey, Trustee Akaka, Trustee Alapa, Trustee Akina, and Trustee Waihe'e all attended and participated in a blessing of Kaka'ako Makai site A, the Old Fisherman's Wharf. Board Secretary can you provide the date.

**Board Secretary** Yes, the date was Thursday, March 31<sup>st</sup>.

**Trustee Lee** Yes, correct, it was a Thursday. Thank you.

**Chair Hulu Lindsey** Thank you for remembering. Our next BOT meeting will be on Thursday, April 28 at 10 am.

### Adjournment

**Trustee Akaka** Moves to adjourn the meeting.

**Trustee Alapa** Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
KALEIHIKINA	AKAKA	X		X			
KELI'I	AKINA			X			
LUANA	ALAPA		X				Leaves meeting at 12:10 pm
BRENDON KALEI'ĀINA	LEE			X			
MILILANI	TRASK			X			
JOHN	WAIHE'E						X
CHAIR CARMEN HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>7</b>			

**Chairperson Carmen Hulu Lindsey** Adjourns the Board of Trustees meeting at 12:11 p.m.

Respectfully submitted,

---

Lehua Itokazu  
Board Secretary

As approved by the Board of Trustees on April 28, 2022.

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Carmen Hulu Lindsey  
Chairperson, Board of Trustees

**Attachments:**

**To be added once approved**

**Office of Hawaiian Affairs  
Meeting of the Board of Trustees  
April 28, 2022  
10:00 A.M.**

**V. New Business**

**A. Committee on Resource Management**

- 1. Action Item RM #22-06: Budget Management Policy Updates  
re: Carryover Provisions†(2<sup>nd</sup> reading)**

*\*Committee Report dated April 12, 2022. Action 3 located on page 3 only.*



**OFFICE OF HAWAIIAN AFFAIRS**  
**Committee on Resource Management (RM)**  
**COMMITTEE REPORT**

April 12, 2022

The Honorable Carmen Hulu Lindsey, Chair  
Board of Trustees  
Office of Hawaiian Affairs

Chair Lindsey,

Your Committee on Resource Management, having met on April 12, 2022, and after full and free discussion, recommends approval of the following **five (5) actions** to the Board of Trustees:

**Action 1**

re: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd.

**Approve and activate the Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Business Plan, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23) as detailed in Table 1. below:**

**Table 1. Kaka‘ako Makai Site A FY 2022 Budget**

CATEGORY	FY 2022
Contracts	\$2,945,459
Debt Service	26,600
Program	27,941
<b>Total</b>	<b>\$3,000,000</b>

## **Action 2**

re: Impacts of Nā Lama Kukui Refinancing

**Approve the budgeted uses and related expenses, associated with the Board of Trustees' authorized refinancing of Nā Lama Kukui, for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23), as detailed in the tables below:**

**Table 2a: FY22 Refinancing Impacts**

LOAN REFINANCING	FY 2022				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
<b>CORE BUDGET<sup>1</sup></b>					
Debt Service	\$553,178	\$553,178	\$553,178	\$408,358	\$(144,820)
Program <sup>2</sup>	-	-	-	1,717	1,717
<b>Subtotal</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$410,075</b>	<b>\$(143,103)</b>
<b>KAKA'AKO MAKAI</b>					
Debt Service	-	-	-	\$26,600	\$26,600
Program	-	-	-	27,941	27,941
<b>Subtotal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$54,541</b>	<b>\$54,541</b>
<b>NA LAMA KUKUI</b>					
Contracts <sup>3</sup>	\$900	\$900	\$900	\$110,000	\$109,100
Debt Service	2,550,979	2,550,979	2,550,979	2,013,821	(537,158)
Program	-	-	-	190,807	190,807
<b>Subtotal</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,314,627</b>	<b>\$(237,252)</b>
<b>TOTAL</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$2,779,243</b>	<b>\$(325,814)</b>

<sup>1</sup> Core budget's line of credit financing for OHA's governance planning initiative and other projects.

<sup>2</sup> Program expenses relating to loan refinancing, i.e., other charges, title and escrow fees.

<sup>3</sup> Legal services relating to loan refinancing.



