

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
Virtual Meeting via Zoom Webinar**

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Fourteen Supplementary Proclamation dated October 13, 2020 that suspend 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 virtual meetings can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listen by phone: (213) 338-8477, Webinar ID: 947-5117-9751

**Minutes of the Office of Hawaiian Affairs Board of Trustees Meeting
Tuesday, October 22, 2020
9:30 am**

ATTENDANCE:

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

ROBERT KLEIN, BOARD COUNSEL

EXCUSED:

TRUSTEE COLETTE MACHADO
TRUSTEE DAN TRUSTEE AHUNA

ADMINISTRATION STAFF:

SYLVIA HUSSEY, CEO
STERLING WONG, ICDO, ICA
RAINA GUSHIKEN, CC
EVERETT OHTA, CC
KEVIN CHAK, IT
MEHANA HIND, CE
DANIEL SANTOS, IT
RAMONA HINCK, CFO
NIETZSCHIE OZAWA, IPM

BOT STAFF:

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

GUESTS:

SYDNEY KELIIPULEOLE
DR. CLAIRE HUGHES

I. CALL TO ORDER

Trustee Brendon Kalei'āina Lee Calls the Board of Trustees meeting to order at 9:30 pm. She states that he has received excused absences from Trustee Dan Ahuna and Trustee Colette Machado. Roll call is taken to identify the Trustees that are participating; Trustees Ahu Isa, Akaka, Akina, Trustee Robert Lindsey, Trustee Carmen Hulu Lindsey, Trustee John Waihe'e IV and Lee, constituting a quorum of seven Trustees.

Thank you, I need to read these instructions before we begin today. Welcome to the OHA Board of Trustees meeting. As a reminder, please mute your mic until you need to speak to eliminate any background noise, which makes it difficult to hear and affects the quality of sound on the live stream. Trustees and the OHA CEO who are

joining by video conference. Please enable your camera if you are able to do so. All other OHA staff please enable your camera when you need to address the board. When you would like to speak on mute your mic and adjust the Chair to be recognized. When the chair recognizes you proceed to speak. Please mute your mic when you are done. At the prompting of the Chair the Board Secretary will do a roll call to determine quorum. If you are disconnected we will pause the meeting for one minute and wait for you to log back on. After one minute we will proceed with the meeting provided we have a quorum. If you need to leave the meeting, please inform the Chair by announcing you are leaving the meeting.

We are recording today's meeting for the sole purpose of producing written meeting minutes, which will become the official record of this meeting. Joining the Trustees today is Robert G. Klein, Board Counsel as well as Kurt Klein. Ka Pouhana Sylvia Hussey, along with Carol Hoomanwanui, Dayna Pa, Lopaka Baptiste, Laurene Kaluau-Kealoha, Kevin Chak and Dan Santos as support staff. I will call on Ka Pouhana Sylvia to announce the names of the administrative staff also joining us today.

Sylvia Hussey, CEO - Thank you Trustee Lee. We have interim Chief Operating Officer and Interim Chief Advocate Sterling Wong, Senior Legal Counsel Raina Gushiken, Assistant Legal Counsel Everett Ohta and Community Engagement Director Mehana Hind. Thank you.

II. APPROVAL OF MINUTES

- A. October 6, 2020**
- B. October 8, 2020**

Chair Brendon Kalei'aina Lee - Mahalo members, we are moving onto II. the approval of the minutes. As the minutes have been provided in the board packet ahead of time it has been identified that there are corrections that need to be made to the minutes. The Chair will entertain a motion to defer the minutes till time uncertain.

Trustee Akina moves to defer the minutes of October 6 and October 8, 2020.

Trustee Waihe'e seconds the motion.

Chair Brendon Kalei'aina Lee - It's been moved by Trustee Akina and seconded by Trustee Waihe'e if there is no objection, the motion shall carry. Thank you members. Moving on to III. public testimony.

III. PUBLIC TESTIMONY ON ITEMS LISTED ON THE AGENDA

Chair Brendon Kalei'aina Lee - Trustees, you should have received in your packet testimony from Shannon Edie, from the Native Hawaiian Chamber of Commerce. It was in support of our action item BOT 20-09. We have two members signed up for today. The first person we have signed up is Sidney Keliipuleole from the Native Hawaiian Chamber of Commerce.

Before we begin the public testimony, I need to read the following. So public testimony must be limited to matters listed on the meeting agenda and will occur during the public testimony portion on the agenda. Once the public testimony section on the agenda has concluded, oral testimony online will no longer be accepted. Your name will be called and your microphone will be unmuted when it is your turn to testify. If you are not audible you will be muted on the next testifier will be called. Your name will be called again before the conclusion of the public testimony section. State your name organization if applicable. Agenda items you are testifying on and your position, support, oppose or comment on each of the agenda items. If you begin to address other issues not on today's meeting agenda, the Chair will call you out of order and direct you to limit your testimony to items listed on the agenda. Oral testimony online will be limited to 5 minutes. A timer will be onscreen to countdown the time

a chime sound when you have 30 seconds left and a second chime when your testimony time expires. Your mic will automatically be muted once you have completed your oral testimony or if you're allotted time for testimony expires I will call on staff to call on the list of Testifiers.

Carol Hoomanwanui - The first testifier registered to speak is Sydney Keliipuleole.

Sydney Keliipuleole - Thank you, good morning Trustees and OHA staff. I am Sidney Keliipuleole, Secretary of the Board of Directors Native Hawaiian Chamber of Commerce. Our President, Shannon Edie, has submitted written testimony just like many leaders these days. Shannon is running at 3D Virtual Conference and unable to participate. You have our written testimony in support of resolution Action Item 20-09 honoring Dr. Claire Hughes. So let me just summarize and hit the highlights.

