PHONE (808) 594-1888
FAX (808) 594-1868

BOARD OF TRUSTEES
Carmen. Hulu Lindsey, *Chairperson*
Leinaʻala Ahu Isa, *Vice Chairperson*
Dan Ahuna, Trustee Kauaʻi & Niʻihau
Kalei Akaka, Trustee Oʻahu
Keliʻi Akina, Trustee At-Large
Luana Alapa, Trustee Molokaʻi & Lānaʻi
Brendon Kaleiʻāina Lee, Trustee At-Large
Keola Lindsey, Trustee Hawaiʻi Island
John Waiheʻe IV, Trustee At-Large

STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE BOARD OF TRUSTEES
ISLAND OF LANAʻI MEETING

DATE: **Wednesday, June 2, 2021**
TIME: **6:30 pm**
PLACE: Virtual Meeting
Viewable at www.oha.org/livestream OR
Listen by phone: (213) 338-8477,
Webinar ID: 952 0355 7531

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2021, as amended, that suspends parts of Hawaiʻi 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: 952 0355 7531

AGENDA

I. Call to Order
II. Introductions
III. Status of OHA Activities: Ka Pouhana/CEO's Update on OHA's activities
IV. Approval of Minutes
   1. May 5, 2021
   2. May 6, 2021
V. Public Testimony on Items Listed on the Agenda* (Please see page 1 & 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
VI. New Business
   A. Committee on Resource Management
      1. Action Item RM#21-06: Approval of FY21 Budget Realignment #3 – Core (Personnel and Non-Personnel) and Non-Core Budgets
VII. Executive Session‡
   A. Executive Session: 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 updates by Administration regarding potential acquisition of commercial properties, pursuant to HRS§92-5(a)(4)
VIII. 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)
IX. Announcements
X. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email rainag@oha.org no later than three (3) business days prior to the date of the meeting.
Meeting Materials will be available to the public on Friday, May 28, 2021 and posted to OHA's website at: www.oha.org/bot

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

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

* **Public Testimony on Items Listed on the Agenda <u>must be limited</u> to matters listed on the meeting agenda. Community Concerns and Celebrations <u>is not limited</u> to matters listed on the meeting agenda.** Hawaiʻi Revised Statutes, Chapter 92, Public Agency Meetings and Records, prohibits Board members from discussing or taking action on matters not listed on the meeting agenda.

**Notice: Trustees may establish or revise an OHA position on ANY proposed bill / resolution / executive message currently moving through the state legislature or other relative elected body. The Matrices, which are available for public review in the meeting materials at this stated meeting, provide a brief description of each bill, the bill's number, the bill's title, the bill's intent, and the proposed and specific OHA position on each measure. However, the Trustees both in committee and as the Board of Trustees (BOT) reserve the right to discuss any and all bills on the Matrix, as well as those that time does not permit to be placed on the Matrix, in order to discharge their fiduciary obligations as Trustees of the Office of Hawaiian Affairs

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, or (2) live, ***oral testimony online*** 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 **<u>24 hours prior</u>** to the scheduled meeting. Any testimony received after this deadline will be late testimony and will be distributed to the Board members after the scheduled meeting. **Due to COVID- 19, please do not fax, mail, or hand-deliver written testimony**

(2) Persons wishing to provide ***oral testimony online*** during the virtual meeting must first register at:
https://zoom.us/webinar/register/WN_IapU51_URPyGR607TdOFzA

You need to register if you would like to orally testify. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting, along with further instructions on how to provide oral testimony during the virtual meeting. The registration page will close during the Public Testimony or Community Concerns agenda item. Oral testimony by telephone/landline **<u>will not</u>** be accepted at this time.

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 online will be limited to five (5) minutes. Once your oral testimony is completed, you will be asked to disconect from the meeting, unless you are also signed up for oral testimony during Community Concerns and Celebrations. If you do not sign off on your own, support staff will remove you from the Zoom meeting. You can continue to view the remainder of the meeting on the livestream or by telephone, as provided at the beginning of this agenda.

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

Carmen Hulu Lindsey

Trustee Carmen Hulu Lindsey
Chairperson, Board of Trustees

5/27/2021
Date

Office of Hawaiian Affairs
Meeting of the Board of Trustees
June 2, 2021
6:30 P.M.

IV. Approval of Minutes

1. May 5, 2021
2. May 6, 2021

DRAFT
To be approved on
6/2/2021

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

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2021 that suspend parts of Hawaiʻi 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.

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Minutes of the Office of Hawaiian Affairs
Board of Trustees
KAUAʻI ISLAND COMMUNITY MEETING
MINUTES
Wednesday, May 5, 2021
5:30 pm

ATTENDANCE:
Chairperson Carmen Hulu Lindsey
Trustee Lei Ahu Isa
Trustee Dan Ahuna
Trustee Kaleihikina Akaka
Trustee Keliʻi Akina
Trustee Luana Alapa
Trustee Brendon Kaleiʻāina Lee
Trustee Keola Lindsey
Trustee John Waiheʻe, IV

BOT STAFF:
Colin Kippen
Amber Kalua
Kanani Iaea
Lehua Itokazu
Anuhea Diamond
Claudine Calpito
Kalani Iaea

ADMINISTRATION STAFF:
Sylvia Hussey, Ka Pouhana / CEO
Casey Brown, Pou Nui / COO
Kalani Fronda, Land Assets Director
Raina Gushiken, CC
Everett Ohta, CC
Ramona Hinck
Sterling Wong, Chief Advocate
Kevin Chak, IT Support
Erin Nakama, IT Support

GUEST:
Roslyn Cummings
Malia Nobrega
Kuʻuleialoha Santos

Call to Order

Chair Hulu Lindsey Calls the Board of Trustees Kaua‘i Island Community Meeting to order for Wednesday, May 5, 2021 at 5:30 p.m. Chair Hulu Lindsey calls for a roll call.

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

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

Chair Hulu Lindsey Thank you Trustees. Aloha Kākou everyone and welcome to our Kaua‘i Island Community meeting. We‘ve had two full day of site visits and enjoyed interacting with our Kaua‘i community. Mahalo Trustee Ahuna for hosting the last two days. It has been pleasure talking stories with our Kaua‘i ‘ohana.

As a reminder please mute your mics when you are not speaking. Trustees and our CEO please enable your cameras if you are able to do so. We are recording today's meeting for the sole purpose of producing written minutes, which will become the official record of this meeting. Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2021 that suspends 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. Joining the trustees tonight we have our CEO-Silvia Hussey, my Chief of Staff-Colin Kippen, Board Secretary-Lehua Itokazu, and Aides-Kanani Iaea and Amber Kalua Claudine Calpito and Anuhea Diamond. Before we start our presentations, I would like to ask our Ka Pouhana to introduce our staff joining us this evening.

Introductions

Sylvia Hussey, CEO Thank you Chair Lindsey. Aloha ahiahi, tonight we have COO-Casey Brown, Chief Advocate-Sterling Wong, Senior Legal Counsel-Raina Gushiken, and our IT-Support Staff.

DRAFT

Chair Hulu Lindsey Thank you. I would also like to ask each trustee to introduce themselves at this time. I'll call on you alphabetically if I can remember you in alphabetical order.

Trustee Ahu Isa Aloha mai kākou our neighbor islanders from Kaua‘i. I am so sorry I couldn’t be with all of you physically and visit your sites, but I am there in heart and spirit. I always considered Kaua‘i like my second island. I lived there for two years after Iniki hit. I read all your testimony and concerns, there was alot about iwi kupuna and other issues. I am excited to hear from you and to join in to help. Mahalo Chair.

Chair Hulu Lindsey Thank you. Trustee Akaka.

Trustee Akaka Aloha Kākou, aloha to all on Kaua‘i that are joing us this evening. If there are those that we have met while on this trip, mahalo Nui for welcoming us. We truly appreciate the opportunity to visit the different sites and learn what the concerns are within the community. I am the O‘ahu Trustee, and we look forward to hearing more of what can be done here. Mahalo.

Chair Hulu Lindsey Trustee Akina

Trustee Akina Aloha ahiahi everyone. Thank you so much Chair Lindsey for chairing our meeting tonight and thank you, Trustee Ahuna for hosting us. I want to say aloha with all my heart to our beneficiaries on Kaua‘i, thank you so much for being here this evening. Thank you for your written testimony that many of you have submitted. And I'm looking forward to hearing from you what your concerns and your questions are. Over the last couple of years my heart is broken, as I've seen some of the troubles that the people of Kaua‘i have gone through in terms of natural disasters and also in terms of the COVID response. I've been very proud to vote in conjunction with my fellow trustees to provide some measure of relief from that I know that there's much more that can be done, but we're glad to participate with you and go through the experience with you. Mahalo nui, and take care. We look forward to hearing your responses tonight, aloha.

Chair Hulu Lindsey Trustee Lee

Trustee Lee Aloha mai Kākou, I am Trustee Lee I am a Trustee at large for the Office of Hawaiian Affairs. Mahalo to Trustee Ahuna, for hosting us on Kaua‘i and site visits that we're able to participate in. I also like to welcome beneficiaries from across the state given that this is a zoom meeting. I know it's scheduled for our Kaua‘i island community meeting, but I understand, based on a lot of the written testimony that we received today, that we have beneficiaries joining us across the pae ‘āina. So again, looking forward to hearing from everyone in this evening, Aloha.

Chair Hulu Lindsey Mahalo, Trustee Keola Lindsey

Trustee K. Lindsey Mahalo Madam Chair. From the west side of Hawai‘i Island, I'd like to extend my Aloha. And everyone else joining us tonight, I apologize, I couldn't join travel for the visits, but I hear staff did an excellent job setting that up. So those that did travel, were able to hear what's going on. *Inaudible* presentations tonight, and as well as tomorrow. I know we have some more about the challenges Kaua‘i is facing but also how those challenges are being overcome by hard work and great work in the community. Aloha and mahalo, Madam Chair.

Chair Hulu Lindsey Thank you, Trustee Waihe‘e

Trustee Waiheʻe Thank you Madam Chair. I John Waiheʻe IV., Trustee at Large. I really, really want to extend a lot of gratitude. Thank our good friend and colleague from Kauaʻi, who know for every for hosting this meeting, and always just doing a really good job with it. Also, thanks to all the staff, you know, for setting everything up because it's a really unusual time and they're getting it done. So again, thank you, everybody. Thank you, to the beneficiaries of Kauaʻi and across the state and anyone who participates through testimony or even just checking us out. We appreciate your concerns and your attentiveness to your causes. So once again thank you Kauaʻi. Hopefully, next year we'll be there in person. Mahalo.

Chair Hulu Lindsey Trustee Alapa.

Trustee Alapa First of all I want to extend a huge mahalo to our Trustee Dan Ahuna. You did a wonderful job today, I loved meeting, especially with Rowena at the thrift shop and to hear the stories, what she had to share with the people that she has worked with over the years. The fact is that OHA has been supportive of this organization, doing incredible work, especially for many of the displaced people from Kauaʻi part of it due to the pandemic, and other through personal things that happen in their lives. I enjoyed meeting and hearing from Rowena. I also love the fact about the canoe house or the temporary place that you folks have right now. I really hope and pray you folks will have a permanent home near the Wailua River. At the same, time I'd like to extend a big aloha to everyone in Kauaʻi and I am looking forward to your testimony. I can't wait to hear from you. It's going to be a wonderful opportunity for all of us to get to hear from you folks. I know it's for Dan because this is his turn to share with our constituents about all their own concerns, so I'm looking forward to hearing from you. Thank you so much, Aloha.

Chair Hulu Lindsey Before I turn the time over to Trustee Ahuna. I just like to say that I'm Hulu Lindsey, and I'm the Trustee for the island of Maui. And I too, enjoyed a lot of our site visits yesterday and today on Kauaʻi. Kauaʻi is a special group of people; the perseverance among your people is so admirable, how you just push forward when there's hardship. I really, really aloha that about you folks. And thank you for having us at your island, it has been a real pleasure. Thank you to Trustee Ahuna for being such a perfect host. At this time, I have the chair will recognize your Trustee, Dan Ahuna for the island of Kauaʻi he will be conducting tonight's meeting starting from agenda item III, status of OHA activities. I turn the time over to you Trustee Ahuna.

Trustee Ahuna mahalo nui Chair and mahalo Nui to everyone live streaming with us tonight. Before I start, I'd like to introduce my staff. The reason why I like to start by introducing my staff is they did an incredible job. So I want to thank Trustee Aide - Claudine Calpito and Anuhea Diamond, who work very diligently to make sure we meet with as many people as we can. I just want to mahalo those two, because they work night and day, you know, to make this happen. So thank you to my staff. Also, in order for these kinds of things to happen, and I want the people to know, this is because these things have to be agendize. The amount of work that goes into agenda isn't just a visit, you know, it takes a lot of coordination and, and with that, I want to thank Chief of Staff Colin Kippen in Amber Kalua, and also Lehua Itokazu, she was the one, taking notes. There's minutes that go with all of this, there's a lot of work. And I want our beneficiaries to understand that the work that goes in that we have to keep minutes, but also our executive administration side, our CEO, Sylvia Hussey who joined us. We met with a lot of beneficiaries and got an understanding of, the needs and how to help you, and just to have that, that conversation with her, you know, trying to see how things are working, and how can it work better. It opened my heart because I know OHA wants to help our people. I just want to thank everyone for making that happen. So with that, I want to call upon our CEO, Silvia Hussey to provide updates for our activities. So thank you, Silvia.

DRAFT

Status of OHA Activities/ CEO Updates

Sylvia Hussey, CEO Thank you Trustee Ahuna. Before we get started our digital print media folks were on the ground with us. And they were able to video, some of the trustee activities and so if it's okay, it's about a three-minute video for trustees who weren't able to participate, but also our beneficiaries to see our trustees in our communities. As the video is being played, I also want to acknowledge that Trustee Ahuna was able to give Malia Nobrega and award that was won for our Ka Wai Ola article. So back in the fall of 2020, Malia authored a piece about paʻakai. And so, the national native award was recognized, and Trustee Ahuna was able to recognize that piece for Malia. Malia is on here and is one of our beloved community members and so we also wanted to acknowledge Malia as well as to take a look at the video. So if that's okay, we'll go ahead and have IT play the video. Okay. And then I'll give you a brief update after that.