## **Action 2 Cont'd**

Table 2b: FY23 Refinancing Impacts

LOAN REFINANCING	FY 2023				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
CORE BUDGET					
Debt Service	\$531,742	\$531,742	\$531,742	\$24,834	\$(506,908)
KAKA'AKO MAKAI					
Debt Service				83,838	83,838
NA LAMA KUKUI					
Debt Service	2,510,952	2,510,952	2,510,952	552,188	(1,958,764)
TOTAL	\$1,521,347	\$1,521,347	\$1,521,347	\$330,430	\$(1,190,917)

## **Action 3**

**Approve the addition of item 3.45.g. to section 3045 Budget Management of the Executive Policy Manual as follows (and at Attachment A in its entirety):**

**3.45.g. Multi-Year, Carryover. Multi-year budgets and/or carryover budget provisions (e.g., programs, projects), as a part of the budget evaluation activities described above, are to be presented to the Board for action including all projected impacts on related policies (e.g., spending, cash management) and other considerations (e.g., funding source).**

## **Action 4**

**re: Core Personnel Reclassification**

**Approve the reclassification of \$300,000, from 52150 Severance & Retirement Program (\$150,000) and 57015 COBRA Health Insurance (\$150,000) to 57110 Services on a Fee Basis (\$300,000) within the FY 2020-2021 (FY21) Reorganization budget, for 3<sup>rd</sup> party contracting, to address unfilled, authorized positions, and the related operational impacts, processes, and functions.**

## **Action 5**

re: Non-Core Budget Adjustments – Kaka‘ako Makai

**Approve the following budgetary adjustments between expense categories for Kaka‘ako Makai in Table 1 below:**

**Table 1: FY2022 Approved Budgets and RM #22-07 Budget Comparison**

Category	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed in Action Item RM #22-05	Proposed in Action Item RM #22-07	Adjustments
CONTRACTS	\$ 944,443	\$1,499,443	\$2,106,885	\$5,052,344	\$4,561,123	\$(491,221)
DEBT SERVICE	-	-	-	26,600	26,600	-
EQUIPMENT	243,060	628,060	628,060	628,060	1,175,879	547,819
OVERHEAD	445,285	391,927	391,927	391,927	633,838	241,911
PERSONNEL	102,819	102,819	102,819	102,819	102,819	-
PROGRAM	60,651	60,651	53,209	81,150	82,050	(53,209)
TRAVEL	-	-	-	-	-	-
<b>Total</b>	<b>\$1,796,258</b>	<b>\$2,682,900</b>	<b>\$3,282,900</b>	<b>\$6,282,900</b>	<b>\$6,582,309</b>	<b>\$299,409</b>

### **Attachment(s):**

**1) RM ROLL CALL VOTE SHEET  
MOTION #1**

ACTION ITEM RM #22-05: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Activation of Business Plan and Nā Lama Kukui Debt Service, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23)

**2) RM ROLL CALL VOTE SHEET  
MOTION #2**

ACTION ITEM RM #22-05: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Activation of Business Plan and Nā Lama Kukui Debt Service, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23)

**3) ACTION ITEM RM #22-05: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Activation of Business Plan and Nā Lama Kukui Debt Service, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23)**

FILE TOO LARGE for eSign - please refer to the  
04/12/2022 RM Electronic Folder at <https://www.oha.org/rm/>

## Attachment(s) CONT'D:

### 4) RM ROLL CALL VOTE SHEET

ACTION ITEM RM #22-06: Budget Management Policy Updates  
re: Carryover Provisions

### 5) ACTION ITEM RM #22-06: Budget Management Policy Updates re: Carryover Provisions

B)

FILE TOO LARGE for eSign - please refer to the  
04/12/2022 RM Electronic Folder at <https://www.oha.org/rm/>

### 6) RM ROLL CALL VOTE SHEET MOTION #1

ACTION ITEM RM #22-07: Core Personnel, Non-Core Budget Adjustments for  
2020-2021 (FY21), 2021-2022 (FY22) and 2022-2023 (FY23)

### 7) RM ROLL CALL VOTE SHEET MOTION #2

ACTION ITEM RM #22-07: Core Personnel, Non-Core Budget Adjustments for  
2020-2021 (FY21), 2021-2022 (FY22) and 2022-2023 (FY23)