Founded nearly five decades ago, in 1974, the Native Hawaiian Chamber of Commerce I will refer to us as NHCC this morning. We recently refresh our mission statement. Today our mission is to Malama Native Hawaiians Business and Commerce through leadership, relationships and connections to economic resources and opportunities. For nearly three decades, Dr. Claire Kuuleilani Hughes has been an NHCC member. Thank you for honoring Auntie Claire with this resolution. We think she's special too. Dr. Hughes has been an active member of our Board of Directors for many years, including serving as a past President. She currently serves as Chair of our Scholarship Program Committee, which provides college tuition assistance for Native Hawaiians pursuing a degree in business, and how appropriate can that be? As a lifelong student, earning her Doctorate in public health, she's a living testament to the value and power of Education. Your resolution recognizes Dr. Hughes for her leadership and contribution to native Hawaiian health. She has been recognized in many other ways with many other awards and accolades, including as a 2012 recipient of our NHCC O'o award, which honors outstanding Native Hawaiians who have made significant contributions within the Hawaiian community.

To wrap up, my remarks are written testimony, includes comments of Auntie Claire that are very personal to our president, Shannon Edie, too personal that my oral remarks cannot do it justice this morning. However, there is one passage by Shannon that I would like to read and it goes like this. As a relatively young leader of an organization that has been in existence for decades, it's important to me that we, the Native Hawaiian Chamber of Commerce, continue to adapt and progress while remaining grounded in where we came from and why we were formed. For this reason, Dr. Hughes has been and continues to be an important part of the organization. During this pandemic times, it's been a pleasure for me, speaking from Shannon, to witness Auntie Claire adapt to the new normal. Including racing from one zoom meeting to another zoom meeting. So even virtually Auntie Claire continues to lead by example. The Native Hawaiian Chamber of Commerce proudly and strongly supports this resolution, honoring the contributions of NHCC Member Dr. Claire Hughes to the Native Hawaiian community in the State of Hawaii. Thank you, Trustees. Thank you for the opportunity to provide our testimony in support of this resolution, Mahalo.

Chair Brendon Kalei'āina Lee - Mahalo Sidney.

Carol Hoomanwanui - The next testifier is Kim Kuulei Bernie. I don't see her on Mr. Chair and there are no other testifiers that signed up or registered to provide public testimony.

Chair Brendon Kalei'āina Lee - Just so the members know Kim Kuulei Bernie is from Papa Ola Lokahi and she was also testifying in support of our resolution honoring Dr. Claire Hughes. Since there's no other testifiers members, let's move onto IV. Committee on Beneficiary Advocacy and Empowerment.

IV. NEW BUSINESS

A. Committee on Beneficiary Advocacy and Empowerment

1. OHA Federal Legislative Position – Matrix, September 23, 2020

Chair Brendon Kalei‘āina Lee – The Chair will call on Trustee Waihe‘e, Chair of the BAE Committee.

Trustee John Waihe‘e IV moves to approve Administration’s recommendations on:

- **OHA FED 9 through OHA FED 23 all as SUPPORT; where OHA FED 9 is SUPPORT of S. 524 only, as the House Bill version, as amended, is not yet available; and OHA FED 21 is SUPPORT of both, S. 3650, as amended and H.R. 6535**

on the OHA Federal Priorities for the 116th Congress – Federal Legislative Matrix dated 09/23/20.

Trustee Kalei Akaka seconds the motion.

Trustee Brendon Kalei‘āina Lee - Thank you, it's been moved by Trustee Waihe‘e and seconded by Trustee Akaka. Trustee Waihe‘e I believe you have some discussion on this. You have a motion to amend, correct?

Trustee John Waihe‘e IV - This this amendment has not happened yet.

Chair Brendon Kalei‘āina Lee - Yeah, but because the original motion was disseminated already to the members, we needed to take that motion. Ok, so you can amend it now.

Dayna Pa - Just to clarify, this is from September.

Trustee John Waihe‘e IV moves to amend the motion to approve administration's recommendations:

- **OHA FED 9 through OHA FED 23 all as SUPPORT, where OHA FED 9 is SUPPORT of S. 524 only, as the House Bill version, as amended, is not yet available; and OHA FED 21 is SUPPORT of S. 3650, as amended, only.**

On the OHA Federal Priorities for the 116th Congress – Federal Legislative Matrix dated 09/23/20.

Trustee Kalei Akaka seconds the motion.

Chair Brendon Kalei‘āina Lee - Thank you Trustee Akaka and Trustee Waihe‘e. It's been moved by Trustee Waihe‘e and seconded by Trustee Akaka amend the original motion just to remove the support for the house version of Senate 3650. Is there any discussion on the amendment only? Hearing none secretary, can I have a roll call vote please.

Trustee John Waihe'e IV moves to amend the motion to approve administration's recommendations:

- OHA FED 9 through OHA FED 23 all as SUPPORT, where OHA FED 9 is SUPPORT of S. 524 only, as the House Bill version, as amended, is not yet available; and OHA FED 21 is SUPPORT of S. 3650, as amended, only.

On the OHA Federal Priorities for the 116th Congress – Federal Legislative Matrix dated 09/23/20.

Trustee Kalei Akaka 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	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E	x		X			
TRUSTEE COLETTE MACHADO						X
TRUSTEE BRENDON KALEI'ĀINA LEE			X			
TOTAL VOTE COUNT			7			2
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passes with seven(7) yes votes and two (2) excused vote.						

Chair Brendon Kalei'āina Lee - Thank you members now that the amendment has been approved. Is there any discussion on the main motion to support administration's position on the Federal Matrix. Hearing none, on board Secretary can I have a roll call vote, please.

Trustee John Waihe'e IV moves to approve Administration's recommendations on:

- OHA FED 9 through OHA FED 23 all as SUPPORT; where OHA FED 9 is SUPPORT of S. 524 only, as the House Bill version, as amended, is not yet available; and OHA FED 21 is SUPPORT of both, S. 3650, as amended and H.R. 6535

on the OHA Federal Priorities for the 116th Congress – Federal Legislative Matrix dated 09/23/20, **as amended.**

Trustee Kalei Akaka 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	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E	x		X			
TRUSTEE COLETTE MACHADO						X
TRUSTEE BRENDON KALEI'ĀINA LEE			X			
TOTAL VOTE COUNT			7			2
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passes with seven(7) yes votes and two (2) excused vote.						

