

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
Virtual Meeting via GoTo Meeting**

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Ninth Supplementary Proclamation dated June 10, 2020 suspending parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records, to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees will hold virtual meetings until further notice. The meetings may be observed via video livestream on OHA's website at www.oha.org/livestream.

**Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, June 18, 2020
9:30 am**

ATTENDANCE:

TRUSTEE COLETTE MACHADO
TRUSTEE BRENDON KALEI'ĀINA LEE
TRUSTEE LEINA'ALA AHU ISA
TRUSTEE DAN AHUNA
TRUSTEE KALEI AKAKA
TRUSTEE W. KELI'I AKINA
TRUSTEE CARMEN HULU LINDSEY
TRUSTEE ROBERT K. LINDSEY
TRUSTEE JOHN WAIHE'E IV

BOT STAFF:

CAROL HO'OMANAWANUI
DAYNA PA
LAURENE KALUAU-KEALOHA
LŌPAKA BAPTISTE

ROBERT KLEIN, BOARD COUNSEL

ADMINISTRATION STAFF:

SYLVIA HUSSEY, CEO
RAINA GUSHIKEN, CC
GLORIA LI, CTRLRR
EVERETT OHTA, CC
STERLING WONG, PRO
KEVIN CHAK, IT
LISA WATKINS-VICTORINO, ICOO
GRACE CHEN, FS

I. CALL TO ORDER

Trustee Colette Machado Calls the Board of Trustees meeting to order at 9:49 am. She states that she has not received any excused absence. Roll call is taken to identify the Trustees that are participating; Trustees Ahu Isa, Ahuna, Akaka, Akina, Lee, Carmen Hulu Lindsey, Robert Lindsey, Waihe'e and Machado are present, constituting a quorum of nine Trustees. She thanks the Trustees for being patience and states that it's not easy coordinating the virtual meetings and asks for their continued patience. She announces the following:

As a reminder we ask that everyone please mute your mic until you need to speak to eliminate any background noise which can make it difficult to hear and affect the livestreaming of this meeting. When you would like to speak, unmute your mic, address the Chair to be recognized. When the Chair recognizes you, proceed to speak. Mute your mic when you are done. At the prompting of the Chair, the Board Secretary will do a roll call to determine quorum and when the Board votes on matters.

If you are disconnected, we will pause the meeting for one (1) minute and will wait for you to log back on. If you need to leave the meeting please let the Chair know. As a reminder, we are recording today's meeting for the limited purpose of producing written meeting minutes, which will become the official record of this meeting. Joining the Trustees today is CEO Sylvia Hussey, Carol, Dayna, Lōpaka, Laurene and Kevin as support staff. I will ask Sylvia to identify her administrative team that are joining us today.

Sylvia Hussey – Thank you Chair, we have interim Chief Operating Officer Lisa Watkins-Victorino, Controller Gloria Li, Budget Analysis Grace Chen, Senior Legal Counsel Raina Gushiken as well as Legal Counsel Everett Ohta and PIO Sterling Wong. Thank you.

Chair Colette Machado – Thank you Sylvia. The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for the following items:

III. New Business

B. Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2

II. PUBLIC TESTIMONY ON ITEMS LISTED ON THE AGENDA (ONLY WRITTEN TESTIMONY WILL BE ACCEPTED)

Chair Colette Machado - Just for the record we have not received any advance testimony. Any late testimony that we will receive today will be distributed to you after the meeting.

Now we will move on to item III. I would like to call on Trustee Dan Ahuna for the motion to waive Action Item BOT #20-04 to the BOT.

III. NEW BUSINESS

A. **Request for approval to waive Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2 from the Committee on Resource Management to the Board of Trustees pursuant to the Office of Hawaiian Affairs Board of Trustees Bylaws (approved March 5, 2020) Article VIII, Section L**

Trustee Brendon Kalei‘āina Lee – Point of order Madame Chair.

Chair Colette Machado – Trustee Lee.

Trustee Brendon Kalei‘āina Lee – I believe we made this motion last week and we waived this to the Board already before the workshop.

Carol Hoomanawanui – We are doing the action item today.

Trustee Brendon Kalei‘āina Lee – I got it, thank you for clarifying Carol.

Trustee Dan Ahuna moves to approve a waiver of Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2 from the Committee on Resource Management to the Board of Trustees pursuant to the OHA BOT Bylaws (approved March 5, 2020) Article VIII, Section L.

Trustee Robert Lindsey seconds the motion.

Chair Colette Machado – Any questions from the Trustees for the waiver from the RM Committee to the BOT? Hearing none roll call vote please madame secretary.