### 8) ACTION ITEM RM #22-07: Core Personnel, Non-Core Budget Adjustments for 2020-2021 (FY21), 2021-2022 (FY22) and 2022-2023 (FY23)

C)

FILE TOO LARGE for eSign - please refer to the  
04/12/2022 RM Electronic Folder at <https://www.oha.org/rm/>

Respectfully submitted:



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Trustee John Waihe'e, IV, RM Chair



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Trustee Luana Alapa, RM Vice Chair



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Trustee Leina'ala Ahu Isa, Member

DID NOT FULLY CONCUR

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Trustee Dan Ahuna, Member



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Trustee Kaleihikina Akaka, Member



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Trustee Keli'i Akina, Member

DID NOT FULLY CONCUR

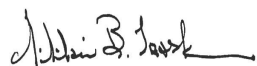
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Trustee Brendon Kalei'aina Lee, Member



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Trustee Carmen Hulu Lindsey, Member



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Trustee Mililani Trask, Member

**ROLL CALL VOTE SHEET**

<b>COMMITTEE ON RESOURCE MANAGEMENT (RM)</b>	<b>DATE: April 12, 2022</b>	<b>START: 1:33 p.m.</b> <b>MOTION #1: 1:35 p.m.</b> <b>VOTE: 1:36 p.m.</b>
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**AGENDA ITEM:**

**V. New Business**

**A. ACTION ITEM RM #22-05: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Activation of Business Plan and Nā Lama Kukui Debt Service, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23)**

**MOTION #1:**

re: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd.

**Approve and activate the Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Business Plan, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23) as detailed in Table 1. below:**

**Table 1. Kaka‘ako Makai Site A FY 2022 Budget**

CATEGORY	FY 2022
Contracts	\$2,945,459
Debt Service	26,600
Program	27,941
<b>Total</b>	<b>\$3,000,000</b>

MOTION #1							Motion: 1:35 p.m. Vote: 1:36 p.m.
TRUSTEE		1	2	‘AE (YES)	A’OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA‘ALA	AHU ISA			X			
DAN	AHUNA				X	1: KANALUA, 2: A’OLE (NO)	
KALEIHIKINA	AKAKA		2	X			
KELI’I	AKINA			X			
RM VICE CHAIR LUANA	ALAPA			X			
BRENDON KALEI‘ĀINA	LEE				X		
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
RM CHAIR JOHN	WAIHE‘E			X			
<b>TOTAL VOTE COUNT</b>				7	2	0	0

**VOTE: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED**

**ROLL CALL VOTE SHEET**

<b>COMMITTEE ON RESOURCE MANAGEMENT (RM)</b>	<b>DATE: April 12, 2022</b>  <b>START: 1:37 p.m.</b> <b>MOTION #2: 1:37 p.m.</b> <b>VOTE: 1:38 p.m.</b>
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**AGENDA ITEM:**

**V. New Business**

- A. ACTION ITEM RM #22-05: Kaka‘ako Makai Site A, 1101 Ala Moana Blvd, Activation of Business Plan and Nā Lama Kukui Debt Service, Non-Core Operating Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23)**

**MOTION #2:**

re: Impacts of Nā Lama Kukui Refinancing

**Approve the budgeted uses and related expenses, associated with the Board of Trustees' authorized refinancing of Nā Lama Kukui, for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23), as detailed in the tables below:**

**Table 2a: FY22 Refinancing Impacts**

LOAN REFINANCING	FY 2022				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
<b>CORE BUDGET<sup>1</sup></b>					
Debt Service	\$553,178	\$553,178	\$553,178	\$408,358	\$(144,820)
Program <sup>2</sup>	-	-	-	1,717	1,717
<b>Subtotal</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$553,178</b>	<b>\$410,075</b>	<b>\$(143,103)</b>
<b>KAKA'AKO MAKAI</b>					
Debt Service	-	-	-	\$26,600	\$26,600
Program	-	-	-	27,941	27,941
<b>Subtotal</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$54,541</b>	<b>\$54,541</b>
<b>NA LAMA KUKUI</b>					
Contracts <sup>3</sup>	\$900	\$900	\$900	\$110,000	\$109,100
Debt Service	2,550,979	2,550,979	2,550,979	2,013,821	(537,158)
Program	-	-	-	190,807	190,807
<b>Subtotal</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,551,879</b>	<b>\$2,314,627</b>	<b>\$(237,252)</b>
<b>TOTAL</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$3,105,057</b>	<b>\$2,779,243</b>	<b>\$(325,814)</b>

<sup>1</sup> Core budget's line of credit financing for OHA's governance planning initiative and other projects.