B. Action Item BOT #20-09: Approval of A Resolution of The Office of Hawaiian Affairs Honoring the Contributions of Dr. Claire Hughes to the Native Hawaiian Community and the State of Hawai'i

Chair Brendon Kalei'āina Lee - We are now on letter B of Roman number IV. Action Item BOT #20-09. Before we take this matter up, I would like to turn the floor over to Ka Pouhana Sylvia Hussey to speak to the merits behind the motion before we take any action on the motion, before we bring the motion before the board.

Sylvia Hussey, CEO - Thank you Chair Lee. I will ask Interim Chief Operating Officer and Community Engagement Director Sterling Wong, Mehana Hind to go ahead and provide context for the administration recommendation of the resolution. So Sterling and Mehana.

Sterling Wong – Aloha Chair, Trustees Sterling Wong for the administration. I will turn it over to Mehana so she can present the resolution on this very beloved kupuna. So without further ado, I'll turn over to Mehana.

Mehana Hind - Can I read through the resolution at this time Chair?

Chair Brendon Kalei'āina Lee – Mehana give some background first and then before you read it, I'll entertain the motion to bring it before the Board. So then you can read it.

Mehana Hind - Auntie Claire Hughes, Dr. Claire Hughes, excuse me. Has been such a pillar in the native Hawaiian community and not only for our community, but for the entire pae aina. She has been the epitome of servant leadership. She has crossed boundaries that people don't usually cross between healthcare, between community service, between State Government and then nonprofit work. Also, you know Auntie Claire Hughes, I sorry I finally called her Auntie Claire Hughes because that's the kind of woman that she has meant to a lot of us younger women, native Hawaiian women who also aspired to do the type of servant leadership that she has. She has done it her entire life. She has through her firm and but subtle ways been able to shift paradigms that were at the cutting edge of our wellbeing. From the time that she served in the State of Hawaii Department of Health all the way through until now, even though she is retired like uncle Sydney Keliipuleole had said earlier, she is still as vibrant, as involved as ever, with many of the initiatives that are going on today to affect the health and well-being of our people and for the people across the pae aina. Chair, may I read the resolution?

Chair Brendon Kalei'āina Lee – Yes, go ahead Mehana.

Mehana Hind - This action item BOT 20-09: Approval of “A resolution of the Office of Hawaiian Affairs honoring the contributions of Dr. Claire Hughes to the Native Hawaiian Community and the State of Hawai'i.

Whereas, Dr. Claire Kuuleilani Hughes was raised on Kaua'i and on O'ahu, graduating from the Kamehameha Schools in 1954; and

Whereas, Dr. Hughes earned a Bachelor of Science degree from Oregon State University, a Masters degree in Public Health Nutrition from the University of Hawai'i at Manoa, and a doctorate in public health from the University of Hawai'i at Manoa; and

Whereas, Dr. Hughes became Hawai'i's first Native Hawaiian registered dietitian in 1959; and

Whereas, Dr. Hughes began her career as a head dietitian for Kamehameha Schools, later serving as the School's food supervisor; and

Whereas, during the 1960s Dr. Hughes also served briefly as part-time dietitian for Kaiser Hospital, and for Pōhai Nani's extended care facility; and

Whereas, in 1969 Dr. Hughes became a clinical dietitian and public health nutritionists with the State of Hawai‘i Department of Health, eventually moving into leadership and becoming the DOH Nutrition Branch Chief; and

Whereas, Dr. Hughes retired from the Department of Health after 33 years of service; and

Whereas, in the late 1980s Dr. Hughes worked with doctors. Kekuni Blaisdell and Emmett Aluli to study the high incidence of chronic diseases in Native Hawaiians on Moloka‘i, widely acknowledged to be groundbreaking work that established the value of returning to a traditional Hawaiian diet to restore and maintain health; and

Whereas, this work resulted in Dr. Hughes’ development of a diet called Ho‘oke ‘Ai that utilized traditional foods. And was predecessor of other traditional Hawaiian diets, including the Wai‘ane diet, the Hawai‘i diet and ‘Ai Pono; and

Whereas, this study and the development of the Ho‘oke ‘Ai diet led to the establishment of Nā Pu‘uwai, the native Hawaiian Healthcare system still serving Moloka‘i and Lāna‘i; and

Whereas, outside of her full-time job with the Department of Health, Dr. Hughes collaborated to improve Hawaiian health, contributing to Alu Like’s landmark E Ola Mau Hawaiian Needs Study in 1985; and

Whereas, as a result of this work, Dr. Hughes was selected to be part of a panel called upon to testify on Hawaiian health care concerns before the United States Senate, which led to the passing of the Native Hawaiian Health Care Act (NHHCA) of 1988; and

Whereas the federal funding secured as a result of the NHHCA in 1988, led to the establishment that same year of Papa Ola Lōkahi, the first Native Hawaiian Health Care System, as well as to the establishment of the Native Hawaiian Health Scholarship program; and

Whereas, Dr. Hughes has published extensively in academic journals on diet, nutrition, diet's relationship to chronic disease, minority health research, and ethnic health databases; and

Whereas, Dr. Hughes has developed numerous culturally sensitive Health intervention programs for Native Hawaiians targeting obesity-related condition; and

Whereas, Dr. Hughes’ civic engagement is evident in her history of involvement and leadership with numerous local, national and international organizations, including the American Cancer Society, the Association of Hawaiian Civic Clubs, Hā Kūpuna - National Resource Center for Native Hawaiian Elders, Hui Hānai, Lili‘uokalani Trust, Ke Ola Mamo, Native Hawaiian Chamber of Commerce and the World Medicine Institute; and