Trustee Dan Ahuna moves to approve a waiver of Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2 from the Committee on Resource Management to the Board of Trustees pursuant to the OHA BOT Bylaws (approved March 5, 2020) Article VIII, Section L.

Trustee Robert Lindsey seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			x			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'AINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY						Not present at time of vote
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passes with eight (8) yes votes and one (1) excused.						

(Note: During the time of the vote Trustee Carmen Hulu Lindsey was online but experiencing technical difficulties during the roll call vote. She could not verbally express her vote.)

9:57 am Trustee Carmen Hulu Lindsey leaves the meeting.

Dayna Pa – If we could wait for a little while to confirm where she is.

Chair Colette Machado – Yes, we will wait to determine her status for reconnection.

9:57 am Chair Colette Machado calls a recess.

9:59 am Trustee Carmen Hulu Lindsey returns to the meeting.

9:59 am Chair Colette Machado reconvenes the meeting.

Chair Colette Machado – We will go directly to III. Discussion is now on Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2.

B. Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2

Chair Colette Machado – I would like to address this matter to your CEO Sylvia Hussey.

Sylvia Hussey - I have a short PowerPoint and will open it up for questions. I did want to remind the Trustees, the action item attachment 1 there was an updated document that was sent out right before the meeting that will part of the replacement action items. Last night administration followed up with the workshop questions so the information about contracts and teacher education preparation as well as rent for our places were emailed out last

night to the Board and the Board staff. You should have that as follow up. We will do the same thing as well with this action item session. If there are additional follow up information that is needed we will accumulate that and send that our in subsequent memo.

(Attached is the PowerPoint slide titled: Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2)

In summary the administration action item realignment number 2 has three major components to it. One, it is a beneficiary focused realignment and that means in this realignment we are addressing \$2.7 million increases in grants which a majority of which the Board took action on May 7th, 2020 for the COVID-19 responses. In fiscal year 2021, the budgets that are here are to increase grants \$2.4 million for beneficiary and community distribution.

The second focus of the realignment is about being fiscally responsive. So in this realignment administration decreased salaries and wages and related fringe costs by freezing unfilled positions and increasing vacancy rate assumption. Previously we would use the vacancy rate assumption of 5%, we increased it to 8% and we are currently experiencing a vacancy rate of 15%. So we were able to redistribute resources to be able to increase beneficiary focused dollars.

Last but not least the realignment is policy compliant specifically to the Fiscal Stabilization Policy that the Board approved in September 2019. There is a \$3 million Fiscal Stabilization funding authorization request to replace the general funds appropriation for Fiscal year 2021. Then there is a Fiscal Year 2021 fiscal stabilization ask to address COVID-19 responses for the organization and beneficiaries. That's the summary of the realignment action item. We appreciate the Board workshop last week and the great questions and follow up. We hope that we have provided you that information and again if there is any additional information we have our Administration staff if there are any questions that came up subsequent to last week's Board workshop and that you would like administration to address. That is it Chair.

Chair Colette Machado – Is there any questions for Sylvia regarding her presentation of the Action Item that Administration is recommending for approval. There will be three separate motions for your consideration.

Trustee Robert K. Lindsey – Chair.

Chair Colette Machado – Chair recognizes Trustee Robert K. Lindsey.

Trustee Robert K. Lindsey – I don't have a question, I just want to applaud Sylvia, Gloria and Grace and her support team for a great job that they have done with the realignment budget. The focus of the three different areas that she just went over for us is all right on the money. I want to thank Sylvia and her gang for a job well done.

Trustee Leina'ala Ahu Isa – Chair.

Chair Colette Machado – Chair recognizes Trustee Leina'ala Ahu Isa.

Trustee Leina'ala Ahu Isa – I also want to echo Trustee Robert K. Lindsey's sentiment on Sylvia. I know with this job market now, I got her latest email on how she moving around people. I just want to applaud you. I want to know how you are recruiting at this time now. Isn't it difficult? I don't want you to burn out and do all the work. This is a lot of work for one person to do. Mahalo.

Chair Colette Machado – Any other Trustee would like to be recognized?

Trustee John Waihe'e IV – I have a question Chair.

Chair Colette Machado – Trustee John Waihe'e IV please.

Trustee John Waihe'e IV – In the action item I go there are 6 different motions. But we are going to do three.

Chair Colette Machado – We are dividing up into the Fiscal Stabilization and then we will move over to the Biennium Budget.

Trustee John Waihe'e IV – I will just wait and see what happens. Thanks.

Chair Colette Machado – Why don't we put the motions up relating to Fiscal stabilization, there are three motions affiliated with that, what Sylvia just described.