<sup>2</sup> Program expenses relating to loan refinancing, i.e., other charges, title and escrow fees.

<sup>3</sup> Legal services relating to loan refinancing.

Table 2b: FY23 Refinancing Impacts

LOAN REFINANCING	FY 2023				
	APPROVED BUDGET	APPROVED REALIGNMENT #1	APPROVED REALIGNMENT #2	PROPOSED AI RM22-05	ADJUSTMENT
<b>CORE BUDGET</b>					
Debt Service	\$531,742	\$531,742	\$531,742	\$24,834	\$(506,908)
<b>KAKA'AKO MAKAI</b>					
Debt Service				83,838	83,838
<b>NA LAMA KUKUI</b>					
Debt Service	2,510,952	2,510,952	2,510,952	552,188	(1,958,764)
<b>TOTAL</b>	<b>\$1,521,347</b>	<b>\$1,521,347</b>	<b>\$1,521,347</b>	<b>\$330,430</b>	<b>\$(1,190,917)</b>

MOTION #2							Motion: 1:37 p.m. Vote: 1:38 p.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
KALEIHIKINA	AKAKA			X			
KELI'I	AKINA		2	X			
RM VICE CHAIR LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
RM CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				9	0	0	0

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



**ROLL CALL VOTE SHEET**

<b>COMMITTEE ON RESOURCE MANAGEMENT (RM)</b>	<b>DATE: April 12, 2022</b>	<b>START: 1:39 p.m. MOTION: 1:45 p.m. VOTE: 1:46 p.m.</b>
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**AGENDA ITEM:**

- V. New Business**  
**B. ACTION ITEM RM #22-06: Budget Management Policy Updates**  
**re: Carryover Provisions**

**MOTION:**

Approve the addition of item 3.45.g. to section 3045 Budget Management of the Executive Policy Manual as follows (and at Attachment A in its entirety):

**3.45.g. Multi-Year, Carryover.** Multi-year budgets and/or carryover budget provisions (e.g., programs, projects), as a part of the budget evaluation activities described above, are to be presented to the Board for action including all projected impacts on related policies (e.g., spending, cash management) and other considerations (e.g., funding source).

<b>MOTION</b>							<b>Motion: 1:45 p.m. Vote: 1:46 p.m.</b>
<b>TRUSTEE</b>		<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
RM VICE CHAIR LUANA	ALAPA		2	X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
RM CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

**VOTE: [ X ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED**

**ROLL CALL VOTE SHEET**

<b>COMMITTEE ON RESOURCE MANAGEMENT (RM)</b>	<b>DATE: April 12, 2022</b>  <b>START: 1:47 p.m.</b> <b>MOTION #1: 1:51 p.m.</b> <b>VOTE: 1:52 p.m.</b>
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**AGENDA ITEM:**

**V. New Business**

**C. ACTION ITEM RM #22-07: Core Personnel, Non-Core Budget Adjustments for 2020-2021 (FY21), 2021-2022 (FY22) and 2022-2023 (FY23)**

**MOTION #1:**

re: Core Personnel Reclassification

**Approve the reclassification of \$300,000, from 52150 Severance & Retirement Program (\$150,000) and 57015 COBRA Health Insurance (\$150,000) to 57110 Services on a Fee Basis (\$300,000) within the FY 2020-2021 (FY21) Reorganization budget, for 3<sup>rd</sup> party contracting, to address unfilled, authorized positions, and the related operational impacts, processes, and functions.**