Whereas, at the American Cancer Society, Dr. Hughes organized the first committee dedicated to addressing cancer in the Hawaiian community brought cancer screening screenings and health topics to the annual Hawaiian Civic Club Conventions; and

Whereas, Dr. Hughes’ efforts to educate and to improve the health of Native Hawaiians, as well as the health of the larger community, has been recognized by the conveyance of multiple awards including the State Association of Hawaiian Civic Clubs’ Kalaniana‘ole Award in 1994, Papa Ola Lōkahi’s Ka‘ōnohi Award in 1996, Honpa Hongwanji’s Living Treasure Award in 2011, the Native Hawaiian Chamber of Commerce’s Ō‘ō Award in 2011, ‘Aha Hīpu‘u’s Kalani Ali‘i Award in 2015, and the Rotatry Club of West Honolulu’s David Malo award in 2017; and

Whereas, Dr. Hughes’ lifelong dedication and tireless work has been critical in advancing Native Hawaiian health care initiatives, impacting the lives and health of countless Native Hawaiians for decades; and

Whereas, in light of Dr. Hughes’ recent retirement in June 2020, as the longtime health columnist for OHA’s *Ka Wai Ola* newspaper; now, therefore.

Be it resolved that the OHA Board of Trustees expresses its recognition of Dr. Claire Ku‘uleilani Hughes’lifelong leadership in the field of Native Hawaiian health, as the first Native Hawaiian registered dietitian in the State of Hawai‘i and Chief of the Nutrition branch of the Department of Health, and a daughter of Hawai‘i who was instrumental in passing of the Native Hawaiian Health Care Act at the federal level and the creation of Papa Ola Lōkahi, the first Native Hawaiian Health Care system; and

Be it further resolved, that the OHA Board of Trustees expresses its appreciation to Dr. Hughes for her extraordinary efforts to improve Native Hawaiian Health ‘ai pono and by her advocacy and leadership in numerous health studies, by her civic engagement and lifetime of servant leadership through her involvement in various Native Hawaiian and health organizations; and

Be it further resolved, that the OHA Board of Trustees expresses its gratitude to Dr. Hughes for her 23 years as a columnist for OHA’s *Ka Wai Ola* newspaper, writing on Native Hawaiian health issues and the cultural traditions related to ola kino in her monthly “Mālama i Kou Kino” column.

Be it further resolved, that a certified copy of this Resolution be transmitted to Dr. Claire Ku‘uleilani Hughes and her ‘ohana.

Adopted, this 22nd day of October 2020, island of O‘ahu. State of Hawai‘i by the Board of Trustees of the Office of Hawaiian Affairs.

Trustee Carmen Hulu Lindsey - Mr. Chair.

Chair Brendon Kalei‘āina Lee - Trustee Lindsey

Trustee Carmen Hulu Lindsey moves that the OHA Board Of Trustees approves a Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Claire Hughes to the Native Hawaiian Community and the State of Hawai‘i at Attachment A.

Trustee Kalei Akaka seconds the motion.

Chair Brendon Kalei‘āina Lee - It's been moved by Trustee Carmen Hulu Lindsey and seconded by Trustee Kalei Akaka. The chair will not open the floor up to discussion. We wish Dr. Claire whose could join us this morning. Unfortunately, she's not present with us today. Chair will call on Trustee Akina

Trustee Keli'i Akina - Thank you Mr. Chair. I just want to say that it is a true honor and pleasure today to lend my signature along with the fellow trustees of this board to this resolution honoring Claire Hughes amongst Hawaiians, Native Hawaiians and all people in the islands. There are few such role models. She's been a role model of Education, professional accomplishment and true service to the people of Hawaii. And we're very honored to be able to honor her. Mahalo

Chair Brendon Kalei‘āina Lee - Thank you Trustee Akina, any other members? No. Hearing none the Chair would like to say a few words. Aunty Claire as she's known by me as well, has been a big part of my life. I've known at Aunty Claire my entire life. Being a lifelong member of the Association of Hawaiian Civic Clubs. Aunty Claire's example to me growing up as a native Hawaiian leader has been invaluable. Having her a member of our body for the AHA 2016 was also invaluable. Not a lot of people are aware of this. If they weren't following the daily videos from the AHA but Aunty Claire is the person who made the motion to adopt the constitution and that was made by Aunty Claire. We thank Aunty Claire for all she's done for Ka Wai Ola, for OHA, for the lahui and all of Hawaii. I just got a message and Aunty Claire is having trouble getting on so. I don't want to hold up the meeting so we're gonna go ahead and proceed at this time and then.

Carol Hoomanawanui - Yes, it looks like she is an.

10:01 am Dr. Claire Hughes joins the meeting.

Chair Brendon Kalei‘āina Lee – Aloha Auntie Claire, the Chair will turn the time over to you.

Dr. Claire Hughes - I am embarrassed you folks all set so many things that I have forgotten about already. But I would like to thank you very much for honoring me this morning with the recognition of my work. And, you know, it's not only my work, it's a work of many Hawaiians who helped with all of the things that were accomplished. I'm just the one up front today and so I need you to recognize the fact that Hawaiians work as a team always, and so we never have, we never should get individual recognition like I have today. So I'm embarrassed and but I'm also very grateful for the time and effort put into this recognition.

There are so many things in health that are still not good. And that is the whole reason I got involved in the Native Hawaiian Health Care Act and all the rest of the activities that I've done in the community with the civic clubs and everything else. Trying to elevate the health of Native Hawaiians. Sadly, we no longer have the ability to eat like our ancestors. If we are all to have dinner with poi tonight, then be no more poi in the whole pae aina for the next week. There is not enough poi for us. We can't afford it. It's about \$20 a container 1 pound container for Hanalei poi at my Safeway. Who can afford that kind of money? So we have a lot of work yet to be done. And the native Hawaiian health Care Act is in the process of being reauthorized. And I really implore you to support this effort that Papa Ola Lokahi is making and as individuals in other organizations, you have to get on the bandwagon too.

