

BOARD OF TRUSTEES

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



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE BOARD OF TRUSTEES**DATE:** Thursday, August 31, 2023**TIME:** 10:00 A.M.

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

Viewable at www.oha.org/livestream Or

Listen by phone: (213) 338-8477, Webinar ID: 840 2155 0279

This virtual meeting can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listened by phone using the call-in information above. A physical meeting location, open to members of the public who would like to provide oral testimony or view the virtual meeting, will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817.

AGENDA**I. Call to Order****II. New Business**

1. Introduction of Board Investment Consultant, Consequent Capital Management, LLC – Vijoy Chattergy, Chief Investment Officer.
2. Action Item BOT #23-09: Accept and implement the report of the findings and recommendations of the Permitted Interaction Group re: to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires, HRS§92-2.5(b)(1)(C)

III. Executive Session‡**IV. Community Concerns and Celebrations****V. Announcements****VI. 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.

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

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

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

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

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

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

PHONE (808) 594-1888

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

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

- (2) Persons wishing to provide **oral testimony online** during the virtual meeting must first register at: https://us06web.zoom.us/webinar/register/WN_sK3pI8UfTH-tIu32dy40_g

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

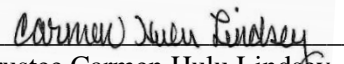
To provide oral testimony online, you will need:

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

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

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

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


 Trustee Carmen Hulu Lindsey
 Chairperson, Board of Trustees

8/25/2023
 Date

Office of Hawaiian Affairs
Meeting of the Board of Trustees
August 31, 2023
10:00 A.M.

III. New Business

- 1. Introduction of Board Investment Consultant, Consequent Capital Management, LLC – Vijoy Chattergy, Chief Investment Officer.**
- 2. Action Item BOT #23-09: Accept and implement the report of the findings and recommendations of the Permitted Interaction Group re: to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires, HRS§92-2.5(b)(1)(C)**



OFFICE OF HAWAIIAN AFFAIRS
OFFICE OF HAWAIIAN AFFAIRS
Action Item

BOARD OF TRUSTEES

August 31, 2023

BOT #23-09


Action Item Issue: Accept and Implement the Report of Permitted Interaction Group (PIG) to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires.

Prepared by: 

Casey K. Brown
Ka Pou Nui, Chief Operating Officer

Aug 28, 2023

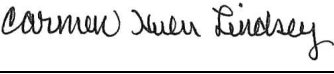
Date

Reviewed by: 

Colin Kippen
Ka Pouhana Kūikawā, Interim Chief Executive Officer

Aug 28, 2023

Date

Reviewed by: 

Carmen Hulu Lindsey
Ke Kauhuhu o ke Kaupoku
Chair, Board of Trustees

Aug 28, 2023

Date

I. Proposed Action

Accept and Implement the Report of Permitted Interaction Group (“PIG”) to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires, as distributed.

II. Issue

Whether or not the Board of Trustees (“BOT”) will accept and implement the distributed report of the PIG to Accept and Implement the Report of the PIG to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires. The PIG was authorized and formed on August 17, 2023, via Action Item BOT #23-08, consistent with Hawai‘i Revised Statutes §92-2.5(b)(1).

III. Background and Discussion

A. Applicable Law in Hawaii Revised Statutes, Permitted Interaction Groups

In accordance with HRS, CHAPTER 92, PUBLIC AGENCY MEETINGS AND

RECORDS §92-2.5 Permitted interactions of members: (b) Two or more members of a board, but less than the number of members which would constitute a quorum for the board, may be assigned to: (1) Investigate a matter relating to the official business of their board; provided that: (A) The scope of the investigation and the scope of each member’s authority are defined at a meeting of the board; (B) All resulting findings and recommendations are presented to the board at a meeting of the board; and (C) Deliberation and decision making on the matter investigated, if any, occurs only at a duly noticed meeting of the board held subsequent to the meeting at which the findings and recommendations of the investigation were presented to the board.