<b>MOTION #1</b>							<b>Motion: 1:51 p.m.</b> <b>Vote: 1:52 p.m.</b>
<b>TRUSTEE</b>		<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
RM VICE CHAIR LUANA	ALAPA		2	X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
RM CHAIR JOHN	WAIHE'E			X			
<b>TOTAL VOTE COUNT</b>				<b>9</b>	<b>0</b>	<b>0</b>	<b>0</b>

**VOTE: [ X ] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED**

**ROLL CALL VOTE SHEET**

<b>COMMITTEE ON RESOURCE MANAGEMENT (RM)</b>	<b>DATE: April 12, 2022</b>	<b>START: 1:53 p.m.</b> <b>MOTION #2: 1:53 p.m.</b> <b>VOTE: 1:53 p.m.</b>
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**AGENDA ITEM:**

**V. New Business**

**C. ACTION ITEM RM #22-07: Core Personnel, Non-Core Budget Adjustments  
for 2020-2021 (FY21), 2021-2022 (FY22) and 2022-2023 (FY23)**

**MOTION #2:**

re: Non-Core Budget Adjustments – Kaka’ako Makai

**Approve the following budgetary adjustments between expense  
categories for Kaka’ako Makai in Table 1 below:**

**Table 1: FY2022 Approved Budgets and RM #22-07 Budget Comparison**

Category	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed in Action Item RM #22-05	Proposed in Action Item RM #22-07	Adjustments
CONTRACTS	\$ 944,443	\$1,499,443	\$2,106,885	\$5,052,344	\$4,561,123	\$(491,221)
DEBT SERVICE	-	-	-	26,600	26,600	-
EQUIPMENT	243,060	628,060	628,060	628,060	1,175,879	547,819
OVERHEAD	445,285	391,927	391,927	391,927	633,838	241,911
PERSONNEL	102,819	102,819	102,819	102,819	102,819	-
PROGRAM	60,651	60,651	53,209	81,150	82,050	(53,209)
TRAVEL	-	-	-	-	-	-
<b>Total</b>	<b>\$1,796,258</b>	<b>\$2,682,900</b>	<b>\$3,282,900</b>	<b>\$6,282,900</b>	<b>\$6,582,309</b>	<b>\$299,409</b>

<b>MOTION #2</b>							<b>Motion: 1:53 p.m.</b> <b>Vote: 1:53 p.m.</b>
<b>TRUSTEE</b>		<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>A’OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
LEINA’ALA	<b>AHU ISA</b>			X			
DAN	<b>AHUNA</b>			X			
KALEIHIKINA	<b>AKAKA</b>		2	X			
KELI’I	<b>AKINA</b>			X			
RM VICE CHAIR LUANA	<b>ALAPA</b>			X			
BRENDON KALEI’ĀINA	<b>LEE</b>				X		
CARMEN HULU	<b>LINDSEY</b>	1		X			
MILILANI	<b>TRASK</b>			X			
RM CHAIR JOHN	<b>WAIHE’E</b>			X			
<b>TOTAL VOTE COUNT</b>				8	1	0	0

**VOTE: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED**

**Office of Hawaiian Affairs  
Meeting of the Board of Trustees  
April 28, 2022  
10:00 A.M.**

**V. New Business**

**B. Committee on Beneficiary Advocacy and Empowerment**

- 1. 2022 OHA State Legislative Bill Package Updates – SB2122/HB1474, SB2121/HB1473, coordinated advocacy - Matrix 1†☼, April 26, 2022**
- 2. 2022 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2†☼, April 26, 2022**
- 3. 2022 OHA Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†☼, April 26, 2022**
- 4. 2022 OHA Legislature Bill Positions and Monitored Bills Related to Measures Affecting Native Hawaiians – Matrix 4†☼, April 26, 2022**
- 5. 2022 OHA Legislature Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – Matrix 5†☼, April 26, 2022**

**\*\* The Committee Report will be distributed as soon as they become available from the Committee**

Office of Hawaiian Affairs  
Meeting of the Board of Trustees  
April 28, 2022  
10:00 A.M.

**VI. Executive Session**

**A. Consultation with Board Counsel Robert Klein, Sherry P. Broder, Esq and Interim General Counsel Everett Ohta re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Public Land Trust, Maunakea and associated legislation, pursuant to HRS§92-5(a)(4).**