If a certain individual that I support gets in as President this election for the United States President, there will be less problem. But we still need to advocate for that Native Hawaiian Health Care Act or the funding will be reduced where we can't do much. We have much kuleana in this area. Many of our people are suffering from illnesses and so I don't want to make too much of a, get on my high horse about this for too long a time. I just want to let you know that I probably gonna appear at your table and bang on the table for a recognition as I fight for Native Hawaiian Health programs in the in the future. We need to have more health care providers who actually want to give back to their community. We have many nutritionists today who have their Masters and Doctorates. Not too many show up when there's work to be done. So we have a problem with that and we can generate efforts amongst our young people to feel that ohana, kakou thing, you know that kakou effort in everything we need to do. We are so few in number we don't have the support of our community. We don't have the support of our community. We didn't have it when we did the Native Hawaiian Health Care Act. All of that was done on our own personal time. Our own personal typewriters, that kind of effort could really needs to continue.

We really need to do a lot of it on our own because our support in the community is not improving. So I'm gonna leave you today. I think with the cheerful note that I'm willing to work on some more, I'm willing to carry the flag and make way for us as we advocate in the public for additional care. But we need to wake our own ohana up our own lahui up. We can't change anything. They don't change. So we need to come up with good ways to get our ohana thinking about the traditional ways of our people. And I believe that effort, and I know that there will be people that will follow me because I make plenty of noise when I go around places and people are embarrassed and so they help me. I will do that again. Thank you so much again and thank you for allowing me to make so much of an issue this morning of Native Hawaiian health. But we can't talk about it enough and I thank you for the accolades given to me personally as I have said earlier, it was a kakou thing. I never did it alone. There was always a core of people that made it happen and I hope I'm looking at the core right now of our new effort. Thank you, thank you very much.

Chair Brendon Kalei‘āina Lee - Mahalo Auntie Claire. You are welcome at our table anytime. I am going to miss not being able to see you at convention this year. As always, I miss our cocktails at Kincaids. But Thank you auntie Claire, we wish you the best and like I said, you're always welcome at our table, Mahalo.

Dr. Claire Hughes - Thank you very much. Aloha

Chair Brendon Kalei‘āina Lee - Madam Secretary, I believe I have a motion and a second.

YouTube.

Dayna Pa – It was moved by Trustee Hulu and seconded by Trustee Akaka.

Chair Brendon Kalei‘āina Lee - Correct, can I have a roll call vote please?

Trustee Carmen Hulu Lindsey moves that the OHA Board Of Trustees approves a Resolution of the Office of Hawaiian Affairs Honoring the Contributions of Dr. Claire Hughes to the Native Hawaiian Community and the State of Hawai‘i at Attachment A. Trustee Kalei Akaka 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	X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE CARMEN HULU LINDSEY	x		X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE‘E			X			
TRUSTEE COLETTE MACHADO						X
TRUSTEE BRENDON KALEI‘ĀINA LEE			X			
TOTAL VOTE COUNT			7			2
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passes with seven(7) yes votes and two (2) excused vote.						

Chair Brendon Kalei‘āina Trustee Lee – Mahalo, it is my great honor that we have a unanimous vote in support of this resolution for our dear honored Auntie Dr. Claire Hughes. Thank you members.

C. Report of the Permitted Interaction Group re: the investigation of the development of specified T-Level Trustee policies for OHA’s Board Governance Framework; presentation only, no discussion or decision-making. Pursuant to HRS § 92-2.5(b)(1)(B)

Chair Brendon Kalei‘āina Trustee Lee - Members going onto.

Sylvia Hussey, CEO – Chair Lee.

Chair Brendon Kalei‘āina Lee – CEO Hussey.

Sylvia Hussey, CEO - Yes, I'm sorry I should have introduced our new CFO who joined us online. Ramona Hinck is joining us and I just wanted to let the board know that she's online participating as well.

Chair Brendon Kalei‘āina Lee – Mahalo, Aloha Mona. We're on IV. Item C. the report back from the permitted interaction group. For your information members a copy of the report has just been emailed to all of the board members. I'm just going to scroll through it real quickly so that the members can see it. As members are aware for permitted interaction groups in compliance with sunshine law, there will be no discussion on the report today. Discussion will be taken up at the next agenda meeting of the Board of Trustees. As I scroll through it. Just for the boards information given the limited time, the permitted interaction group had to work on this, it was unable to actually craft the new policies. By giving it a charter for the permitted interaction group was to investigate all of these individual specific policies. The permitted interaction group did come out with recommendations to the Board of Trustees on these specific policies. So should the new Board of Trustees for 2021, moving forward, wish to pick this work up and constitute a new permitted interaction group. This report

hopefully will give it that new permit interaction group some guidance for these particular policies. That being said, thank you members.

V. COMMUNITY CONCERNS

Chair Brendon Kalei‘āina Lee - We are now on Roman V. Dayna do we have anybody signed up for Community concerns.

Carol Hoomanwanui – Mr. Chair this is Carol, nobody is signed up for community concern.

Chair Brendon Kalei‘āina Lee - Ok, thank you Carol.

VI. EXECUTIVE SESSION

Chair Brendon Kalei‘āina Lee - That being said, can I get a motion to excuse the board into executive session. Yes, Trustee Carmen Hulu Lindsey.

Trustee Carmen Hulu Lindsey moves to recuse into executive session pursuant to HRS § 92-5(a)(4),(8); HRS §103D-105, -202, -303; and HAR 3-122-45.01(2)(C)(ii)

Trustee Kalei Akaka seconds the motion.

Chair Brendon Kalei‘āina Trustee Lee - Board Secretary Dana can I get a roll call vote, please?