Kauaʻi Site visit part 1

Okay, mahalo. Mahalo to our digital print media. They were on the ground with the trustees, making sure we could capture these really special moments in the community. So, Trustees really briefly will give you an update for everyone and then get to our community members. I know that's the people we want to hear from. So as indicated our strategic plan Mana Mauli Ola is an implementation of all the pieces on the website; we have those kinds of implementation that you will see coming forward in the fiscal biennium budget that will be coming to you shortly. We also have Island community reports, and you receive that prior to your on Island. I just wanted to share that detailed of information was to provide trustees with a background of what is going on in the community. Administration is working toward making that public, and then publishing that on the website and be a part of our quarterly reporting package. So, the next reports up will be Lanaʻi and Molokaʻi. You can anticipate that kind of level of detail, but also that we will turn it into a beneficiary piece as well so we can share that with our communities. Also, you have received information about our budget realignments as well as policy work that is coming up. Then included in the budgets and the policy work are the reorganization pieces that we will continue the discussion with the trustees. There have been no budgetary decisions, and those are the decisions that will come before you. So, in the next six weeks administration is working hard to bring to the trustees, all of those really important biennium pieces for us to start our July 1, new year with fresh budget aligned strategies and tactics. Then our discussion tomorrow will also be on our policy framework. So, we're really trying to align our policy procedure practice. We will give you an update state audit reports 1803 and 1808. The auditors are reviewing that work finances provided all of the questions and answers that they have asked and so we anticipate a report; both reports to come forward. And of course, as soon as we receive that, we will provide that to the trustees. So thats it. Trustee Ahuna unless other trustees have any questions of administration.

Community Presentations

A. Salt Pond, Hui Hana Paʻakai o Hanapepe

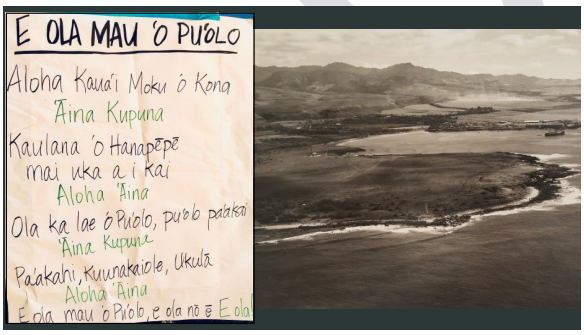
Trustee Ahuna Members, is there any questions for our CEO? With no questions, I would like to move on to item IV. Community Presentations. Tonight we have two presentations. The first presentation, weʻve had a brief introduction, Hui Hana Paʻakai from Hanapepe. I just want to thank both of them, Malia Nobrega and Kuulei Santos for hosting us at the salt pond. Thank you so much. I will hand it over to Malia.

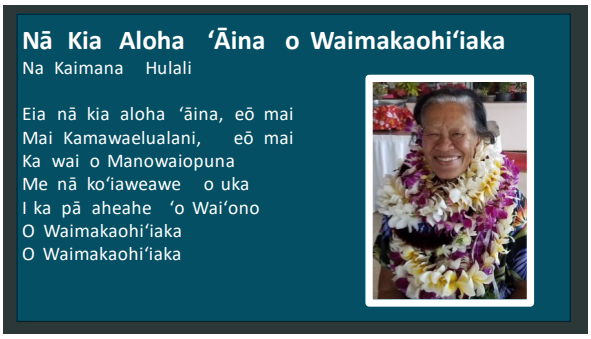
Malia Nobrega ʻAe, mahalo nui e nā Trustees mahalo iā ʻoukou pakahi a no ke kipa ana i ko mākou ʻāina hoʻi kēia ʻāina kamahaʻo o Kaumualiʻi o Manokalanipo hoʻi ke aloha nui.

DRAFT

I am really happy to have been able to have you here on our island to be able to honor the 22 ohana that continue to hoʻōla, to bring life to our practice. If it's okay, I'm gonna just share four or five slides. I wanted to be able to just share really briefly this with all of you and thought about it as really, he makana ka pūʻolo paʻakai. Our little pūʻolo, our little bundle of paʻakai, some of us call it the gold of Kauaʻi. When we were doing the visit, we also talked about what makes this place so special. And you know, we've talked about not just the production of the paʻakai, but really the components of the ʻāina that make it so special. We talked about the clay that is getting harder and harder to find. We talked about the salt shelf in the area, another layer of the ʻāina that really adds to the salinity that ʻono of the paʻakai and what makes it again, really, really special. I chose to share some of these older photos here on the left of Puʻolo point or Kalai Puʻolo.

and you can kind of see how not just this one area in the far left being paʻakai but really extending over different parts. I'm sure as we've gone through different archival photos, and as we work with other researchers and haumana that helped us to do this kind of ʻimi noiʻi, we are able to unravel these stories. On the right here, is also a photo of a more recent picture, I wish I could have said, like it was last year, but ʻaʻole, it wasn't. But you know, you can kind of see everything white in this picture on the right is, is actually salt being produced. You know, we shared together with all of you that for some of us, we've gone from producing multiple five gallon buckets in a harvest. And for the last seven years, some of our ʻohana have gotten down to zero production. So, I chose to use this particular virtual background - besides having my grandma and grandpa there, as I move out of the way, you can see this puʻu paʻakai. This hill, that when I was younger, we were able to see and witness these kinds of archived harvest. Nowadays you don't even; you're not able to see this because; one, people know the value so, when we would leave it there to dry out after production, you would come back the next day and all of your paʻakai is gone. And so when we are able to harvest, we now have to bring all of this paʻakai home to where we live, and then we would make these puʻu paʻakai so it could dry out. Here's another old photo.





I also wanted to let you know that like many of our people around Hawaii, as practitioners, we are writing mele, we're honoring the names of our of our wahi pana. We are retelling these stories and sharing it with the next generation because it is through these kinds of mele and oli that we are able to give life again to the moʻolelo. I mentioned to all of you that this Friday, Kamehameha Schools will be doing their song contest

virtually. And I had the honor of being invited about two years ago to be a Haku mele mentor with a group of students and we wrote a song together and this is just the first verse. And we call it Nā kia Aloha ʻĀina o Waimakaohiʻiaka. The song honors the different place names but I wanted to one honor my mama who's in this picture that I'm holding up right in front of me with a little bit of glare. And I wanted to also say Mahalo to the OHA team for allowing us to include her moʻolelo after her passing in December in the Ka Wai Ola newspaper, and that was really special. Then I also wanted to honor aunty Janet Kahalekomo that you see here on the slides, who also recently passed. Many of our kupuna I say aloha to to Auntie Janet, she really helped us to carry on these moʻolelo and so many of the next generation in her ʻohana. She worked at ʻEleʻele school, she was one of the kupuna who continued to share this moʻolelo, so I send our aloha out to the Kahalekomo Kaʻohi ʻohana who is now missing her. She's with so many of our other kupuna. This is a good transition as we honor the kia or the kiaʻi of our wahi pana. This next photo I wanted to share with you and give you an idea of the impacts of the airport and dealing with all the different landowners in the area.

The Department of Transportation (DOT) takes care of certain areas, that county of Kauaʻi takes care of certain areas, the Department of Land and Natural Resources (DLNR) in upper part of Kauaʻi, Hanapepe. We have Department of Hawaiian Home Lands (DHHL) that has their homelands up there as well and their community. All of these different stewards along with us are there just being makaʻala. I know Kuʻulei will share a little bit more about some of the other challenges that we are sharing, but I really wanted to honor place names. You can see some of them here, and just give you an idea of what part of Kauaʻi that we're referring to. Then I'll finish up here about some of the climate change impacts in flooding we talked about how we continue to deal with this is a picture from when we were there yesterday. Dealing with the increasing rain today continue to ua mai and we talked about wave overtopping; overland runoff; and below ground flooding that comes up through the puna. We also shared and pointed out to the trustees that were with us that how on this farther left hand side, as we were able to work with the county, and the community. We shared about how there are many, at one time, many of the vehicles were driving on to the sand and really compacting and having an impact in that area. So, that's what was causing a lot of the overtopping of the waves but now, when we were able to work with others to close this area to the vehicular traffic, we are able to now as kilo see with our own eyes, that the natural restoration of the sand dunes there are restoring itself, we see the mea kanu, the plants, akulikuli, the paʻū o hiʻiaka coming through the sand and the puʻuone in that area and helping to restore the sand and it gives us hope it may mean that we need to do a little more adaptations of looking at restoration projects. So that we can continue to mitigate some of these problems in the area.

DRAFT

Climate Change Impacts/Flooding

- Increase in Rain
- Wave overtopping
- Overland runoff
- Below ground flooding through puna

As mention by Chair Hulu Lindsey about being resilient, as Hawaiians we come up with these adaptation measures to continue to thrive. For Ku‘ulei, myself, and the next generation, we are guided by our kupuna. We want to continue to make pa‘akai and that we don't know, as practitioners what our lives are like without the production of salt. One time someone asked, how serious is this? To illustrate that point, I said to them, you know, I remember a lot of my friends having to tie themselves and lock themselves to that gate up at Mauna Kea to that cattle cattle guard. And this would be my cattle guard and my area that I would like myself to to prove my point. If things were to happen that I know we would put a kāhea out and our community would be right there to protect this place for the next generation. And so that is what I really wanted to share and then I'll let Ku‘ulei share a little bit more and again mahalo for being with us here in ahupua‘a ‘ohana, Hanapepe. Ke aloha no

Ku‘ulei Santos Aloha. Malia, can you bring up the slide that has the overview of all the areas.

Malia and I make a good team. She talks about all that stuff and then I hit you all with the issues.
Anyway, this is kind of the area that we are working with, the airport. The airport is still trying to do some upgrades with out getting any environmental studies done. It would be nice if OHA could be more forceful on getting some answers. Also, helping us prevent them from not going through the proper channels to do their upgrades.

They still want to install a bathroom. As many of you know there was a bathroom that was used at the airports that was put in without the proper permits or doing that study. Then we have homeless right now at our beaches and I think we're at about 300 people. So, we are surrounded. So, if you look at the salt patch and you stand in the salt patch, we are the lowest point. Everything that happens flows to us. So, at the county park, we have a bunch of people living over there. They started a chop-shop, they've probably got 20 to 30 vehicles that are not able to run and things like that. Between the salt patch and this area, this whole this greenery area, there's a homeless camp that has started in that area too. Then right across the road is another one that has taken to effect. So we are kind of surrounded and there is only two restrooms at this whole location. So, the way Hawaiian salt is made, water travels underground. So everything that happens here seeps into the underground and that’s how we make our pa‘akai. The water travels under ground into our wells, these are the wells that we use to create pa‘akai. We also have in this other area right behind the airport is another homeless camp on the other side, closer by the point. There's a bunch of homeless people we have living in there. The road in between where our salt patch area is. There is a road that is falling apart into our salt patch. Hopefully, by the time we have our next Community meeting, we can say that it was removed. We're hoping. It would be nice if there's a little bit more force and there's a little more follow through as I think that you guys have sent a bunch of letters and emails and questions to both the county and

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state and haven't received a response yet from them. So, it would be nice that we push them to respond to you guys, because I think you guys have asked a lot of good questions, and a lot of good concerns that really came empty from both the county and the state. So that would just be helpful for us.

I do have a really good story. Malia just shared that Aunty Janet just passed away, last week. She did alot of excursions in the area and alot of talks and presentations surrounding the salt patch. I have a couple of good stories she liked to tell. One, when she was alittle girl they weren't allowed any food or water for at least 24-hours before they went to the salt patch to work because her parents did not want all the kids having to use the bathroom. This was because there was no bathroom. That was interesting to hear that story and how they were raised in the salt patch. Another thing that she did was, she would take her grandkids to Hanapepe River and look for the river rock to make the beds. Our family just saves the same rocks every year, but Aunty Janet would look for everything like their tools, they would make their own baskets; find their stones as a family together, before they start their season. It was cool to hear those stories from her and she will surely missed by all of us.

Malia Nobrega Mahalo e Kuʻulei. As I was reflecting today about being able to share moʻolelo here and share space with all of you. I was also thinking as I looked through some of my notes, you know that the salt area is recognized currently as Hawaii historical site, and it was never really followed through to be put on the National Register. And I think maybe that could be something we could collaborate on. I think something as a community, we all know we need added protections and call for different kinds of community consultation and to reach out to different people. And that's been something I think on our to do list. I don't know if that's something that the Office of Hawaiian Affairs and your team can help us put together. That's something that I've been thinking about too today and reflecting. Mahalo. And we'll be open for any questions or comments.

Trustee Akina Malia and Kuʻuleialoha, I just wanted to say a mahalo on your presentation. I just appreciate so much what your ʻohana is doing to preserve the salt in that area. More than that youʻre protecting and restoring the eco-system and the part that I love the best was you're preserving these moʻolelo. Keep it up and mahalo. Iʻm sure my fellow Trustees and I will try and do all that we can do to assit you. Aloha.

Trustee Ahuna I have a question for our Ka Pouhana, support from OHA for support for national registry, can that be something that OHA does?

Sylvia Hussey, CEO we can certainly follow up on what that process is and be sure that we can apply that process to not only salt ponds, but all of the other wahi pana that we need to have a portfolio of protections for. So, I appreciate Malia bringing that forward I know Sterling is on and we'll bring it to our executive team to make sure we can systematize that kind of those kinds of protections.

Trustee Ahuna I would like to ask the Trustees if you have anymore questions?