B. Permitted Interaction Group

- 1. Overview.** On August 17, 2023 the Board of Trustees (“BOT” or “Board”) held and emergency meeting to approve, via Action Item BOT #23-08, the formation of a PIG¹ to assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires, with the noted purview, members and term/duration.
- 2. 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 assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the recent devastating fires occurring in Maui.
- 3. Members.** The members of the Permitted Interaction Group is as follows: (a) Trustee Carmen Hulu Lindsey; (b) Trustee Kalei Akaka; (c) Trustee Dan Ahuna; and (d) Trustee Brickwood Galuteria. Trustee Carmen Hulu Lindsey will serve as the Chair of the Permitted Interaction Group and Trustee Dan Ahuna will serve as its Vice Chair. Casey K. Brown, Ka Pou Nui, will function as the Project Manager.

¹ Consistent with Hawai‘i Revised Statutes §92-2.5(b)(1)(A).

Action Item BOT #23-09: Accept and Implement the Report of Permitted Interaction Group (PIG) to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires

4. **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 August 25, 2023.
5. **PIG Investigation Activities and Related Recommendations.** The PIG convened for three meetings on August 20, August 22, and August 24, 2023 to perform its investigation and assessment the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires. The primary goal of this investigation was to gain a deeper understanding of the impact of the August wildfires on the Native Hawaiian Maui community; to identify OHA role in addressing these impacts; and to report back to the full Board. The PIG members collected information from on-the-ground community leaders and government officials which informed discussions about keeping OHA's focus on continued assessment, strengthening communications, and creating meaningful public messaging; and supporting the requests by community to allow the relief efforts and needs to be community driven. PIG members also discussed that long-term relief efforts are needed to increase stability and responsible re-building. **The action recommended is to Accept and Implement the Report of the Permitted Interaction Group to investigate Native Hawaiian Community Needs Resulting from Maui Island Wildfires.**
6. **Report Distribution.** The report distribution occurred at the August 25, 2023 Board meeting and consistent with past practice, no discussion was held. Full and free discussion and related Board action(s) are agendaized for the Board meeting on August 31, 2023.

C. Context for the Formation of the Permitted Interaction Group

The firestorm that tore through the western shores of Maui on Tuesday, August 8, and Wednesday, August 9, 2023, forced the evacuation of more than 2,000 people, according to authorities. Lāhainā, a town of roughly 12,000 people, is virtually destroyed, with many confirmed deaths, and many more missing. Over 1,700 structures have been destroyed, including entire neighborhoods. The U.S. Census Bureau estimates that approximately 2,090 Native Hawaiians, across approximately 360 Native Hawaiian families, reside in this area. The Department of Hawaiian Home Lands homestead of Leiali'i was also impacted by these fires.

In response, OHA BOT scheduled an Emergency Meeting on August 17, 2023, pursuant to Hawai'i Revised Statutes (HRS) §92-8(a), the BOT found that the August 2023 wildfires affecting Maui and Hawai'i counties caused a significant loss of life and property and created an imminent peril to public health, safety, and welfare. The unprecedented impacts from the wildfires necessitate a coordinated response from OHA, which was determined to be best facilitated by the formation of a PIG, pursuant to HRS §92-2.5(b)(1), that would immediately begin gathering emerging information about the needs of the community in order to guide an expeditious response from OHA that meets the needs of its beneficiaries directly impacted by the wildfires.

This PIG convened for three meetings on August 20, August 22, and August 24, 2023 to perform its investigation and assessment the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires.

Action Item BOT #23-09: Accept and Implement the Report of Permitted Interaction Group (PIG) to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires

D. Permitted Interaction Group Work

The PIG members collected emerging information from on-the-ground community leaders and government officials on the needs of the community and current resources available. The PIG members then held discussions about the information gathered. As a result of the discussions, the PIG members made recommendations in the PIG Report for both immediate and long-term actions OHA should take. Refer to the PIG Report for details of the information gathered as well as the immediate and long-term actions recommended.

IV. Funding Source

Not applicable, no dedicated funding needed to accept and implement the report of the PIG to investigate Native Hawaiian Community Needs Resulting from Maui Island Wildfires, as distributed.

V. Recommended Action

Accept and Implement the Report of the Permitted Interaction Group to investigate Native Hawaiian Community Needs Resulting from Maui Island Wildfires, as distributed.

VI. References

The following action item references are provided for context:

- A. **Action Item BOT#23-08:** Approve the formation of a Permitted Interaction Group (PIG) to investigate and assess the needs, programs, and services necessary to address and meet the needs of Native Hawaiians on Maui as a result of the August wildfires, August 17, 2023.

VII. Attachment - None