Trustee Carmen Hulu Lindsey moves to recuse into executive session pursuant to HRS § 92-5(a)(4),(8); HRS §103D-105, -202, -303; and HAR 3-122-45.01(2)(C)(ii) Trustee Kalei Akaka 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	x			
TRUSTEE KELI‘I AKINA			x			
TRUSTEE CARMEN HULU LINDSEY	x		x			
TRUSTEE ROBERT LINDSEY			x			
TRUSTEE JOHN WAIHE‘E			x			
TRUSTEE COLETTE MACHADO						X
TRUSTEE BRENDON KALEI‘ĀINA LEE			x			
TOTAL VOTE COUNT			7			2
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passes with seven(7) yes votes and two (2) excused vote.						

Chair Brendon Kalei‘āina Lee - Thank you for the public we will move into executive session at this time. This portion of the meeting is closed to the public and will not be livestreamed. Members of the general public please leave the meeting now if you if not you will automatically be dismissed. Please log onto the whole website to view the meeting on live stream when we reconvene in open session. Just for the public information when we reconvene into open session it will just be to adjourn the meeting.

The Board resolved into Executive Session at 10:12 am

- A. OHA's Procurement Unit together with Board Counsel Robert G. Klein's discussion of the evaluation process for qualifying offers submitted in connection with Request for Proposals (RFP) No. BOT 2020-30 for Performance Appraisal Consulting Services, and instruction regarding the appropriate statutory requirements governing the evaluation process. *Pursuant to HRS §92-5 (a)(4), (8); HRS §103D-105, -202, -303; and HAR 3-122-45.01(2)(C)(ii)*
- B. Consultation with Board Counsel Robert G. Klein, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to OHA v. Kondo, (1CCV-20-0259), the Declaratory Relief action filed in the First Circuit Court on February 14, 2020. *Pursuant to HRS § 92-5(a)(4).*

The Board reconvenes in open session at 10:49 am.

VII. ANNOUNCEMENTS

Chair Brendon Kalei'aina Lee - OK, members were back in open session. I have one announcement. On October 27th, 2020 at 5:30 PM. Hawaii Standard Time. The OHA board will hold a combined board of Trustees Meeting and Hawaii Island Community virtual meeting. Are there any other announcements from any members?

IX. ADJOURNMENT

Chair Brendon Kalei'aina Lee - Hearing none, I will entertain a motion to adjourn.

Trustee Carmen Hulu Lindsey moves to adjourn.

Trustee Kalei Akaka seconds the motion.

Chair Trustee Brendon Kalei'aina Lee – It has been moved Trustee Carmen Hulu Lindsey and seconded by Trustee Kalei Akaka to adjourn the meeting. Roll call vote.

Trustee Carmen Hulu Lindsey moves to adjourn. Trustee Kalei Akaka 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	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE CARMEN HULU LINDSEY	x		X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO						X
TRUSTEE BRENDON KALEI'AINA LEE			X			
TOTAL VOTE COUNT			7			2
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passes with seven(7) yes votes and two (2) excused vote.						

The meeting was adjourned at 10:51 am.

Respectfully submitted,

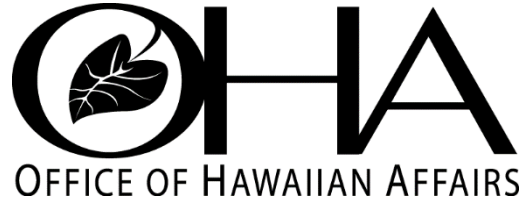
Dayna Pa, Board Secretary

As approved by the Board of Trustees on _____.

Colette Y. Machado, Chairperson
Board of Trustees

Attachments:

1. Report of the Permitted Interaction Group re: the investigation of the development of specified T-Level Trustee policies for OHA's Board Governance Framework



OFFICE OF HAWAIIAN AFFAIRS

BOARD OF TRUSTEES

TRUSTEE-LEVEL FISCAL POLICIES PERMITTED INTERACTION GROUP REPORT

**Presented to the Board of Trustees
October 2020**

I. INTRODUCTION

The Board of Trustees (BOT) is responsible for setting Office of Hawaiian Affairs (OHA) policy and managing the agency's trust. OHA's Administration is responsible for the operationalization of these policies. Action Item BOT #20-05 was approved at the BOT meeting on September 10, 2020, which was formed to approve the formation of a Permitted Interaction Group (PIG) to "investigate the development of T-Level policies for OHA's Board Governance Framework." The expected end date of the PIG will be on November 3, 2020.

The Trustee (T) - Level PIG Report is a formal, approved document used to manage PIG execution. It documents the actions necessary to define, prepare, integrate, and coordinate the various PIG activities. It is also the gateway to request funding on a PIG and is a major go/no-go decision point. The major purpose is to provide a comprehensive baseline of what has to be achieved by the PIG, how it is to be achieved, who will be involved, how it will be reported and measured, and how information will be communicated. It should be used as a reference for any decision that is made on the PIG to ensure that the management of the PIG is carried out consistently in line with policy and procedures.

II. EXECUTIVE SUMMARY

A. PIG Purpose and Scope

The goal and purpose of the PIG articulates the PIG to OHA's ongoing work and strategic priorities. Development of future policies is recommended to adhere to the scope as agreed to by the PIG team in the identification of the policies outlined here and in the subsequent measures needed to take to maintain the policies. The planning work assures Trustees and Administration staff the ability to maintain and grow its assets for programs related to the betterment of the conditions of Native Hawaiians.

1. Goal/Purpose

There will be the creation of a unified policy framework of OHA BOT T-level fiscal policies that will assist the Trustees in fulfilling their fiduciary duties in alignment with OHA's mission of ensuring the long-term viability of the Native Hawaiian Trust Fund and maintaining the principal while producing large, stable, predictable spending for the betterment of present and future generations of Native Hawaiians.

2. Scope/Definition

OHA will have a central electronic location with all updated comprehensive T-level fiscal processes, policies, and procedures, in the areas of Spending, Debt, Investments, Land Assets, and Economic Development that will be comprehensive and in alignment with one another.