Trustee Akaka I wanted to thank our host for having us their. It was really interesting to see the difference and similarities of our visit from the time before in 2019 and then our visit now and hearing of the concerns which some clearly haven't changed. Well, I will say this, it is discouraging to hear that we have various different government entities that have yet to reach back to you folks. And that your kāhea, isn't necessarily being addressed from that roadway down there, to the lua system, and to broken glass on the roadside. It is very concerning what I observed back in 2019 and now that we're back in 2021; the need for the proper signage so that those whether they're kamaʻāina or malahini that they are made aware that this is a very special area and that they need to be very mindful of that in terms of the proper respect and, and love and

care for the area. But again, Mahalo for, for hosting us there. I look forward to visiting another time. And I really am hoping that the next time that we come, that there will be large smiles, knowing that much improvements have been done and that those within the government are addressing your concerns and that we're able to celebrate together on the accomplishments. Mahalo

Malia Nobrega I just wanted to say regarding signage there has been in the past many conversations amongst the kupuna. Some have spoken against it. It is something we are processing. I can see some value in it but it also attracts attention. You can find it in *100 things to do – Kaua'i.* We didn't want thing like that. People eventually find out about places like this. Mahalo for bringing that up. We know times are changing and we may need different types of signage. A way to tell a mo'olelo about the whole area. As memebers of the community we were able to partner with our kupuna, Aunty Alita Kaohi in Waimea area. When we gathered for the installation of the Kaumuali'i statue, it was done during a very special time, I felt a very special energy in our Kona moku. I wanted to link Kaumuali'i and our different wahi pana that we are talking about and how important it is for us to continue to tell these mo'olelo of our areas. Mahalo

Trustee Ahu Isa I want to add that in 2019 when we were there, was this the same area? So, we made progess? I remember attorney Trask was there. He was trying to get us to file a lawsuit. I am asking if progress was made?

Trustee Ahuna I believe that was a time we asked all those questions and sent the letter. They still have not answered us. This is what Ku'ulei is talking about. Ku'ulei would you like to expand?

Ku'ulei Santos you guys came in, you guys sent a really good letter and asked all these questions to both the State and the County, but they never responded. So, we haven't gotten a response and on top of that they've still tried to do some really shady things throughout this period that haven't helped the situation. We kind of find out about these things that they want to do, like maybe a day before they try and get it passed, or, you know, so then we're trying to rush around and we show the letter like, Hey, this is the letter that you guys still haven't responded to. So, it would be nice if you could add some more pressure to them and say, okay, really, can you respond? Are we going to ever address all of these issues?

Trustee Ahu Isa maybe we can follow up on that.

Trustee Ahuna Malia and Ku'ulei, Thank you so much for keeping us updated. I know OHA is here to support and to try and do as much as we can. I think we hear you guys. Thank you.
Next up, moving to our next presenter. We've been recieving alot of testimony. Next up is Roslyn Cummings and she will be talking about Kuloa burials.

B. Koloa Burials

Roslyn Cummings Aloha Kākou, I am Roslyn Nicole Cummings. I am here on the island of Kaua'i, I am in the ahupua'a of Kalaheo. *Open with oli.* I wanted to share the location of these sites but the kupuna advise me not to. After my presentation you can go ahead and send your email and then I can send you the location and the information of these areas. Let me start with on April 19th we were called to a site, Paleikua. There are many burials, in the great Mahele this property is listed under Moses Kekuhiwa. Through kupuna's guidance, I did an affidavite to lineal decendants to Moses Kekuaiwa back in January 2021. I did not know who was at this 'aina, but I was called back to this 'aina in December of 2020. Nakai, Liz and myself were called to this place over and over again, we would go there and just be present. It was an ancient burial site and most of the 'ike I recieved at the beginning came from the time of Polikiniakua, Chief of the Mū,

Kualunuipaukumokumoku, Chief of the Wau, and Ola, Chief of the Menehune. Fast forward to April, when the machines were on the property, I desperately tried to seek help. I was in constant communication by phone and through emails with the County of Kaua‘i, the planning department, the Mayor’s office, State of Hawaii, DLNR, SHPD, and a private meeting with OHA, and the island of Kaua‘i’s Burial Council. I did not know that my paperwork had been turned in, I found out from David Buckley, archaeologist. Sadly, these are not the only burials I will bringing up. There are a total of eighteen burials ali‘i ai moku burials from the dates January – March. All paperwork was sent in by certified mail and none showed up. I‘ve spent time from April 19th calling every entity all the way up to Kai Kahele to the point I am calling the Federal level. Why is this continuing to happen? What can I do? How can we protect our iwi kupuna that are apart of this cultural heritage? In the beginning of Makahiki season this past year, Lono had given me an oli and he said halehale hou mana o kea. He advise me of the teachings of our spiritual structure built upon our iwi kupuna by our ‘āina from all of our surroundings. When it came to the burials, I really did not know names unil February. Palikua is an ali‘i buried in that ‘āina, he is also known as Kaikio‘ewa ho‘onakekuewa moalii. He, in the time of Kamehameha, was there when Kamehameha took his last breath. He traveled around Hawaii with his prophet, Kapihe. He is very well known and named our city here, Lihue. He was apart of the first sugar company so, he is very well known. His daughter, Akahikawalu is located in the Kukuiula Development. What I am learning through their ike is they will always be surrounded by their villagers. Paliku in particular has a family burial located next to him. On April 19th, I specifically walked with the operators of the machines. There was a Jill, from Geo labs, the head guy was Steve. Before he gave me his name the Kupuna gave me his name. I needed him to understand that I was there for a reason and to make sure there was no harm to be caused to him. I asked if I could do a blessing on the machine with the agreement that they would not touch the burials, the water, and the heiau. That same day I was called down to the property to meet with Thomas, he is the Vice President of Meridian LLC who hired this drill to do their Scope of work. So, I spent to two hours walking on the property going over the burial and heiau and taking him to the ali‘i burial. The first person to who wants to be known is Palikua. We do protocol and prayers. He kept telling us the common ground and we told him with 72 condominium units, 600 cars, large buildings, a parking lot. How is there common ground knowing that there are iwi kupuna in here. For me there cannot be common ground and thats how I left it at. The mana and spiritual energy there is so strong. By the time we left he was so winded. *Inaudible*. I also told them there was a water table and to watch the water table. There are 20 springs in the ahapua‘a. I learned that the spring was not tapped into and the that water was used for healing. This ‘āina stems from the time of Kawelo, Makalua, Kawelo ai Kanaka in their time of war. We are talking about 11-16th century. You also have Palikua who is buried in there with his people, during the 17tha nd 18th century. I drove back down on Wednesday and spoke to them, they denied it. You could clearly drive directly to the mound, five feet from the cavern of Palikua’s family. I went again on Thursday. On Saturday I met with the family and there was no machines in the Koloa area. A Kupuna told me no machines on the ‘āina. So I went down there and told them exactly what kupuna said. We also had the cops there from April 19th and called them again on April 28th. On the 22nd an officer showed up and never took notes so we had to email them. We were desperate and we called everyone we knew. What happened was the cops came and told us we could not stop the machines and if we try to stop the machines we‘re gonna get arrested. On April 19th I sent him an affidavid and told them the law. I want to challenge the authority whoever is giving you permission to come here. *Inaudible.* She goes on to explain her geneology. *Inaudible*.

I cried and cried. When you take iwi kupuna away from their ahapua‘a away from their family, it’s like taking away a part of the house. What happens is the house collapses and we lose part of our mana within our mo‘o. My goal is tell people that they are there. People must know. Our people do not grasp what is happening. Many come after me because I am sharing things that are suppose to be kapu. What I am learning is nothing is being done to protect the halehale home manuokea, our spiritual structure. *Inaudible*

Chair Hulu Lindsey I just want to thank Roslyn for such a thorough report, you've been blessed with ike with our iwi kupuna. We received numerous letters from our lāhui; from all over, including the mainland. All asking for our support with what you‘re going through in Kaua‘i. Mahalo nui for all your work.

Trustee Ahu Isa I have one more question. Zuckerberg bought about 400 acres. Do we have to watch for iwi kupuna in all the acres he bought? Roslyn, do you know?

Roslyn Cummings So glad you're asking this question. I want to just say for those of you who are po‘e kanaka, which I'm pretty sure most of us are. I've been given protocol from our kupuna to reconnect and in the Moloa area, there is an ancestor named Ika because he was a very important chief. Most of our ancestors who were in the time of the Ka‘ahumanu when Liholiho came and then there is that war between Kaua‘i and the Kamehameha line. Most of our warriors from the Kaumuali‘i lineage, who died are buried up in there. Yes, I have an ancestor, his name is Manamana, he also goes up by a Kapahulehua. I do have his moku ‘auhau and his history and other stories but understand that when we trained as warriors in each every Island, each ahupua‘a has a type of training. So, Molua and pila‘a is actually an area where we trained to fight dark magic. I hope that answers your question. I do want to bring this up because Kaua‘i alone, we have nine billionaires. The person who owns this parcel of land in Palekua lot and I studied it to the point where I can tell you who owns what land where and what not. But Yellow Hale LLC is actually owned by Ricky . I could trace that property to Hanalei from Hanalei to Florida, Florida to New York, New York to San Francisco. He's the head investor for all the billionaires. So, there are nine billionaires on the island of Hawai‘i and each and every one of these properties are all tied together. They're all buying these lands for a reason. The State of Hawai‘i sold our entire mountain of Namahana to Prince Hill Corporation in 2015.

Trustee Ahu Isa This is awful. You guys have the highest median house price, $1 million is the median price on Kaua‘i.

Trustee Ahuna Yes, and they are building them on burials. The whole concern is developent. Thank you everyone. Roslyn is there any thing else?

Roslyn Communigs Yes, the reason I got a block from the burial counsel is Native Hawaiian Legal Corporation (NHLC), neither can Earth Justice or anyone on a legal level because of Ted Blake, who is well known here on the island of Kaua‘i. Apparently, on the legal stance, they said conflict of interest. So Ted Blake is on the island of Kaua‘i’s his burial Council. He is a representative for the developers. So, it's very heartbreaking because when I when I tell them that we are trying *inaudible* lawsuits here but has nothing to do with the burials, but he's on the burial Council. How do we go past that? And that's kind of what I want to bring up to the board. How do we go? *Inaudible.*

Trustee Ahuna I think you're going in and out. Any more questions? Thank you Roslyn for your time. I would like to move on to community concerns. Do we have anyone signed up?

<u>Community Concerns and Celebrations</u>

Kapua Sproat Aloha mai kākou. Mahalo for the great privledge of being here with all of you this evening. I'm zooming in from Kalihiwai Kaua‘i, in my capacity as a law professor and the director of Ka Huli Ao Center for Excellence in Native Hawaiian law at UH Manoa Richardson School of Law. I am an OHA beneficiary as you

know, and one of the silver linings of COVID for my ohana has been the opportunity to be able to work remotely from home here on Kaua‘i with Trustee Ahuna for the last year or so. I'm here tonight to provide a quick update on some of the important work that OHA has enabled here on Kaua‘i so this is less perhaps of a complaint or a concern and more of a community celebration, at least for us here in Hanale‘a. And yet another example of how you had OHA are empowering Hawaiians and strengthening Hawaii. So for the last decade, it has been an honor to partner with OHA on the A‘o aku a‘o mai initiative. That is the contract that you have with us at Ka Huli Ao, which enables us to provide direct legal services to communities with the greatest needs and in particular we call kōkua rural neighbor Island communities through our Native Hawaiian rights and environmental law clinics. So, in many ways, this is the best of both worlds as it offers our students experience practicing law, while also providing free services to all OHA beneficiaries. The challenge of courses you know, it's small in scope. We have one post JD fellow on usually one clinic a semester and so we're limited in what we can do but the services we are able to provide through that are huge. And so this semester, we are again working with a Waioli Valley taro hui here on Kaua‘i. And their collective about of about a dozen small family farmers almost all of whom are OHA beneficiaries with long standing ties to this community. Most are at least third to fifth generation kalo farmers who some were born on the farms that they know tend. In 2019, you folks had your BOT meeting at Waipa and came out to visit the farms. And I was very fortunate to be able to tag along. So, as you folks know, the farmers lifeways were devastated by the 2018 floods that ravaged Kaua‘i’s North Shore and disaster recovery efforts revealed that the farmers traditional irrigation system that has taken water from Waioli stream for centuries was on conservation land, and so it now be subject to a slew of permitting and other requirements. Since then, the farmers with the assistance of our clinic have been working very diligently to comply with the maze of legal and other requirements including a right of entry, a perpetual easement for their lo‘i kalo irrigation system, and a revocable permit for their water use. This semester, we focused largely on the requirements for a longer term water lease under HRS 171 and we're successful in getting a concurrent resolution passed which will allow the farmers to directly negotiate for that. Since you are focusing on Kaua‘iomanokalanipo, we just wanted to celebrate and mahalo you again for the work that you enable through A‘o aku a‘o mai and I wanted to recognize the significant contributions of your staff, in particular Wayne Tanaka, Letani Peltier, Waihine and Wahine‘aipohaku Tong, and of course Trustee Ahuna who has come out himself on numerous occasions and site visits very early in the morning out to Waioli. We, here on Kaua‘i have much more work to do but mahalo piha for the work you have enabled thus far and continue to enable on Kaua‘i and beyond. Ke aloha no.

Trustee Ahuna Quick question, how is our Waiohuli people doing?

Kapua Sproat We had tremendous support from the mayor, from the council, from Mason Chock from our elected representatives. And with that, as you know, you came and we had the blessing to help repair their model, their main intake off of oily stream, and that repair was finished at the beginning of this fall. And it was wiped out by flooding in November. So the flooding this year was pretty gnarly here in Helena. It felt like it rained for two months straight, um, as you folks, you know, know, from the landslide. And so the farmers are still in basic recovery mode. And while we have made great strides, I think legally and practically with respect to some of the restoration that has already been done, much more work remains. So,we have been grateful that we've been able to partner with them and with you folks and walking through the process but, you know, as you saw when you came to our beautiful island, our people here are so resilient. And we will continue to persevere to ensure that our practices can can survive this transition into the modern legal era.