Fiscal Stabilization Policy

Motion #1: Undesignate \$1,445,000 in unspent, unencumbered funds (fka Fiscal Reserve) from FY 2018, for the purposes noted below:

1. **\$500,000 to support Disaster Recovery;**
2. **\$500,000** to support the audit by the State Auditor as required by State of Hawaii's Act 37/HB172;
3. **\$100,000** for the purposes of repatriation (e.g., iwi kupuna, moe pu, funerary items), beyond current fiscal biennium project;
4. **\$120,000** for litigation contingencies; and
5. **\$225,000** for possible fringe rate increases beyond current FY 2020 budgeted 63% fringe rate, to enable the BOT to re-designate funds.

Motion #2: Authorize the additional funding of the Fiscal Stabilization Fund in the amount of \$1,500,000, noting the balance will be \$3,000,000.

Motion #3: Approve the use of the Fiscal Stabilization Fund in the amount of \$3,000,000 in FY20, to be drawn in quarterly increments of \$750,000 in FY21, to replace the General Funds appropriation for FY21.

This is only relating to Fiscal Stabilization. Is there any questions on the motion or where we are moving because the next round of motions will be related to the overall budget.

Trustee John Waihe'e IV – Chair.

Chair Colette Machado - Go ahead Trustee Waihee.

Trustee John Waihe'e IV – I rather ask it after the motion is made.

Chair Colette Machado – Members we have the first motion related to Fiscal Stabilization. It's to undesignate unspent, unencumbered funds from FY 2018 for the purposes noted below there are five areas.

1. \$500,000 to support Disaster Recovery;
2. \$500,000 to support the audit by the State Auditor as required by State of Hawaii's Act 37/HB172;
3. \$100,000 for the purposes of repatriation (e.g., iwi kupuna, moe pu, funerary items), beyond current fiscal biennium project;
4. \$120,000 for litigation contingencies; and
5. \$225,000 for possible fringe rate increases beyond current FY 2020 budgeted 63% fringe rate, to enable the BOT to re-designate funds.

Trustee John Waihe'e IV moves to undesignate \$1,445,000 in unspent, unencumbered funds (fka Fiscal Reserve) from FY 2018, for the purposes noted below:

1. **\$500,000 to support Disaster Recovery;**
2. **\$500,000 to support the audit by the State Auditor as required by State of Hawaii's Act 37/HB172;**
3. **\$100,000 for the purposes of repatriation (e.g., iwi kupuna, moe pu, funerary items), beyond current fiscal biennium project;**
4. **\$120,000 for litigation contingencies; and**

5. **\$225,000 for possible fringe rate increases beyond current FY 2020 budgeted 63% fringe rate, to enable the BOT to re-designate funds.**

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado – Further discussion members, any questions to be raised. It is very clear on what we are doing with these funds and what purposes they will be used for.

Trustee John Waihe'e IV – Madame Chair.

Chair Colette Machado – Trustee Waihee.

Trustee John Waihe'e IV – Are these different, you know how we had the last action we just did.

Chair Colette Machado – Sylvia can you address this question.

Trustee John Waihe'e IV – It looks similar to that.

Sylvia Hussey – The designation in realignment #1 was to do these designations in the fiscal reserve at the time. With the fiscal stabilization policy it allowed by policy to hold these reserves. Now coming forward we need the reserves for the \$3 million. We need to undesignate this, you are right it is exactly the same as the realignment #1. What this first motion is doing is to undesignate what the board did so that we can fund and then repurpose the fiscal stabilization policy.

10:10 am Trustee Carmen Hulu Lindsey leaves the meeting.

Trustee John Waihe'e IV – Thank you.

Chair Colette Machado – Any other questions? There is a motion on the follow to approve the undesignated amount specified in the motion. It has been moved and seconded. I will call for the question. Roll call please.

Trustee John Waihe'e IV moves to undesignate \$1,445,000 in unspent, unencumbered funds (fka Fiscal Reserve) from FY 2018, for the purposes noted below:

1. \$500,000 to support Disaster Recovery;
2. \$500,000 to support the audit by the State Auditor as required by State of Hawaii's Act 37/HB172;
3. \$100,000 for the purposes of repatriation (e.g., iwi kupuna, moe pu, funerary items), beyond current fiscal biennium project;
4. \$120,000 for litigation contingencies; and
5. \$225,000 for possible fringe rate increases beyond current FY 2020 budgeted 63% fringe rate, to enable the BOT to re-designate funds.

Trustee Robert K. Lindsey seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'AINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY						Not present at time of vote
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E	x		X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1

MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED
 Motion passes with eight (8) and one (1) excused.

10:13 am Trustee Carmen Hulu Lindsey returns to the meeting.