Additionally, to ensure the continuous maintenance of the T-level fiscal policies and procedures framework, a compliance function, internal audit function, and training is recommended for Trustees, Resource Management Committee leadership, Trustee Aides, and Administration.

B. Baseline Current State

The baseline current state of the PIG is the clearly defined starting point for the commencement of the PIG and provides a fixed reference point to measure and compare the PIG's progress against. This allows the PIG team to assess the performance of the PIG over time. The baseline details the requirements of the PIG and seeks to articulate the problem that the PIG is trying to solve. It is highly recommended that the PIG refers to this portion of the report to ensure that the PIG team is actively engaged in meeting these requirements and rectifying the problems identified in the current assessment of the baseline state. The PIG's findings regarding current assessments of the current baseline state are as follows:

- Some T-level financial policies that **exist are in outdated forms, others that are contradictory, and some remain non-existent**

- The lack of a formal financial policy inventory promotes **instability and lack of continuity** causing a continuous need to reinvent responses to recurrent issues
- T-level financial policies and procedures **do not clarify and crystallize strategic intent** for fiscal management
- **Boundaries are undefined** and are often open to interpretation which **creates confusion** on actions the Board and Administration may take
- The existing T-level policies **do not promote long-term and strategic thinking**
- The T-level financial policies **do not manage risks of financial conditions**

C. PIG Benefits and Drivers

Identified benefits that improve policy would make this PIG worthwhile. Identified benefits clearly articulate the core need and reason for the PIG's existence. Tracking the benefits that arise helps PIG members ensure that they are in alignment with OHA's organizational strategies and ensure that PIG controls focus appropriately on achieving these end-goal benefits. These benefits should be considered in the performance of any possible future PIG that may focus on the execution of plans articulated in this PIG.

1. Benefits

- Promote **strategic intent**
- **Protect the assets** of OHA
- **Manage the risk** to the Native Hawaiian Trust Fund
- Promote **consistency** amongst the BOT's financial activities
- Provide a **governance framework** for the BOT's financial decision making
- Articulate **roles and responsibilities** to establish operating standards and behavioral expectations
- Ensure **alignment** with other existing OHA infrastructure
- Ensure **compliance** with federal and state legal requirements and best practices

Drivers are defined as items driving the PIG to complete its work.

2. Drivers

- OHA has faced continued criticism that its **land management infrastructure is inadequate**, unable to support the agency's growing portfolio, nor any future land involvements, despite an increasing demand to develop its commercial real estate activities. Without **improving its investment framework and processes** to ensure that it meets its fiduciary duties to beneficiaries, the Board will continue to lack adequate investment or financial knowledge to properly oversee its trust investments. Without addressing these issues, OHA's **current real estate portfolio will continue to be unbalanced** if revenues generated from its commercial properties are unable to offset expenses from legacy and programmatic land holdings.
- OHA is particularly susceptible to audits that evaluate OHA's fiscal policies which highlight inefficiencies within its current fiscal processes, policies, and procedures. To avoid repeating these recurrent themes, the BOT should actively ensure that **objectives are aligned and that they proactively seek diverse opportunities to increase revenues** (e.g. real estate, intangibles, etc.) while maintaining their constitutional and statutory obligations.
- The BOT should dedicate itself to preserve the intergenerational equity of its assets **despite turnover of Trustees who have varying levels of fiscal and land management knowledge**.
- In a time of increased economic hardship for our beneficiaries, there is an **increased need to explore financial growth** that will ensure funding for needed programs for our beneficiaries. These economic hardships highlight an increased need to pursue more proactive funding measures such as Public Land Trust (PLT) revenue.
- **Increased compliance** with legal (statutory and regulatory) measures and best practices of similarly situated trusts and other organizations is needed.

- OHA's **Board Governance Framework and Strategic Plan** provides opportunities for alignment between these financial policies and new measures of governance reform.

D. PIG Stakeholders

PIGs are influenced by many stakeholders. Stakeholders are invested in the PIG as they will be affected by decisions made by the PIG team at any point along the way; their input can directly impact the outcome of the PIG. Stakeholders come with varied interests, perspectives, objectives, and other characteristics that play a role in the PIG's planning and executing processes. It is usually necessary and expedient to consider all PIG stakeholders during the initiating and planning phases. The key benefit of engaging with stakeholders is that it helps bring understanding to the complex subject matter of the PIG in the most effective way and identifies the actions necessary to satisfy the varied interests, needs, and perspectives of all team members.

1. Internal Stakeholders

- Board of Trustees
- Chief of Staff to the Board of Trustees
- Trustee Aides
- Board Counsel
- Resource Management (leadership and staff)
- Chief Executive Officer
- Chief Operating Officer
- Chief Financial Officer
- Land Director
- Controller
- Investments Manager
- Commercial Property Manager
- OHA Legal Counsel
- Human Resources

2. External Stakeholders (as determined by the PIG)

- Professional Services (e.g. subject matter experts who are not employees of OHA)
 - Financial consultants (e.g. money managers)
 - Policy consultants
 - Other individuals/firms in selected financial sectors identified through the stakeholder analysis workshops
 - Portfolio governance committees
 - Voluntary Investment Advisory Committees
 - Partners for future public-private partnerships for new economic development and real estate ventures
 - Philanthropy sector advisors
 - Ali'i Trusts and other Native Hawaiian serving organization
- Beneficiaries

E. Resources

PIG resources are the people, capital, and/or material goods required for the successful execution and completion of the PIG. Commencement of the remaining work on the PIG is dependent on whether the BOT appoints a PIG to execute the work as outlined in this report. Resources for PIGs can be determined at the time of a PIG's appointment.

F. Communication Agreements

The PIG Communications Agreement facilitates PIG communication and expectations among all team members. The PIG team developed appropriate approaches and planned for communications activities based on the information needs of each stakeholder on this PIG and the needs of PIG members. The Agreements describe how communications are planned, structured, monitored, and controlled. Some of the content from the Agreements can be found below. To ensure successful internal communication, it is recommended that all team members and assigned stakeholders follows the Communications Agreements outlined above to enable an efficient and effective flow of information between the PIG team members and stakeholders assigned to work on the PIG team.