Trustee Ahuna Thank you so much for all the hard work you do especially with the School of Law. Trustees any questions or comments?

Chair Hulu Lindsey I just want to Mahalo Kapua for all that you do. As we walked around Kaua‘i yesterday and today, you rname came up quite consistantly. So, I thnak you very sincerely for all the help you‘ve given to your people.

Kapua Sproat It is a great privledge Chair Lindsey and you know, we again, we couldn't do the work that we do without all his support. This one partnership provides one post JD fellow and enables us to leverage and we use this as a teaching opportunity. So, we use our students who get great experience practicing law kind of being inspired and invigorated by working with practitioners, the people on the ground, the their feet in the lo‘i and on the ‘āina making the difference. Again, we couldn't do it all without your support. And I think this is a great potential model that I hope you know, as you can see, we have so many challenges. I hope in the future we'll be able to do even more with you folks. Mahalo.

Trustee Ahuna Thank you Kapua for all your hardwork and for the interns that come up and help out. Do we have another speaker?

Board Secretary Our next speaker is Joane Kaona.

Joane Kaona Aloha, Chair Lindsey, and fellow trustees, my name is Joane Kaona and I'm a OHA beneficiary and actually the secretary of the Waioli Valley taro hui. So, I recognize some of you, as you guys came to our lo‘i couple years ago in 2019. I'm just here to say thank you also for all your help and OHAs kōkua. You know, for the last several years, our small hui of about a dozen kalo farmers has been able to work with Kapua Sproat, U‘i Tanigawa Lum, and the students from Ka Huli Ao – Richardsons School of Law. That's made all the difference for us, you know, as Kapua has said they've helped us get a right of entry, permanent easement, we're working towards this long term water lease, and that includes a watershed plan draft environmental assessment. A lot of work that they've put in and they've helped us do, and we continue to do; for us as farmers, we're still in the recovery mode. It's interesting to hear, Malia's presentation, that, as practitioners, they and we pretty much are encountering the same challenges. Climate change a lot of them which is uncontrollable, so we appreciate all you guys help for the things that we can try to work towards. And yes, one of the thank all that amazing staff that helped us; Wayne Tanaka, Letani, Joycelyn, Wahine, and Trustee Ahuna. We just want to thank you guys for all your support. Mahalo.

Board Secretary Our next speaker is U‘ilani Tanigawa Lum.

U‘ilani Tanigawa Lum Aloha kākou, aloha Chair Lindsey, and members of the Board of Trustees. Mahalo for the opportunity to testify today. My name is U‘ilani Tanigawa Lum and I'm, I'm an attorney and a post JD Fellow at Ka Huli Ao Center for Excellence in Native Hawaiian law. Super nice to see you folks. I'm really just here to echo Kapua and Joane and extend my Mahalo to each of you. I want to say thank you, of course for your support of Ka Huli Ao and the Waioli Taro hui, and the A‘o aku a‘o mai partnership, I’ve seen the incredibly important impacts that this partnership has given birth to. I first worked with the farmers of the Hui as a third year law student in 2019, shortly after the devastating flooding, and at the time, I was super troubled to learn about and care administrative agencies sort of struggle with fulfilling their duties and I was disenchanted. And as then third year law student navigating the process with the Hui, I was troubled to realize that it's so hard for our community to engage in this process, especially when they have been undertaking this practice for really hundreds of years for generations. And when they are more than willing to fulfill the legal requirements as well. So, after graduating law school with a certificate in Native Hawaiian law and environmental law, and then passing the bar in 2019, I was hired by Ka Huli Ao and I get to help the farmers. So, I now co-teach the clinic with Kapua. And I get to facilitate the same A‘o aku a‘o mai learning environment for other students. I just wanted to share I learned a lot and I thought I'd highlight some of my larger takeaways. As a student turned Ka

Huli Ao fellow, I learned about the importance of the long standing and understated work ethic of these Kalo Farmers. The role of farmers as you know, really they are experts of this ʻāina and our resources. The ability to build capacity and students and community and for me the opportunity to learn from incredible leaders like Kapua. So, working with the Hui was the first time I saw that utility and importance of my law degree on the ground and in our communities. And as you folks know, Waioli is such a special place and I thought I'd just contribute to this celebration and this place of aloha ʻāina. I was inspired to write a mele; Aia i Waioli ke Aloha ʻāina and so like Malia talked about earlier, there are practices that are growing out of these other practices. So, all of that to say I just want to share with you my gratitude and mahalo you, and the larger OHA for Creating an opportunity for this humble young baby attorney to realize the kuleana and potential of a law degree. It is really dictated and shaped my entire trajectory and how I approach my work. And I know the farmers and beneficiaries really appreciate your support too. So please know that I appreciate your advocacy and hard work to better the lives of Native Hawaiians and I look forward to more great opportunities. Mahalo Nui.

Trustee Ahuna It is good to hear your voice again. Uʻi;ani has been apart of the OHA family with Chair Hulu Lindsey. I canʻt believe it's been that long. Thank you. I am going to hand it over to Chair Hulu Lindsey.

Chair Hulu Lindsey I am so proud of Uʻilani. Yes, Uʻi is one of my aides who I enjoyed working with. I knew she was law degree material and I encouraged her. I am so proud of you Uʻi. I know you are going to help our people in what ever way you can. And what a leader, to be with Kapua. We are proud of you here at OHA.

Uʻilani Tanigawa Lum Thank you so much.

Trustee Ahu Isa Congratualtions Uʻi and also on your marriage too.

Trustee Ahuna Congratulations to the whole Ka Huli Ao program. It's so important. It's an integral part of OHA because of legislation and we see the connection that Ka Huli Ao has on our legislation. So, you guys I important part of all of this. So, thank you Kapua and Uʻilani for all your hard work and, everything you guys do. So, thank you so much.

Board Secretary Our last speaker is Paul Cassidy

Paul Cassidy hello, how are you guys? Thank you for your service for your long patience tonight. I'm sure this is a time where most of you would want to go home. I'll try and keep it brief. I am an OHA beneficiary. I'm a small businessman. You guys gave me some money to do market research. A very important one called the affordable rental study in 2004. You were joined by all the counties DHHL and IHL. The study proved to the Federal government that their insight into Hawaiian rents was flawed and they ought to do more. I was inspired by HHFDC and bunch of people. I was happy to do that, basically, my background is a small businessman. I had the fortune of working and serving builders, contractors, Hawaiian Land Trust, that sort of thing. Until 2008 when I became a trustee of my great grandmother's estate. She was a Kaua'i landowner with 4000 acres bought from a family out in Kilauea, lived a very good life while it was under cultivation, by the sugar planters. The trust was set up by my father who was a trustee of the estate and also a trustee of the Campbell estate. Indeed, there's a number of family members who have served as trustees. Same as you. Two of which for chaos. Yeah, one uncle and one cousin and then Oz Stender, who was dad's CEO, went to chaos and ended up with you guys. From that experience, I learned the importance of responsibility to your beneficiaries. Above and beyond that, I learned the importance from my day job the importance of facts. You can't convince the federal government to do stuff, unless you actually have something hard and fast. I come to you tonight to say that what you listen with Roslyn, most truest thing about that was her antipathy for a guy named Teddy Blake. I get caught in the middle of this. So, my simple story is this. I'm trustee of the Lucas estate. Mary Lucas was the great

granddaughter of a child that Kaʻahumanu hanai after her family was pushed over the pali by Kamehameha. And married to haole named Alexandra Adams, who gained Kamehamehas trust. One of the things they did was Kamehameha asked him to lead an expedition to Kauaʻi to rid them of the Russians. So, that was our first experience on Kauaʻi. We're a big family, we have a fine tradition and the most important thing is honesty and telling the truth. So let me tell you the truth about my experience of what you were told tonight. One, Teddy Blake is not on the bones Council and I know that because I got in touch with him. We have a kuleana in Molowa'a field on Huli road. I said, "Hey, help me; somebody says they move some bones on my property. What do I do?" He said, "well Ricky, I'm not on the bones Council but this is the protocol." Very helpful and then a month later, an old client came and said, Hey, Ricky, I'm interested in buying this little parcel of land. It's part of the master plan to Kiahuna golf course. It's number six of eight developments, all of which were entitled back in 2004. When Roslyn said, this doesn't have permits, it is fully entitled, absolutely. There's nothing restraining it. The the archaeology was done in 1980 and 1990. By cultural survey, how hamet the gold standard, Hal's assistant was a guy named Bill Folk. When I was learning how to surf Bill Folk taught me how to surf in tongs 1960. So I was able to call Bill and say, Hey, you know, I'm a Hawaiian, I care about this stuff. You know, what is the truth? He said, Ricky, we're going to study it and we're going to tell the truth; and it's going to be part of the public record, because that's what we do. We tell the truth. Okay, so we've had a couple preliminary studies. And up to now, it has said, no significant historical artifacts. That's because it was part of the Knutson farm ranch, and they ranch the heck out of it. Then back in 2000, they sold it to somebody else and bulldoze the whole thing. Then master planned it and that was when the archaeology was done and accepted by the state. So, that is done and answered, except going forward. It is incumbent on me as a Hawaiian to help these guys, to say, hey, you stop and do what's right, if there's anything a problem. Now, when we tried to move onto the site to take down the Hale Koa, so the update of the archaeology was done. Roslyn, and her friend contacted me. And they sent me an email saying, hey, Ricky, because my name was on out there as as a consultant, which is my day job. They said, you know, we understand you're looking at this, we understand your friend of Teddy Blake, but Teddy Blake doesn't represent all of us, can you? You know, can we talk to you? I said, by all means, and I send them an email. I said, I'm going down to Koloa tomorrow, let's meet. Well, they miss the email. Then the next day said, Okay, let's get together. But on Saturday, they went live on a website called change.org. You guys might know it from the Waianae bridge. The bridge out in Makaha, you may know it as the bridge locals don't want. It's a website, and it started by saying, stop the genocide with my name and number as a decider and asking people to go and call me. Okay, I had Nothing to do with it. They publicized me. And they did it. Why? It was it wasn't a nice surprise. So, anyway, we started off pretty bad. They blanketed the council pretty sincerely with a new archeological study has been requested. That's what they said. I said, in response to them, Kaua'i counsel, yes, but the important distinction is that the requester was me done as part of our due diligence. It's been done by cultural survey, who did the original survey showing no significant site, and I will update. Then the allegation was cultural surveys. Hawaii is requested, done a full new archaeological study be done? I said, No, they haven't. They're not the ones. And then I went into knowing about this through Bill Folk. They then said, this means permits are no longer valid. I said, No, that's because there's no connection between permits already granted, and the updated survey. And then she goes, head archaeologists on the island for Historic Preservation, agrees, permits no longer valid, I said no, SHPD identifies cultural sites that are important for the public, but they don't deal with permits that's not in their wheelhouse. And, you know, you guys, it's late, my voice is going way too high. As a trustee, you guys have an incumbent to get to know the facts. If you want to get to know the facts, Ricky Cassiday, you know, Google me, 808-291-4407 or cassiday@gmail.com. You know, I'm responsible, this is my kuleana. Speaking of kuleana has the 4000 acres that we have up north shore does have some kuleana unmarked. So I know a little about kuleana, it also has a colonial dam. So I know a little bit about water because of the Koloko dam, I know about the geo labs and what they did, all they did was they did a little boring. And when they hit wet, when they did the boring, all they hit was koloa rock, the hardest in the state. To say that there's iwi there, to say that there's a cave there when it's solid rock, it has to be proven. If she comes up with a proof, I'm the first one to embrace it. I

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know what the protocol is, you know, we preserve it, we but we recognize it but, until you find something, you can't just make it up. You guys are really tired. And thank you for listening.

Trustee Ahuna Thank you for your comments. Trustees, do you have any questions for Paul? Paul, thank you for your testimony, I appreciate you coming on.

Paul Cassidy A Hawaiian once told me, You have to stand up for the truth and thats your trustee job, stand up for the truth. Thank you for listening, aloha.

Announcements

Trustee Ahuna Does anyone have any announcements?

Chair Hulu Lindsey Board of Trustees Kaua‘i Island Meeting at 10:00 a.m. tomorrow morning and this meeting can be viewed live at our oha.org/livestream.

Adjournment

Chair Hulu Lindsey I would like to ask for a motion to adjourn.

Trustee Akaka Moves to adjourn.

Trustee Ahuna Seconds the motion.

Adjournment							
TRUSTEE		**1**	**2**	**'AE (YES)**	**A'OLE (NO)**	**KANALUA (ABSTAIN)**	**EXCUSED**
LEINA‘ALA	**AHU ISA**			**X**			
DAN	**AHUNA**		**X**	**X**			
KALEIHIKINA	**AKAKA**	**X**		**X**			
KELI‘I	**AKINA**			**X**			
LUANA	**ALAPA**			**X**			
BRENDON KALEI‘ĀINA	**LEE**			**X**			
KEOLA	**LINDSEY**			**X**			
JOHN	**WAIHE‘E**			**X**			
CHAIR CARMEN HULU	**LINDSEY**			**X**			
TOTAL VOTE COUNT				**9**		**0**	

Chairperson Carmen Hulu Lindsey adjourns the Board of Trustees meeting at 7:24 p.m.

Respectfully submitted,

_____
Lehua Itokazu
Board Secretary

As approved by the Board of Trustees on June 2, 2021.