Chair Colette Machado – Member we are on motion #2.

Trustee Ahuna moves to authorize the additional funding of the Fiscal Stabilization Fund in the amount of \$1,500,000, noting the balance will be \$3,000,000.

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado – Sylvia you want to explain this a little bit more if you need to if not I will call for the question. If there are any questions on this Fiscal Stabilization Fund in the amount of \$1.5 million.

Sylvia Hussey – It was already authorized for \$1.5 million when it was established in September of 2019, this is adding more funds.

Chair Colette Machado – Members any questions for Sylvia, if not we have a motion on the floor. Are we ready for the roll call vote please? Calling for the question please.

Trustee Ahuna moves to authorize the additional funding of the Fiscal Stabilization Fund in the amount of \$1,500,000, noting the balance will be \$3,000,000.

Trustee Robert K. Lindsey seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'AINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passes unanimously with nine (9) yes votes.

Chair Colette Machado – Members we are on motion 3, approve the use of the Fiscal Stabilization Fund in the amount of \$3,000,000.

Trustee Dan Ahuna moves to approve the use of the Fiscal Stabilization Fund in the amount of \$3,000,000 in FY20, to be drawn in quarterly increments of \$750,000 in FY21, to replace the General Funds appropriation for FY21.

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado – So this would be an incremental withdrawal of up to \$750,000 per quarter. If there are no questions I will call for the question. Madame secretary roll call vote please.

Trustee Dan Ahuna moves to approve the use of the Fiscal Stabilization Fund in the amount of \$3,000,000 in FY20, to be drawn in quarterly increments of \$750,000 in FY21, to replace the General Funds appropriation for FY21.

Trustee Robert K. Lindsey seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'AINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passes unanimously with nine (9) yes votes.

Chair Colette Machado – Thank you members now we are moving on to the Biennium Budget that we will look at. We have four motions to accommodate that action. I will call on Trustee Ahuna to read motion number 4.

Trustee Dan Ahuna moves to authorize the additional funding of the Fiscal Stabilization Fund in the amount of \$1,000,000.

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado – Sylvia would you like to have a little explanation on this authorization.

Sylvia Hussey – In accordance with policy the Fiscal Stabilization Fund is being used for the contingency of COVID-19 so a million dollars is being asked to be funded. Half a million for grants related to COVID-19 responses and then another half a million for operational use to ensure that OHA as an entity is able to address all the needs of the health and safety plan for its offices and employees.

Chair Colette Machado – Members I am opening up if there are any questions for Sylvia. If there are no questions I am ready for the roll call. Roll call please.

Trustee Dan Ahuna moves to authorize the additional funding of the Fiscal Stabilization Fund in the amount of \$1,000,000.						
Trustee Robert K. Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'ĀINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [x] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passes unanimously with nine (9) yes votes.						

Chair Colette Machado – Trustee Ahuna motion number 5.

Trustee Dan Ahuna moves to approve the use of the Fiscal Stabilization Fund in the amount of \$1,000,000 for COVID-19 related purposes in FY21.

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado – It has been moved and seconded by Trustee Ahuna and Trustee Robert K. Lindsey. I will call on Sylvia if you need to elaborate it is necessary.

Sylvia Hussey – Motion 4 was the funding authorization and motion 5 is the use authorization. So Trustees are approving the funding as well as the use of the dollars in the fiscal stabilization fund.

Chair Colette Machado – Members if there is no further discussion on this item I will do a roll call vote please.

Trustee Dan Ahuna moves to approve the use of the Fiscal Stabilization Fund in the amount of \$1,000,000 for COVID-19 related purposes in FY21.						
Trustee Robert K. Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'ĀINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [x] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passes unanimously with nine (9) yes votes.						

Chair Colette Machado – Members we are on motion number 6. It bifurcates an item identified as Moanalua Gardens for the Prince Lot Festival \$10,000. I was informed that there is a conflict by Trustee that serves on the Board of Directors. With that said I will call on Trustee Ahuna for motion number 6.

Trustee Dan Ahuna moves to approve OHA's Total Fiscal Budget Realignment #2 for Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) as outlined in Attachment 1, with the exception of the \$10,000 for the Prince Lot Hula Festival, an event sponsored by the Moanalua Gardens Foundation.

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado - It have been moved and seconded. Would you like to add anything Sylvia if it is necessary?