- Status updates are provided to the PIG Manager
- Documents, reports, and action items will be drafted by the PIG Manager and will be forwarded to the PIG Sponsor for approval
- PIG communications include status updates and subsequent reports to both Administration and the Trustees that are members of the PIG

G. Key Milestones

Key milestones provide for subsequent actions that need to be taken at the planning level (BOT) and execution level (Administration) should the Trustees decide to appoint a future PIG.

1. Planning (BOT Actions):

The PIG outlined the subsequent steps that need to be completed by the BOT for the planning of this PIG to be completed. The final PIG Report will be prepared for PIG Chair Lee by October 15, 2020 for presentation before the full BOT at the following meetings:

- **October 22, 2020 (PIG Report presented to the Board of Trustees. There will be no discussion at this time.)**
- **October 29, 2020 (full and free discussion with Board of Trustees on PIG Report)**

H. Risks of Not Continuing with the PIG

Risks are uncertain events or conditions that have a negative or positive effect on a PIG's objectives. PIG members sought to increase the likelihood and impact of positive events and decrease the likelihood and impact of negative events. The PIG team identified potential risks, the probability that the risk event would occur, and the impact of such risks should the risks have come to fruition. Monitoring these high probability, high impact risks ensure that risks are mitigated throughout the work period and that issues that could jeopardize the future of the PIG's schedule, resources, or scope/quality of the work do not come to fruition. Below are three high probability, high impact risks identified by PIG members:

- With a **reorganization** of the Board of Trustees, it will be important that the both the Chief of Staff of the Board of Trustees and the Resource Management leadership and staff remain engaged in the progress of the development of the fiscal policies and procedures since a change in board and/or committee leadership will lead to a "learning curve" for those in potential new positions. This includes ensuring that BOT staff prepare materials for comprehensive BOT workshops to discuss these policies in order to ensure Trustees have the proper tools to make informed decisions on fiscal matters in alignment with their role as fiduciaries and to **secure commitments** from trustees.
- The writing, drafting, and integration of these policies will not be enough to ensure the success of the PIG; **proper internal controls and a compliance monitor will be needed** to ensure that OHA maintains its commitment to a centralized inventory with updated, comprehensive, streamlined T-level fiscal policies and related consistent practices to proactively manage risks.
- **The Board currently does not have the subject-matter expertise needed in investment and fiscal matters.** The Board is obligated to follow The Uniform Prudent Investor Act (UPIA); therefore, the Board must continue to rely on advisory committees that may assist them in evaluating the advice it receives

from its money managers, investment managers, and policy consultants. As portfolio advisors to the BOT, these governing committees must be given the proper deference and necessary consideration.

I. PIG Human Resource Recommended Estimates

The PIG team estimated the processes involved in planning and managing the recommended human resources estimates needed for this PIG. All policies should be developed concurrently using different compositions of teams with the proper subject-matter expertise. Upon completion of the policies and approval of these policies by the BOT, the completion of other deliverables may be executed by Administration. It is recommended that the rest of the deliverables should be developed subsequently using different teams with the proper subject matter expertise.

Human Resources/Contractor/Staff Resource Estimates:

- **PIG Management Deliverables – 6 months** (suggested resource: PIG Manager)
- **T-Level Fiscal Policies – 3 months**
 - Spending Policy – 3 months
 - Debt Policy – 3 months
 - Investment Policies – 3 months
 - Land Assets Policies – 3 months
 - Economic Development Policy – 3 months
- **T-Level Fiscal Policy Procedures – 2 months** (suggested resource: CEO)
 - Spending Policy Procedures – 2 months
 - Debt Policy Procedures – 2 months
 - Investment Policies Procedures – 2 months
 - Land Assets Policies Procedures – 2 months
 - Economic Development Policy Procedures – 2 months
- **T-Level Fiscal Policy Framework – 2 months** (suggested resource: CEO, sub-deliverable owners: CFO and IT)
 - T-Level Fiscal Policy Repository – 2 months
 - Project Portfolio Management framework for T-Level Fiscal Policies and Procedures – 2 months
- **Compliance Function – 2 months** (suggested resource: CEO)
- **Internal Audit Function – 2 months** (suggested resource: CEO)
- **Training Function – 2 months** (suggested resource: CEO, sub-deliverable owners: HR and CC)

J. Quality Metrics

Quality Metrics provide detailed and specific measurements about the PIG and how its deliverables should be measured. Metrics are consulted in the quality assurance process to ensure that the processes used will meet the metrics. The deliverables or processes are measured to determine if the result is acceptable or if corrective action or rework is required. The following are the key metrics that the team believes will define successful T-level fiscal policies:

- One comprehensive and updated **Debt Policy** with complementary implementation procedures compliant with legal requirements and aligned with various debt strategies that address core vs. non-core functions and specify internal processes and responsibilities for obtaining debt approval from the board as well as managing and monitoring approved debt
- Comprehensive and updated **Investment Policies** with complementary implementation procedures developed for securities and real estate that identify realistic investment targets and manage financial assets for active returns, favoring niche opportunities, and differential strategies, including Hawai'i direct investment opportunities

- Comprehensive and updated **Land Asset Policies** with complementary implementation procedures provide for proper allocation of revenues from both its legacy lands and commercial properties to manage commercial real estate primarily for long-term returns from lease rents, create value through asset management, and planning within OHA's Strategic Plan
- One comprehensive and updated **Economic Development Policy** with complementary implementation procedures that have unified objectives to promote opportunities that provide for an increased generation of revenues with due diligence
- One **Spending Policy** with complementary implementation procedures that are in alignment with the Board governance framework and identify core and non-core functions, resolve conflicting spending policy objectives, discuss the need for and role of reserve funds, and resolve comingling of funds

K. Procurement Needs

No procurement need was identified.