_____
Carmen Hulu Lindsey
Chairperson, Board of Trustees

Attachments:

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DRAFT
To be approved on
6/2/2021

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

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2021 that suspend parts of Hawaiʻi 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

Meeting of the Board of Trustees
Island of Kauaʻi Meeting
MINUTES
Wednesday, May 6, 2021
10:00 am

ATTENDANCE:
Chairperson Carmen Hulu Lindsey
Trustee Lei Ahu Isa
Trustee Dan Ahuna
Trustee Kaleihikina Akaka
Trustee Keliʻi Akina
Trustee Luana Alapa
Trustee Brendon Kaleiʻāina Lee
Trustee Keola Lindsey
Trustee John Waiheʻe, IV

BOT STAFF:
Colin Kippen
Amber Kalua
Kanani Iaea
Lehua Itokazu
Kalani Iaea

ADMINISTRATION STAFF:
Sylvia Hussey, Ka Pouhana / CEO
Casey Brown, Pou Nui / COO
Kalani Fronda, Land Assets Director
Raina Gushiken, CC
Everett Ohta, CC
Ramona Hinck
Kurt Klein, Board Counsel
Kevin Chak, IT Support
Erin Nakama, IT Support

GUEST:
Kamealoha Smith

Call to Order

Chair Hulu Lindsey Calls the Meeting of the Board of Trustees Island of Kaua‘i Meeting to order for Thursday, May 6, 2021 at 10:01 a.m. Chair Hulu Lindsey calls for a roll call.

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

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

Chair Hulu Lindsey Thank you Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2020 that suspends 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

Let me go over some quick announcements. Please mute your mics when you are not speaking. Trustees and our CEO please enable your cameras if you are able to do so. All other OHA staff please enable your camera and mic when addressing the board. If you get 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. If you need to leave the meeting, please inform the Chair by announcing that you are leaving the mtg.

We are recording today’s meeting for the sole purpose of producing written minutes, which will become the official record of this meeting. Joining the Trustees today is:

1. Kurt Klein
2. CEO Sylvia Hussey
3. My Staff – Colin Kippen – Chief of Staff
   Lehua Itokazu – Board Secretary

And my Aides – Kanani Iaea, and Amber Kalua

I will call on Sylvia, our Pouhana to announce our administrative staff joining us today.

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Sylvia Hussey, CEO Thank you Chair Lindsey. Good Morning Trustees. We have Chief Operating Officer - Casey Brown, Chief Advocate - Sterling Wong, Land Director - Kalani Fronda, Senior Legal Counsel – Raina Gushiken, Assistant Senior Legal Counsel – Everett Ohta, as well as our IT staff always in support of our board meetings. Thank you, Chair.

Approval of Minutes

Chair Hulu Lindsey Thank you. Moving on to item two. Approval of minutes.

Trustee Akina Madame Chair, can we take the approval of minutes separately?

Chair Hulu Lindsey Yes, we may.

Trustee Akina I will move to approve the April 15th minutes.

Trustee Ahu Isa Seconds the motion.

Chair Hulu Lindsey Any discussion? If not, roll call.

Minutes: April 15, 2021						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI **AHU ISA**		X	X			
TRUSTEE DAN **AHUNA**			X			
TRUSTEE KALEI **AKAKA**			X			
TRUSTEE KELI‘I **AKINA**	X		X			
TRUSTEE LUANA **ALAPA**			X			
TRUSTEE BRENDON **LEE**			X			
TRUSTEE KEOLA **LINDSEY**			X			
TRUSTEE JOHN **WAIHE‘E**			X			
CHAIRPERSON HULU **LINDSEY**			X			
TOTAL VOTE COUNT			**9**			
MOTION: [] UNANIMOUS [**X**] PASSED [ ] DEFERRED [ ] FAILED **Motion passes with nine (9) YES votes and zero (0) ABSTENSION vote.**						

Chair Hulu Lindsey I will now entertain a motion to approve the April 22, 2021 minutes.

Trustee Ahu Isa Moves to approve the April 22, 2021 minutes.

Trustee Ahuna Seconds the motion.

Chair Hulu Lindsey Any discussion?

Trustee Akina Yes, I plan to abstain as I was absent. My apologies to the board for my absence on that day.

Chair Hulu Lindsey All right. Roll call vote.

Minutes: April 22, 2021						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI **AHU ISA**	X		X			
TRUSTEE DAN **AHUNA**		X	X			
TRUSTEE KALEI **AKAKA**			X			
TRUSTEE KELI‘I **AKINA**					X	
TRUSTEE LUANA **ALAPA**			X			
TRUSTEE BRENDON **LEE**			X			
TRUSTEE KEOLA **LINDSEY**			X			
TRUSTEE JOHN **WAIHE‘E**			X			
CHAIRPERSON HULU **LINDSEY**			X			
TOTAL VOTE COUNT			**8**		**1**	
MOTION: [] UNANIMOUS [**X**] PASSED [ ] DEFERRED [ ] FAILED **Motion passes with eight (8) YES votes and one (1) ABSTENSION vote.**						

Public Testimony

Chair Hulu Lindsey We are now item III. listed on the agenda, public testimony. Do we have anyone signed up?

Board Secretary Yes, Ted Blake.

Chair Hulu Lindsey Ted Blake will need to speak under community concerns. His topic is not agendized.

Board Secretary okay, the next person to speak is Kamealoha. He is also a presenter.

<u>New Business</u>

Chair Hulu Lindsey Yes, he is a presenter. I will move onto item IV. New Business.

Kamealoha Smith Aloha, I'm going to turn the camera around so you guys can actually see the work that we're doing here along the Hanalei River in Hanalei Valley. Aloha kakahiaka kākou, welcome to Kaua‘i for those of you who made it here to Kaua‘i there's been a lot that's been going on. Later on today, there's an impending storm. So, we're gearing up to we have to get ready ourselves. We have a lot of branches all over

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the place. There is a lot of work that we're going to have to be doing today to get ready for that storm. Hopefully, it's not going to be too bad, they anticipate it's going to be about three or four inches, which is really good, because with the work that we're doing, we'll be able to do some of the greenway share that's coming from the mauka area and move it out into the open ocean. Thank you for giving me an opportunity to present. I just wanted to say my name is Kamealoha Smith. A few months ago, I went through that process of not changing my name, but just changing it so that officially, my last name could have that Hanohano Pa on it. So, me and my siblings, we all decided to do that. So, my name is still the same, but instead of Hanohano Pa, being my middle name it is actually going to be my last name. I'll send you folks, the changes on that one says Kamealoha Hanohano Pa – Smith. The name Hanaohano Pa comes from here, in Hanalei, where my grandparents are from. They're from down the street in Waiiniha and Hāʻena. Today I'm going to be talking to you folks about the work that we're doing along the Hanalei River. It's one of the four projects we have. Right now, we have two projects up and going because the Covid-19 we have this project, which is called Mala Maola. So, mala maola is in reference to all the hau bush. The clearing of the hau bush along the Hanalei River. The word mala maola, is specific to maintaining and how we take care of the hau bush tree. The hau bush tree is a native plant. However, if not maintained, it overgrows into the banks of the river. Right now we have a project called mala maola, which is to remove, and to maintain the side of the riverbanks here in Hanalei. Also, the most important part of this project is why we're doing it. We're doing it not just because you like make Hanalei pretty. We're doing this just because the hau bush has been overgrown, and it's been like this for 30 - 40 years maybe. It's grown so much that it's created a marsh alongside the river and it's also contributing to erosion. A lot of the fishing of grounds and the spawning grounds for native fish have also been compromised. One of the big activities that we have at the Hanalei River is of course, the outrigger paddling. As you can see a little bit down on the river here, you can see that the width of the river is actually not that wide. It really is supposed to be about 60 to 80 feet the entire width of the river but what we have right now is with all of the hau bush, covering both sides, only about 20 feet of width is actually navigable at this time. So, we got the idea a long time ago, to start removing this hau. We started casually doing it, after the first flood that we had here in Hanalei in 2018. As we've gone along, we've formalized that process. Right now, we're on the Hanalei side of the Hanalei River and I'm going to scan around here, so that you folks can see that it's a joint to the Sheehan and Wilcox property. They were kind enough to issue us a right of entry into their area. In addition to myself, I'm also going to have some of the guys that work with us to explain to you folks what they're doing.

I'm not sure how much time I have to explain, but I'm going to try my best to not take up to much time. I'm going to introduce one of the other brothers that is working with us. His name is Keola Sheehan. He can explain to you his role in helping us to put this project together. I'm gonna turn the camera around.

Keola Sheehan Aloha, Happy to meet you. We are happy to assist and get this project off the ground. We're getting a little learning curve going on how it might be scaled and perhaps integrated into a larger role of his watershed management and just trying to give the boys a some work and get them get them to cut their teeth on this hau bush project. So anyway, happy to have Kamealoha, explain it all to you and maybe you can see the guys that are really getting their hands dirty on the deal.

Chair Hulu Lindsey Thank you so much.

Kamealoha Smith So, Keola's family is the Hawaiian family that are the land owners here in the area. This is part of the Kauikeolani estate and the area that we work on, of course, as a stream bank, and then also in the marshes. Most of the haubush that we're cutting right now and most hau bush that we're taking out on is actually in the marsh areas. That is between the actual stream bank and the river itself. Right now I'm kind of walking over the site where the brothers are. They are taking out the hau bush cuttings that we do early in

the morning. The process is, we come early in the morning, we do our protocol, documentation, and then we start cutting. Once we cut, then we bring the excavator in and the excavator helps us to remove all the large branches. As you can see, we've got about 100 feet worth of streambank cleared already and in the water itself, you see that yellow boon, that captures all of the green waste. At the end of the day, we go in the water. We can't take any machines though, because no permit, so we have to physically go in the water. And we have to remove all the green wastes from inside of the of the yellow boon that you have there. Okay, so This is Jackie, he works with us and he is from Hāʻena. He will share with us some of the work that he does.

Jackie, worker We are cutting trees

Kamealoha Smith In addition to this project here, we also have the one that we do on the weekend for the homeless. That's the Mahalo noko meʻai program which is in a different ahupuaʻa. We are doing this program with Tahiti Nui, a local restaurant, and then also with Hoʻomana which is, Rowena folks. That project we're helping to teach the homeless and low income recipients, to cook on a budget, using healthy items. We feature ulu, kalo, and then brown rice in that one, and we sort of helped him to build a meal from that. I'm going to scan one more time, at the end of the end of this area over here, all the way down the river, about another half a mile down the river on that's what we have our nursery. At the nursery, that's where we're collecting all of our native plants. Eventually, when we take all of the hau out from this area over here, we're going to start replanting. Next week, we're going to start replanting with some native grasses to restore the banks, the integrity of the stream banks. In this property, or in this area, here, we have two fish ponds. So, whatever work that we're doing here is going to impact fishing in a real positive way. We're providing some jobs for our Hawaiian people. And the area that we're working in, the land is owned by Hawaiian family. There are some businesses that are owned by Hawaiian families here in Hanalei and then on the other side, is where Hui Waʻa is, the Hanalei canoe club. There's us and a few other native Hawaiian nonprofits that work alongside of the river. It's kind of hard yet to see through the hub was here on the fish ponds. There's three fish ponds in this area, two on this property, and then another one is on the other side of the river that you can't see. But this is kind of what we do, as part of our work here at the Hanalei River Heritage Foundation. And we just look for your kind support for an Office of Hawaiian Affairs. We were hoping this time that you folks come out to Hanalei to kind of see the work that we're doing beautiful Hanalei mountains up there, you can see some of the other waterfalls. But that wasn't possible because of Covid-19 also because of the roads. But Mahalo to everyone for giving us the opportunity to for us to share a little bit about what we do here. I was really nervous to give this presentation this morning, because I didn't know if I could really do a good job with this whole zoom meeting. But I really want to thank you folks for giving us the opportunity to share a little bit about what we do, the other part of this, that you know, like I said it's providing jobs for Native Hawaiian families right now. Presently we have five boys that are on this job right now. There's another crew that was hired by another family, right up the river from us. Then the Department of Transportation is also doing a project similar to this, so it's super exciting on to be a part of this restorative process where we're trying to impact the environment in a real positive way. And trying to change the narrative of Hanalei so that Native Hawaiians can be a little bit more active in the actual restorative process. We're excited to share with you folks, any results that we have. We're writing a children's book right now about this process here, and a few other things so hopefully, we can make that available for you folks to see.

Chair Hulu Lindsey Mahalo Kamealoha. That was a wonderful presentation. Thank you for all the work you folks are doing.

Kamealoha Smith Thank you for letting me share. Do any of you questions?

Trustee Ahu Isa No questions but stay safe, there is a flood warning for Kauaʻi.

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Kamealoha Smith Yeah, there is but we are use to it. I'll be leaving in the afternoon to the bridge, back to the other side. And the guys are gonna stay here and hammer everything down before the storm. But thank you so much for your concern. Trustee Lei Ahu Isa.

Trustee Akina Wonderful presentation. Thanks for being there. What is the overall budget for your project?

Kamealoha Smith Mahalo, a lot of the work that we do comes by donations. If we get donation then people can get paid; if not, then we do what we can. Right now we have enough money to run our project on the clean-up effort for he next month and half. Essentially, it cost about $4k/ day to run the machines and everything. What I did not explain is that there's just three of us that actually work here on a regular basis. That's all we can do as far as the budget is concerned. We're hoping to partner with the state and accounting because he had supposedly has some funding for these efforts. Right now, it costs about $10,000 a month, two days a week.

Chair Hulu Lindsey Mahalo Kamealoha, will you be coming back to speak under community concerns?

Kamealoha Smith Mahalo, no, I'll be going back to work.

Chair Hulu Lindsey Okay, with the permission of the Trustees, I would like to take our agenda out of order and have our one community person signed up from Kaua'i address us at this time. Ted Blake.

