



BOARD OF TRUSTEES
 Carmen. Hulu Lindsey, *Chairperson*
 Leina'ala Ahu Isa, *Vice Chairperson*
 Dan Ahuna, Trustee Kaua'i & Ni'ihau
 Kalei Akaka, Trustee O'ahu
 Keli'i Akina, Trustee At-Large
 Luana Alapa, Trustee Moloka'i & 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, October 27, 2022

TIME: 10:00 am

PLACE: Virtual Meeting

Viewable at www.oha.org/livestream

Listen by phone: (213) 338-8477, Webinar ID: 876 2291 7336

This virtual meeting can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listened by phone: (213) 338-8477, Webinar ID: 876 2291 7336. A physical meeting location, open to members of the public who would like to provide oral testimony or view the virtual meeting, will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. All members of the public that wish to access the physical meeting location must pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.

AGENDA

- I. Call to Order
- II. New Business
 - A. Committee on Beneficiary Advocacy and Empowerment
 1. Action Item BAE #22-03: Approval of Due Diligence Activities in Pursuit of an Executive Order re: Kamokila Hawaiian Village, 5523-5519 Kuamoo Rd, Kapa'a, Kaua'i, Hawai'i*
 2. Action Item BAE #22-04: Approval of the 2023 Legislative Package and Plan*
 - B. Action Item BOT #22-18: Approve and Implement the Report of the Permitted Interaction Group to Investigate the Master Planning of Kaka'ako Makai*
- III. 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)
- IV. Executive Session‡
 - A. Consultation with Board Counsel Robert G. Klein and Kurt W. Klein re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to *The Office of Hawaiian Affairs v. State of Hawai'i, et al.*; Civil No. 17-1-1823-11 (JPC). Pursuant to HRS § 92-5(a)(4).*
 - B. Consultation with Board Counsel Robert G. Klein re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the Office of Hawaiian Affairs and Act 255 Related to Mauna Kea Stewardship and Oversight Authority, pursuant to HRS §92-5(a)(4)*
- V. Announcements
- VI. Adjournment

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

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>.



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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.

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

* **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.**

‡ **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 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_yqthrVcqRIivn2ecl1oTCg

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.

PHONE (808) 594-1888

FAX (808) 594-1868



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(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.

Carmen Hulu Lindsey
Trustee Carmen Hulu Lindsey
Chairperson, Board of Trustees

10/21/2022
Date

Office of Hawaiian Affairs
Meeting of the Board of Trustees
October 27, 2022
10:00 A.M.

II. New Business

A. Committee on Beneficiary Advocacy and Empowerment

- 1. Item BAE #22-03: Approval of Due Diligence Activities in Pursuit of an Executive Order re: Kamokila Hawaiian Village, 5523-5519 Kuamoo Rd, Kapa‘a, Kaua ‘i, Hawai‘i***
- 2. Action Item BAE #22-04: Approval of the 2023 Legislative Package and Plan***

- The Committee Report for these items will be distributed once received from the BAE Committee

Office of Hawaiian Affairs
Meeting of the Board of Trustees
October 27, 2022
10:00 A.M.

II. New Business

B. Item BOT #22-18: Approve and Implement the Report of the Permitted Interaction Group to Investigate the Master Planning of Kaka‘ako Makai*

The Chair will be seeking a 72-hour waiver

Office of Hawaiian Affairs
Meeting of the Board of Trustees
October 27, 2022
10:00 A.M.

IV. Executive Session‡

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- B. Consultation with Board Counsel Robert G. Klein re: questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities with respect to the Office of Hawaiian Affairs and Act 255 Related to Mauna Kea Stewardship and Oversight Authority, pursuant to HRS §92-5(a)(4)***
- C. Consultation with Board Counsel Robert G. Klein and Kurt W. Klein re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to the investigation of the master planning of Kaka‘ako Makai. Pursuant to HRS §92-5(a)(4)***