Sylvia Hussey – Attachment 1 there are two pages, Fiscal Year 2020 there are no changes to the attachment. It is in Fiscal Year 2021 there is a change here. This is just to ensure that it ties to the table 7 on page 23 of the Action item. If you have the electronic binder its page 38 of 302. Its just to ensure that the numbers tie out. There are no other changes there on the schedule. That is it Chair for that action item. The bifurcated Prince Lot Hula Festival is on Page 33 of the Action Item in the table and that's electronic page 48 of 302 if you want to see where that Prince Lot Hula Festival, that is in this line item in the grants line item.

Chair Colette Machado – Members any questions? Hearing none, roll call vote. We will have a Trustee who will recuse himself for the voting. I would like to note that for the record.

Trustee Brendon Kalei'āina Lee – That is not correct Madame Chair. There is no reason to recuse myself we removed the \$10,000 I will recuse myself on the next motion.

Chair Colette Machado – Yes, you are correct motion 7. With that said we will do a roll call vote. We are on motion number 6. Roll call please.

Trustee Dan Ahuna moves to approve OHA's Total Fiscal Budget Realignment #2 for Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) as outlined in Attachment 1, with the exception of the \$10,000 for the Prince Lot Hula Festival, an event sponsored by the Moanalua Gardens Foundation.
Trustee Robert K. Lindsey seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'AINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E					X - Abstain	
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8		1-abstention	

MOTION: UNANIMOUS PASSED DEFERRED FAILED
Motion passes with eight (8) yes votes and one (1) abstention.

Chair Colette Machado – Members I will call on Trustee Ahuna for motion number 7.

Trustee Dan Ahuna moves to Approve \$10,000 event sponsorship for the Prince Lot Hula Festival, sponsored by the Moanalua Gardens Foundation.

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado – Members, I stand corrected at this particular motion because we are approving the sponsorship of the \$10,000. There will be a recusal by a Trustee on this action. With that said I will call on Madame Secretary for the roll call vote please.

Trustee Dan Ahuna moves to Approve \$10,000 event sponsorship for the Prince Lot Hula Festival, sponsored by the Moanalua Gardens Foundation.
Trustee Robert K. Lindsey seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'AINA LEE						Recused
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1 - Recused

MOTION: UNANIMOUS PASSED DEFERRED FAILED
Motion passes eight (8) yes votes and one (1) recusal.

IV. EXECUTIVE SESSION

Chair Colette Machado – I have been advised at you know we have finished all of our business at this point. Before we go into executive session I will have to call a recess then reconvene. We will be connecting with MS Teams. Once everyone has logged on to MS Teams please reconvene the meeting. I will then take a roll call vote. I would like to move into Executive Session.

Trustee Dan Ahuna moves to recuse into executive session pursuant to HRS § 92-5(a)(4).

Trustee Robert K. Lindsey seconds the motion.

Chair Colette Machado – It has been moved and seconded, roll call please.

Trustee Dan Ahuna moves to recuse into executive session pursuant to HRS § 92-5(a)(4). Trustee Robert K. Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI'AINA LEE			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [x] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion unanimously passes with nine (9) yes votes.						

Chair Colette Machado – We will recuse ourselves into Executive Session.

The Board resolved into Executive Session at 10:27 am

- A. Consultation with Board Counsel Robert G. Klein, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities relating to Civil No. 17-1-1823-11 JPC, (OHA v. State, et. al.). Pursuant to HRS § 92-5(a)(4).**
- B. Consultation with Board Counsel Robert G. Klein, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities relating to Civil No. 1-CCV-20-0000259 (OHA v. State Auditor). Pursuant to HRS § 92-5(a)(4).**

The Board reconvenes in open session at 11:26 am.

V. ANNOUNCEMENTS

None

VI. ADJOURNMENT

11:26 am Trustee Leina'ala Ahu Isa and Trustee Carmen Hulu Lindsey leave the meeting.

Trustee Dan Ahuna – Madame Chair.

Chair Colette Machado – Trustee Dan Ahuna.

Trustee Dan Ahuna moves to adjourn the meeting.

Trustee Brendon Kalei‘āina Lee seconds the motion.

Chair Colette Machado – It has been moved and seconded. Roll call vote please.

Trustee Dan Ahuna moves to adjourn the meeting. Trustee Brendon Kalei‘āina Lee seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA						left at 11:26 am
TRUSTEE DAN AHUNA	x		X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON KALEI‘ĀINA LEE		x	X			
TRUSTEE CARMEN HULU LINDSEY						Left at 11:26 am
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passes seven (7) yes votes and two (2) excused.						

The meeting was adjourned at 11:28 am.

Respectfully submitted,

Dayna Pa, Board Secretary

As approved by the Board of Trustees on September 10, 2020.

Colette Y. Machado, Chairperson
Board of Trustees

Attachment:

1. PowerPoint slide titled: Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #2