<u>Community Concerns and Celebrations</u>

Ted Blake Thanks for taking the time. I really appreciate it. I just want to clarify some statements that were made yesterday. I'm a graduate of Kamehameha Schools started in the eighth grade. And many Hawaiian activists started stirring the pot of being Hawaiian ancestry after we graduated. A notable kupuna that were with us on the list, Frenchie De Soto and my dad H. Blake led the Constitutional Convention. Another classmate was Haunani Trask and George Helm. George Helm actually went to another school, St. Louis. George and I were roommates for the last eight years of his life and we got very, very much involved in Hawaiian activism. Besides George, we were supported by Dr. Emmett Aluli, John Waihe'e, Walter Ritte, Francis Kauhane, Steve Kuhn, and Richard Sawyer. This made up the core of the group that really started pushing for Hawaiian rights. This happened during the '78 constitutional convention. Hawaiian activism was the topic of the day and getting involved open up a whole new area of bureaucracy. We had to navigate through new laws on the books, we had to educate ourselves on and what prevented activism as we knew. That sent us back to the drawing board to strategize our efforts and find success in our endeavors. Being a lifelong resident of Kaua'i, I told my ohana, activist family, my work is on Kaua'i. My housemate, the last eight years of his life, George. We worked together, he being from Moloka'i and I, from Kaua'i both live in O'ahu at the time.We made a pact to right the wrongs imposed on the Hawaiians in Hawaii, as best we could. We didn't realize how big that pact was going to be. But, we put our minds to it and we started off on our journey. The journey began with land, wahi pana, and iwi kupuna. The County of Kaua'i made sweeping changes to the county's general plan and most of Kaua'i on the neighboring ahupua'a hope was rezoned to resort development in the early 1980s. At this time, we had a tremendous economic downturn and development, and the economy came to a standstill. This went on for nearly 20 years and towards the end of the century, and the beginning of the next century, money started freeing up. We realized what all the new zoning development that occurred in the 70s was doing to us now. The whole bottom portion of the ahupua'a was all resort zone, which meant R20 zoning either very big homes, vacation rentals, or hotels; 20 units per acre. This sweeping changes brought a lot of changes to Kaua'i because it was a fast pace, many of the of the

locals weren't that aware of how fast the pace was going to be, or how it's going to affect our lives. We started getting hit from all kinds of areas that we didn't realize we were vulnerable too. So, we took it upon ourselves to educate ourselves and started off at the planning department learning the ins and outs of planning and strategies we could use to get our point across. And make our points on the wahi pana that we felt needed to be protected. I sent two pictures to you, one is a map of the archaeological sites of the area. This is very important to us. When you look at it, it covers about 400 acres and all the wahi pana that was recorded there in the 1980s represents 18% of the most intact wahi pana in the paeʻāina. The numbers about 700 different wahi pana. This area was the last volcanic activity on Kauaʻi and there's a tremendous amount of stones in Kōloa. Some people think that Kōloa is another word for stone but that's how much stone we have. So, it wasn't land that the plantations could really make use of because there's so much rock there. They bulldoze what they could into big piles and the rest of them they just left alone. You had flat beds of pāhoehoe and a lot of loose rock in the area. We started doing archaeology and we had about four notable archaeologists that have done work in Kōloa. Hal Hammond has probably done the most work of anyone. He's got over 45 years of experience on the global side. What drew Hal to Kōloa was the archaeological sites in the area that the Knutson family has developed and one of the projects is Kauanoe o Kōloa. All these areas have been surveyed by Dr. Kikuchi, before him it was Dr. Hammond, and before him it was someone else from the 1800s.We've had people tell us, there's iwi there and heiau, canoes, and caves. Which could very possibly be true, but nothing was ever discovered. Now, the map I showed you that has all the wahi pana; when you look at it, you're going to kind of blow your mind because it's covered completely with the lines. The lines represents loʻi and different crops they had. It was very uneven land, so that, you know, it's all over the place but the rocks, I mean, it's really hard to go dig, dig, dig a cave or plant, you know, replant iwi in solid rock. So, when people tell me, there's heiau and iwi there, I said, show me the heiau so, we know where it's at. The response is we don't know. The area was bulldoze completely. Everything that was above ground normally got wiped out unless it was protected. Back in those days, we didn't have strong archaeological laws, so, archaeology didn't get a foothold there until the 80s. And then it took time to grow to where it's at today with the State Historic Preservation Division (SHPD). This went on this whole time, and I've been hearing many different stories about the village of aliʻi here and you had a village of a very thriving population here but that's not true, because that whole area was 700 acres, that was a complete agricultural field system. One of the most productive ever in the State of Hawaii, probably the most productive. It lasted for 500 years. The only reason it ended was the sugar companies started to develop the sugar lands, with the awards from Kamehameha III. They broke through all theʻauwai that the Hawaiians put in. That bottom four ahupaʻa; Kōloa, Weliweli, Paʻa and Mahaulepu. We only had one watershed and that was through Kōloa. The rest of that area is very dry. What the Hawaiians realized was that the taro that grew in that dry area would mature two months faster than any place else because there was more sunshine. There is nothing blocking the sun rising or setting in Kōloa. They would harness the water from Kahili Mountain Park and made a series of ʻauwai's. We have maps that show over a 100 miles of ʻauwai over a 700 acre area. The land was very uneven and they had to criss cross several times to get water from one level to another. There was not much room for villages because it would take up to much room of the important ag land. The US soil conservation said this soil was unsuitable for farming but not for the Hawaiians, it was very productive. We supplied the North and the Civil War with all their sugar. This was throughout the whole civil war. We supplied the forty-niners and the goldrush with all their sweet potatoes in the six years of the goldrush. This is all coming from Kōloa. I find it amusing that Kōloa is supplying the food for Californina instead of the other way around. When the sugar companies came in they started to disturb the ʻauwai systems which ended the field system because we had no irrigattion. When I spent alot of time in this area and time down there, we educated ourselves and we found out the problems the developers were making, we took them to court. I filed suit against the County of Kauaʻi, the planning department, SHPD, and Board of Land and Natural Reources (BLNR). This was a nine year battle. I took them to the Supreme Court and we prevailed there. We post-poned the hearings for six years for two other counts that we are going after right now. We recognize

what we've got and we go after it. When I hear the stories coming up about Kōloa, I like to find out if they're the truth. Many of them are glossing over; saying *I got this as a premonition, my aunty told me about this.* My reply is as much as I believe what you're telling me, we don't have that palapala here and there's not much we can do about it. Laws are made and laws gotta be followed. These laws have morphed over the years. It started with the Hawaiian Kingdom making their laws; the Great Mahele and etc. etc. We have to follow the laws. We have a good grip on following the laws and we have a lot of respect from the developers now because they know there is a new sheriff in town. We are very respectable to them but we do not let them push us around. I think we are doing a good job. When I hear this kind of stories it gets me upset but I don't want to take it to them in public. They go off on a tangent. When we talk about this, we talk about the how the laws affect us here, its not about how much you think it should be. It what you can prove in the law. This is what I wanted to get across to you today. Thank you for your time and I appreciate your time. Good Luck.

Chair Hulu Lindsey Thank you Ted. I appreciate your participation and we are hearing different sides of stories, which is good for us. Before we move to our next item, I will call on Kamealoha.

Kamealoha Smith Thank you, I just had something I wanted to share. Thank you for making Kai available to us here in the Hanalei area. The iwi kupuna issue that we're facing on this side of the island, are the issue of doing the burial mitigation plan actually came from the county. The county wanting to initiate some kind of process on so that if they're going to be developing on this side, on that, we'd have an opportunity to at least explore that issue. So, that is when I reached out to Sylvia and then to the Office of Hawaiian Affairs. Kai did make contact with us and we're going to be working to see exactly what can we can do to educate our county people about the issues of the burials, about the issues of Section 106, and also issues regarding our traditional and customary practices. I think part of the work that we're doing right now, is really important that people understand, that one of the most important outcomes to come out of this is for Native Hawaiians have a stronger voice. There doesn't always have to be all of this, arguing or fighting or whatever if Hawaiians actually have the right to come down to the muli wai and to fish, so on and so forth. So, I believe that Kai and his department, what they've been able to do in terms of providing us guidance, is pretty fantastic. I really thank you folks for making that resource available. You folks have papakilo database, but I wasn't sure how to use it. I've asked Kai to give us and others a tutorial to access the information. I think OHA has wonderful resources like that but many of us don't know how to use it. Another resource is Awaiaulu and ulukau.org, all wonderful things. Kai's involvement with us here on the North Shore are really important and the department that he runs, the compliance department; I think that is a really valuable resource for people in the community to learn how to better and navigate and understand how to work with the State and the Federal government on these section 106 processing and these other Native Hawaiian rights issues. This is all I wanted to say. Thank you so much for having all these resources available to us here in the community. We really appreciate it. Aloha.

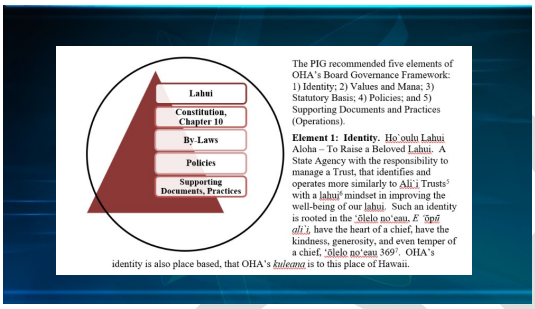
Chair Hulu Lindsey Okay we will move on to item IV. 2. I will turn the time over to our Pou hana, Sylvia.

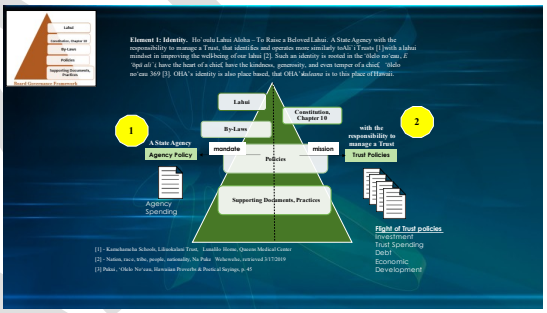
<u>New Business</u>

Sylvia Hussey, CEO Morning trustees. The handouts for the Board workshop begin on page 27 of the electronic folder, if you have that open. We'll go through a sequence of talking about the policy framework, then getting an update on the ad hoc committee on sponsorships, and grants and sponsorships. Then third, have some discussion about what a strategic granting policy might look like. In preparing for this morning, I did realize that one of the attachments of the strategic granting policy was not included in the memo so, I've

asked Lehua to email that to you. It's there's no action required, it's just for you to take a look at and to review for the workshop. If it's okay, I'll go ahead and start sharing my screen.

The the PowerPoint piece starts on E 30 of your electronic binder. Just to set context, if we think about our policy, our board governance framework, and the policy framework, think about a mosaic in which each tile has its own unique characteristic. But when you place each tile strategically and you step back, you have a beautiful mosaic picture. Our policy work is kind of like that so, we're gonna start with our policy pieces here, we're going to also start with the same definition of governance that was used by the boards permitted interaction group. And as a reminder, all of the Board Governance elements and pieces have been approved by you. And what we're working through is the implementation of that Board Governance work that the trustees have started.





So, that's the definition, the five elements of the board's framework includes identity - our vision and our mindsets here, we go to our identity, then this bifurcated kind of identity where were are a state agency, and so we need policies that are aligned to state agency. But we're also a trust and have responsibilities, and therefore our policies should be reflective of those. As we do policy work, we're going to try to bifurcate and be clear about why we have certain policies, and how they get implemented. For your information, this is just administration's proposal of how to think about the policy work. The ultimate action out of this is if all of this makes sense then administration will bring forward to the trustees an action item to formally codify and approve the framework and its related pieces. So, all of the pieces today are workshop discussion items on the way toward informing an action item for Board action. Our dual nature is here and when we think of policies, we think about policies needed to address that dual identity we operate in. The other elements: we operate in our roles, our values, the mana, that's there. We think about mana as capital, influence capital, financial capital, culture capital, and all the human capital. So, when we think of capital and our ways to influence in policy, or in other spaces, that is a part of our governance framework as well.

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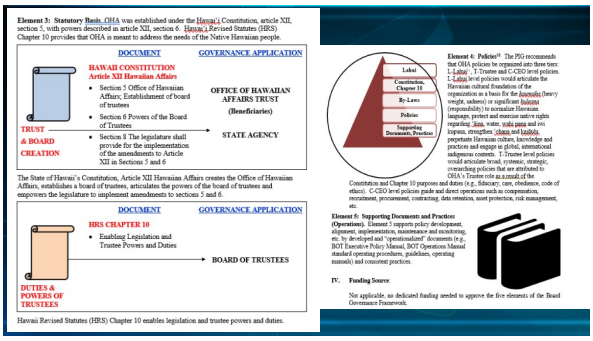
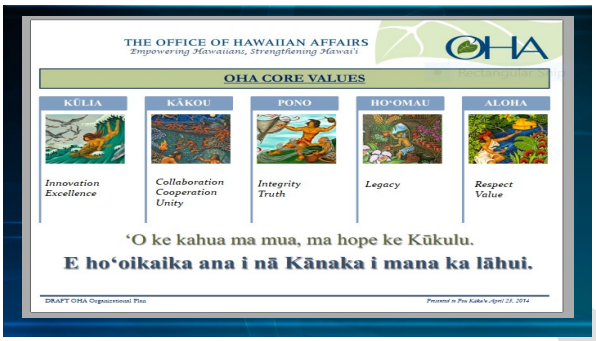
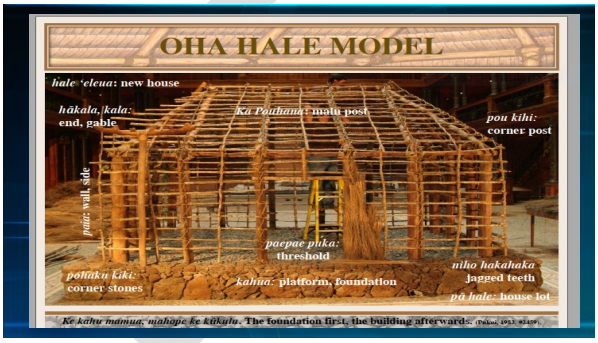
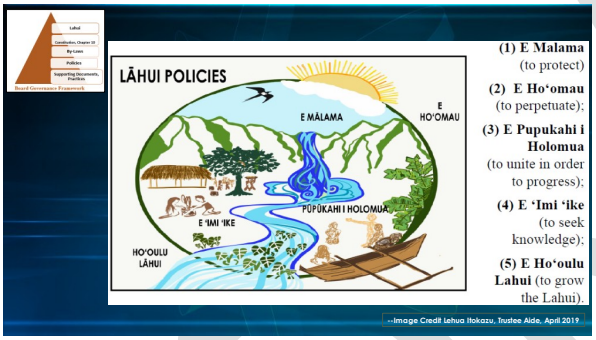
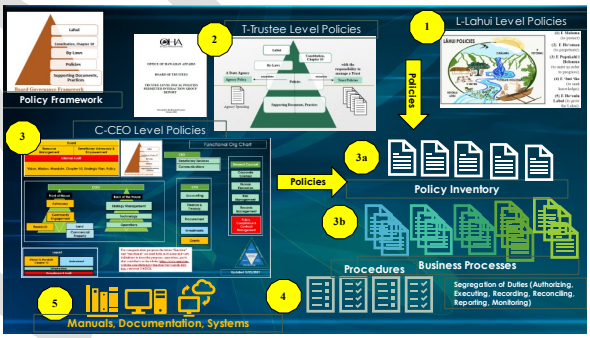










Continuing the approval for statutory basis. We as a state agency, we have our statutory basis in constitution, as well as the overarching statutory in chapter 10, that guides the organization's work. Then we come down to further down the triangle and now we're talking about the policies. Level five is then the implementation of the policies with all of the supporting documents. With that context and refresher, we operate in our core values, not only at the operating level, but at the strategic level as well. Then we continue to utilize the hale model in terms of our language and our orientation, and our titles and our functions. So those pieces of a framework have not been changed. So board approved governance framework operating model continues. The first piece, the hui level, the board approved that in early 2019 and that forms the basis of that. Image credit to Lehua Itokazu, who was on the permitted inaction group as Trustee Hulu's Aide for visualizing and putting together in one image, this concept of our Lāhui. Mahalo to Lehua, for helping us to visualize, and in one place, put all of the lāhui policies in context. With that, we start to build our mosaic if you think of all the lāhui pieces that we have, we'll start with our lāhui policies. They help to guide us. They're our North Star and you can see other aliʻi trusts and our communities should find resonance in these locally lāhui policies. They're broad and they're applicable. We're not saying these are the policies, we're just saying these are common policies that we can galvanize around and we can uplift our lāhui. The next level of work trustees that you have been working on started in last fall with the permitted interaction group around fiscal policy

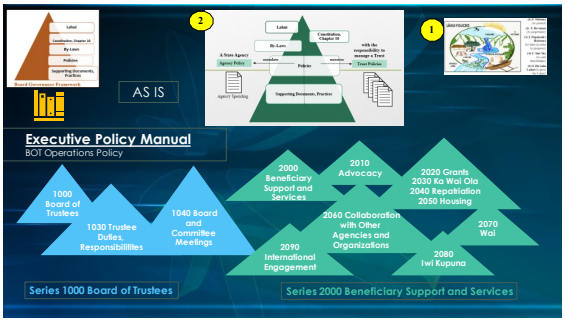
That report was delivered to you in October. The recent land and commercial property permitted interaction group report that you also approve, identify to acknowledge this work, and then direct administration to bring forward the policies related to this in this dynamic, bifurcated picture that you have. You will see administration bringing back each of the pieces and layers for your approval. Then in your mind's eye, as you look at L-Lāhui level and T-Trustee level, then you think about the operating C-CEO level policies. These are the more operational procurement policies would be here such as human resources, recruitment policies are at this level. So, if we think about our functional org chart that we've been talking about in the reorganization, sea level policies would line up to the functional roles that are in our organization. If we think about those three layers of policies, then the next thing is how do we keep track of them? Right? So we need to keep track of all the policies at the various levels. So you can imagine there's a policy inventory that needs to be constructed. We need to implement a policy of policies, right? What's that cycle of policies. And then the next cascaded piece after the inventory of policies is then to put the processes together. Business processes align, we've been talking always about policy, procedure and practice. And one of the inserted additional P's in there are processes, we need to ensure all our processes are lined up. Then we have procedures that go with those processes. The reason you need processes and procedures to come together is for a couple of things. One, is to ensure that our internal control environment as an organization, is adequately balancing all of the different authorities. We want to be sure that the authority for authorizing, executing, recording, reconciling, reporting, and monitoring all have adequate segregation of duties so that one person can't authorize, can't authorize the check, cut the check, send the check out, and then reconcile the bank accounts. So, in an internal control environment and responsible, it is management's responsibility to ensure that the internal control environments are working soundly and so that's why it's important to marry both process and procedure in implementing the policy, top to bottom. The last but not least piece in there is the practice, the implementation will be found in manuals, standard operating procedures, it'll be found in documentation, it'll be found in systems workflow, it'll be found in delegations of authority. So, this piece this picture, ultimately, as we build is what we would call our policy framework, from top to bottom. Before I go to our current state, I'm going to pause here for any questions by trustees or comments, clarifications, direction for administration.

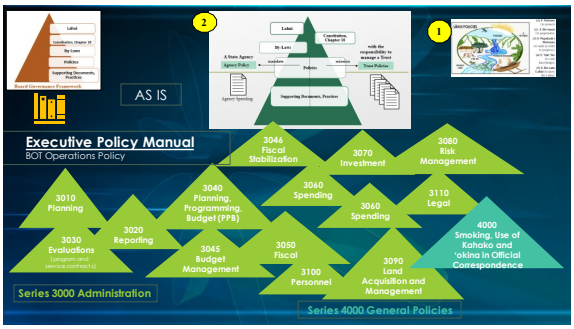
Trustee Akina Sylvia, great job. I appreciate the framework. I wanted to go back to an earlier slide, element one, identity. I am referring to the top, element one. *Ho'oulu Lāhui Aloha, to raise a beloved lāhui.* The following phrase; A State Agency with the responsibility to manage a Trust. That is the phrase I'm looking at. Is that language intentional? Or are we saying our primary identity is a State Agency with a responsibility to manage a trust within it or under it? As opposed to a trust, which is also a State Agency would just like to hear some of the thinking in the framing of that?

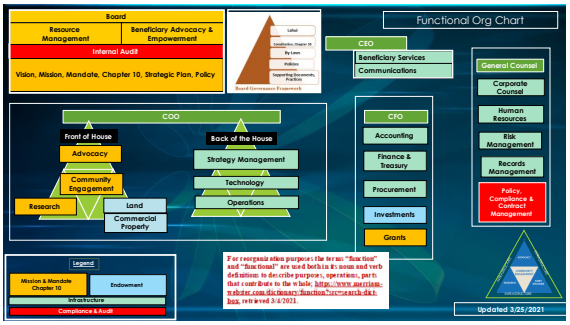
Sylvia Hussey, CEO Trustee, in the permitted interaction group, this slide was used to describe sort of the *as is condition*. The origins of OHA as a state agency created by state constitution, so it wasn't meant to reflect a future state or a different thinking. I think there's value in thinking, we're a trust, that happens to be a state agency, or, six of one and half a dozen of other. In terms of when the board approved the element in the permitted interaction group, this particular element was just called out as a recognition of the origins. Regardless of where we want it to go, the origins of the Office of Hawaiian Affairs was as a state of created entity. If I recall from the permitted interaction group, it wasn't meant to infer any more than the current state. But I'll defer to the members of the permitted interaction group to also speak to that concept.

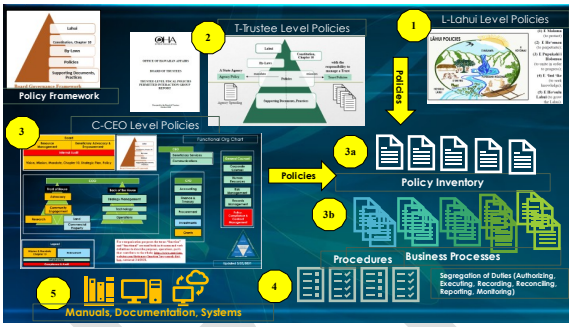
Trustee Akina Thank you, you've put it into context where I appreciate that.

Sylvia Hussey, CEO We start with the as is condition, what do we have, and like anything, it's not that OHA didn't have policies they had. So, it is codified in the executive policy manual, as well as the Board of









Trustee's operations policy. The policy manual, and you have all received a copy of both documents electronically. There is the first series, and you can see the topics there. There is a second series that covers beneficiary topics. There is a third series that has administration, you can see some operational kinds of things, but you could also see a mixture of trustee level type policies here. And then there's, you know, kind of this general policies, catch all. Smoking is in there and use of kahako and 'okina is in there. So, there are policies and it's not like we don't have them but what administration would like to support and bring forward in an action item is to organize our policy and our related procedures and processes within the policy framework. We would use the functional org chart as the C-level operational level policy, and then use the board governance framework to elevate Trustee level policy work. I'll stop here for further comment if the action would be to bring the policy framework in the form of an action item to the board as a result of this workshop.

Trustee Lee Sylvia, bringing forward the executive policy manual and reorganizing it based on the functional org chart. When I look at the functional org chart. This isn't the functional org chart that's in this presentation. Is this as we sit today? Or is this the functional org chart as being suggested by administration for the reorg?

Sylvia Hussey, CEO It is the latter, it is the functional org chart that we've been discussing in the reorganization.

Trustee Lee Okay, so, we're meant to consider this going forward, even though this is something that we have not approved.

Sylvia Hussey, CEO Part of the policy framework is the entirety of all those pieces and then as it relates to the C-level policies, that discussion still needs to be have as to the functional organization. The board's budgetary approval of the organization piece. The discussion regarding the organization is still in process, and then is still going to come forward with the budget, as well as some realignment discussions that are scheduled next week, and the following week.

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Trustee Lee Okay so, being based on that knowledge, what's going to happen to everything we're doing in his workshop, if those things don't pass next week and the following week? My question is based on, it seems like all of these things were teed up in sequence based on our first workshop for the reorg, three weeks ago. But, things haven't moved in that sequence, because things got stalled, because trustees had more questions, and we're not ready to move forward on those things. So, are we going to continue? It seems like this can get confusing for the trustees, because we're talking about things that haven't been approved, but we're going on assumptions that they're going to be approved.

Sylvia Hussey, CEO I would say the organization of the C-level policies, is the only piece that is outstanding. The Lāhui level policies are all the elements, all the elements of the board framework doesn't change. It's at the C-level, CEO operating level, the organization of those policies; we are proposing that the organization of those policies be organized in the functional org chart. Whether this functional org chart is approved or implemented, the underlying functions and related policies still exist, from accounting to procurement to investments, they still exist. So, how they get organized, is, part of the discussion, but the fact that you need those policies, that's one of the tiles in the mosaic of the policy framework is the point here, and obviously we wouldn't move forward. The action that is being asked of the policy framework is the larger alignment of L, T, and C and that we need an inventory, business processes, procedures, and related documentation. How the C-level can still be discussed, but as a framework element to articulate that there will be sea level policy work that's needed.

Trustee Lee So, thats all administration is saying that they're, bringing forth to the trustees that they acknowledge that C-level work needs to be done. This may or may not be the framework. I don't know that I agree that no matter what the framework is, the policies are all going to fall in place. Because I would imagine, and I could be wrong, but I would imagine that the framework is going to drive how the policies are written, because it will change who reports to who and how they report to who? Like I said, I could be wrong, but I don't know that the policies could blanket that without that component being in place.

Sylvia Hussey, CEO So within each policy, there would be the delegation of authorities for that specific policy.

Trustee Lee Right, which would change based on how this functional org chart would be. Would it not?

Sylvia Hussey, CEO Yes and no. For me, you still have an originating author as authorizer, you have a one up, and then you have ultimately, whether it's the CEO line, or the CFO line, or the COO line of authorities coming up. There's always an originating authorization, there's a one up, which is generally the director level, and then there's a one up for the executive level. For me, those levels of authorities don't change, their titles may change but the functional levels of those authority levels, the one up the originating the one up and the two up, those delegations of authority can be spelled out, regardless of the position title, because they would have a functional role that doesn't change.

Trustee Lee How would you write that into a policy? If you don't have a title to put in there, do you just say, it needs to approved by whoever is above you and just leave it like that?

Sylvia Hussey, CEO The delegations of authority, you put the originator. You could say, who whoever is the originator, then the one up would be the division director, and then the two would be the executive. Usually, that is either the COO or CFO or the CEO.

Trustee Lee Sorry, I am just trying to understand. If I understand you correctly, then instead of saying, procurement would need such and such director and in such and such CEO or CFO it would now just say procurement would need their directors approval, and then that would need approval of whatever their administrative line is. Instead of naming the title of the position, you will just name for lack of a better term the branch that they would not be on.

Sylvia Hussey, CEO The branch or their function. The originator, that could be anybody. There is always a one up with the originator.

Trustee Lee The originator and the one up, I am trying to contextualize that to a term that we understand. So, the policy is going to state whoever the originator is , needs their director, and then that needs an administrator. It will not necessarily say who that director or administrator is, but it will just have that line stating; originator, director, and administrator.

Sylvia Hussey, CEO Correct. When you now implement the delegation in the systems, the systems, will say, the originator can be this and if it's this line of business, then the system will specifically identify, for example, all land transactions would need to go to Kalani. So, in the system work, you then put in all of the controls in the systems to make sure that the workflows follow the delegation of authorities. Policy wise, you set the function.

Trustee Lee You're getting beyond where we are at. That's not where we're at right now.

Sylvia Hussey, CEO We are there in contracting, we are at that level.

Trustee Lee Okay, then we're back to my original point. Again, so now if you're going all the way down to systems, now we're naming people, and if we're naming people, how can we do that when this functional org chart is not where we sit today and this isn't approved, so now I'm back to my original question then.

Sylvia Hussey, CEO We are work shopping.

Trustee Lee Right, we have something that we're sitting on now. But what's in front of us right now on this screen. The functional org chart screen that was up, we're not there. So, something is in our workshop trying to explain to us, and we're not there, this functional org chart that's in this workshop is not where we sit today.

Sylvia Hussey, CEO We do sit here, we do have these functions working.

Trustee Lee We have the functions but not in this order, that was my question. So, was my question not clear, and it was not answered accurately. My question was the functional org chart that's on this slide, is this how we sit today? Or is this administration's proposal for the reorg?

Sylvia Hussey, CEO I'm sorry, I did misunderstand. Because what the functional org chart is where the authorities lie currently today.

Trustee Lee Okay forget everything else I said, that was my question. So this where we sit?

Sylvia Hussey, CEO Correct, for most of it, there are pieces. There are pieces that are to be, to your point. In the functional org chart, the beneficiary services and communications as an example, is not where it currently

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sits. But the CFOs line, the COO or front of the house, the COO back of the house, those lines, the general counsel line, those are in place.

Trustee Lee Okay, my question was based on, there there's a disclaimer at the bottom of this slide, right. In the very first two words is for reorganization or three words for reorganizational purposes. So that's what made me ask the question, I apologize is where we sit today.

Sylvia Hussey, CEO Correct, with the exception of those new units under discussion.

Trustee Lee Okay, Thank you.

Trustee Ahu Isa I am not comfortable, and I want to go back on the slide, moku ‘auhau. Trustee Akina was questioning about the State agency. I don't like to see something in print like this, that people are gonna use against us. We are not a State agency, you're using it in the context of State agency. When it's in writing like this, people can pick it up and use it. Maybe a quasi-State agency. Also, when you go back to the triangle on the slide, it says a State agency policy. If we are a State agency, we get rights. Like the Board of Education there stated the department to help Attorney General, a deputy in their meetings, they don't pay extra for that. They have other things that State agencies have that we don't have. I don't like to see the writing, we can talk about it, but not for it to be in writing. This is almost like saying, we don't have authority. We give it up we’re a State agency. I'm sorry but that's the way I see it. I'm talking from a beneficiary's point of view when they see this in writing. It bothers me.

Chair Hulu Lindsey Thank you Trustee

Sylvia Hussey, CEO Trustee, I apologize if additional quasi wasn’t there but the document that you have is the approved framework from the Permitted Interaction Group (PIG) that was recommended as well as approved by the board. To your point, though, on a go forward basis in the working documents that we utilize to put in quasi state agency.

Trustee Ahu Isa I want to hear from the PIG members, you ask if anyone wants to say anything? And nobody answered, that’s why I brought it up.

Chair Hulu Lindsey Well, who was on the PIG?

Trustee Lee I was the Chair, what do you want to know Trustee Ahu Isa?

Trustee Ahu Isa I want to know when you first did this? Number one, it's called moku ‘auhau.

Trustee Lee The one that you voted for.

Trustee Ahu Isa Number one identity, beloved lāhui, a State agency with the responsibility. Can we go back to what Trustee Akina says, and say a trust that is a State agency instead of saying a State agency.

Trustee Lee We are not a trust that is a State agency. Show me in Chapter ten where it says OHA is a trust.

Trustee Ahu Isa We are not a State agency.

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Trustee Lee According to the State constitution we are. And if we are not a State agency then why do we fall under the state constitution? And why do we receive state funding?

Trustee Ahu Isa I don't know.

Trustee Lee The state has a fiduciary duty, they have a trust duty to OHA to pay us PLT funds. But we don't administer to PLT, OHA was never set up to be a trust. We became a trust.

Trustee Ahu Isa We were once called a fourth arm of government.

Trustee Lee I understand that.

Trustee Ahu Isa when I ran for office way back, when 2014. There was a big debate about our we a State agency or are we not a State agency.

Kurt Klein, Board Counsel Madam Chair, I want to make sure the discussion is focused on the agenda, the items that are listed in the agenda. I feel like this discussion, maybe going somewhere that's outside of the scope of the agenda. Given that we're supposed to be talking about the governance framework, the policies, whether or not OHA is a state agency, I don't think it's quite up for dispute, given the language of the agenda item.

Chair Hulu Lindsey Okay, Sylvia, lets move on.

Sylvia Hussey, CEO That ends the portion about the policy framework, in which the next two topics is one of the tile pieces that we want to bring forward. The next topic is an update on the board's ad hoc committee on grants and sponsorships. And we're coming up on almost three years of the point in which the moratoriums were put on significant work was done by the board. The trustee sponsorship piece of it came forward and it has been implemented. What remains of the ad hoc's work is the granting piece. As you went through the memo; for those of you who were here, there have been many changes in the ad hoc, not only the trustee, former Chair Machado as well as Trustee Waiheʻe. And of course now, Chair Hulu, but the underlying members from the CFO to the grants manager to the public policy, so even the underlying administration support, you know, group is not around anymore. In addition, the kulia grants that were part of the one of the recommended items as a pilot is still in pilot. I think weʻre coming up on our second solicitation and awarding. The evaluation, if you will, has the kulia grants accomplished what was intended, how is it done. It is still up for discussion. It is coming up on three years and thats the status. Some of the discussion questions is: Does it make sense?
The topics of sponsorships was a part of that and the back of the mannual gave some discussion prompts for the trustees in terms of sponsorships. The BOT sponsorship and the kaiāulu sponsorships, formerly known as the CEO sponsorships are on moratorium because of the 2018 action by the board. That represents about $200,000 or so and you have seen an action item how we have asked the board to repurpose those dollars to some grant activity. Just recently, we asked the board to add that to the emergency financial assistance grants. They are on a moratorium but we still budget for them pending direction from the board. So, this is administration's update to bring to the board some of those discussion questions, are there? Same thing to the direction of the board how the board would like to proceed, and then administration will bring forward an action item, according to that direction. Thatʻs the update.

Chair Hulu Lindsey I think it would be beneficial to the Trustees for them to get a report from administration on the benefits of those kulia grants. Letʻs have a report on the monitoring and let us know how it benefited our beneficiaries, our lāhui. If we donʻt know what it did for our lāhui, how can we make a decision on if it should be continued or moved back into competative grants?

Trustee Lee I also think it would beneficial to get a report and recommendations from the ad hoc committee. One of the talking points that administration provided, how would a sponsorship differ from an ‘Ahahui grant? So, are we seeing then that events like Merrie Monarch need to apply for grant every single year from OHA? I'm not saying that. No, they should’t but that's what we're asking. My understanding is, I know there are others, but those are some of the sponsorships that OHA provided. Merrie Monarch is going to happen every year so, OHA made it a line item, so that it would sponsor it every year. There are others right? I believe, Keiki hula, the Lunalilo trust, and Prince Lot Hula Festival. It would be helpful if those that were working on this gave a report and recommendations from that ad hoc committee. That way we know at least we have more information and more to discuss about.

Chair Hulu Lindsey Yes, I agree. You know we do have a partial report that was put together by our administration on where they left off. I think that we can do exactly that, put together this ad hoc committee again, to make that report available to our trustees

Trustee Lee Thank you Madame Chair, I think the important thing about that report is recommended, like what is the ad hoc committee recommending the board do? At least we have a starting point, right. Ad Hoc Committee recommends we do this?

Chair Hulu Lindsey Thank you. We will do that. We need more reports from our administration, on what our grants are doing to our communities. That's something that the trustees don't know. We give out money, it's okay because we want it to work for our people. But let's hear what it's doing, otherwise, we just giving out money and not knowing what it's doing for our people.

Sylvia Hussey, CEO We do have a report we've provided to both Chair Hulu and Trustee Waiheʻe but to your point we will help formalize and bring that forward. Part of the intertwine and the traversing of all of those concepts are that some of these sponsorships we actually get because we buy media dollars. So media dollars, sponsorships also are in the form of media dollars. They are in the form of outright sponsorship for the production and things like that. So, including all of that some of our media buy some or outright sponsorships. And then there's the whole discussion of table sales and fundraisers in that regard and being consistent. There has also been a previous practice line item. Trustee Lee mentioned, line-item legacy sponsorships, I believe they were previously identified as and so all of those, the nomenclature and the that's specificity to be aligned to all of the thing’s sponsorship that is going on within the organization in different pockets and segments and pulling it all together. So, chair, we will go ahead and formalize a report.

Chair Hulu Lindsey I think Trustee Waihee and I will meet with you on that adhoc and together put to gether that report.

Trustee Akina I also wanted to affirm the value of getting the information requested in terms of the report on the activity of our spending. In particular, I direct this to Sylvia, having this information available to Trustees as we make budgetary decisions and the context to that by discussion for program planning and budgeting system. It would be helpful to have the information to as to the performance of the grant. The context of this budgeting information we need to make budgetary decisions is that it is understandable.

Sylvia Hussey, CEO It is, so, it is Trustee Akina, it makes absolute sense and leads us into that next conversation about strategic granting. However, I would like to frame a grant work in in our evaluation of grant work on one of the differences in these recent solicitations, is we have established the solicitation and the alignment and the metrics that are going to be collected and putting into contracts that the information that we need comes from the grant so that we can now analyze. There are multiple layers of evaluation work, there is

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the actual grant evaluation, like you gave, $50,000 or $300,000 to program A and how did program A perform as it relates to program A's objectives? There is a second layer of evaluation which is if program A was part of the Kulia granting program, then did program or awardee grantee A contribute to the overall Kulia intends did we achieve what Kulia as one. For example, we will all use the emergency financial assistance, large dollars, but we've had four contractors in eight years. One contractor, we'll just say we needed to monitor more closely left $600,000 on the table, and $600,000 for emergency financial assistance is a large amount. So, when we look at evaluation, we need to look at evaluation at the grantee level, which is part of our monitoring. But we also need to look at evaluation at the larger programmatic level of is the way we are implementing emergency financial assistance achieving the objectives of financial assistance. That goes back to program design. So, when you do grant program design, you have to make sure you're really clear. What is it that you're designing for? For example, a scholarship, right, that's a very common grant to give tuition scholarship. But what is the metric of success? If they turn out to have F's and D's, is the program a failure? No, I would say no, because that's not the objective of the program, the objective of the program was access to the higher education opportunity. So that's when we design our grants, we need to be a little more thoughtful about not just say, $500 $500, $500, $500, we need to be very thoughtful in the design of the program, because that's what we're going to use to measure the program and measure the alignment top to bottom. The program level, from the individual grantee level to the program level and then up to the strategic level. Which is why we want to articulate a granting and then our evaluation work. You will see a lot more dollars and efforts around evaluation work, which is part of our chapter 10 responsibilities.

Trustee Ahuna Will this open up more research grants?

Sylvia Hussey, CEO I would like to think research grants are a part of strategic granting. One of the philosophies that we know is, that the good practices the strengths based practices are not at the Big Data Set population level. They're down in the community they're down in our families, they're down in our schools, they're down in our communities, all those practices of strengths-based practice is down at that community level. And they need to be collected in in that manner. So, in research you have large data sets, and you know, somebody can go and slice and dice. You also have large data sets for what we call, not strength space, their deficit base, how many Hawaiians are obese? How many smoke or how many suicides? All of the negative things when we're looking at strengths-based practice? What are the spiritual practices? What are the resilient practices? Why do families you know, gather? What are their faith based practices? Because those practices are the strengths, the base practices that allow us to persist and to ho'omau. That's why our data collection, and our research and our approaches, needs to be more family and community level based, which requires a very different data collection approach. Large data sets in research, you just go in, you don't even talk to the community, you just take their data set, and you do. Cultural base Hawaiian control of research, you have standing, who are you to come into my community and research me? Who are you as a researcher, and what you're going to do with this information? Why should I give you this information? We have to go in with a no harm kind of approach in research and the best people and the best ways to get data is through the people on the ground. A research grant for getting data on some of the interventions that our grantees are doing is the strategy that we want to advance and research grants could be a part of that strategy. Again, pilot, small, controlled learn and then you know, replicate as we learn, but there are a lot of really great, not only academic, but community based scholars out there that are from the community that are studying really great practices at the level. So we would want to advance those kinds of grants as well.

The last piece in the title is the strategic level granting and so, I will switch to that really short PowerPoints did so this PowerPoint, it begins on the E 63. of your electronic folder. But it's again, just trying to put that title piece in this particular strategic granting. If trustees can think about grant, grant the verb, the action of granting,

so not loaning, not procuring? Granting you don't ask for the money back, or you're not purchasing you're granting. If you think about this policy is about granting the verb the act of granting.

Granting, we want to be sure, right, it is part of our endowment strategy. That while we are increasing values of our Native Hawaiian trust funds in our lands and our resources, and thinking about direct investments in Hawaii, and our Kauai site visits, gave us and working with our wahi pana. We know that there are tremendous warriors out there taking care of things. So, we want to think about that in the totality of resourcing, strategy 9.5 is about increasing strategic granting, granting to places that we know can uplift granting to build capacity. Strategic granting is also the basis for this policy. How do we think about that? I put this together because I'm trying to make sense of grant the verb. There are three kinds of grant opportunities. There's a sponsor, and these working definitions are here just for that they're working definitions to help make sense of these action items. So, a sponsor is someone who pays for plans and carries out a project or activity. So, if you think of an athletic sponsor, event sponsor, and those take the forms of sponsorships as we codified or operationalize it. You can sponsor an event in a program or project, collaboration or collaborate, that verb talks about working together with someone. You kick in so much we'll kick in this much, we'll provide this dollar we'll provide this 'like, you collaborate on a number of fronts and everybody benefits from the collaboration. The same thing, you can collaborate on any event, program, or project. Then there's the verb of aid, versus the aide, the person. Aid the verb is aid and OHA has always done this with our families and communities. And all of these grants, the verb would fall under the chapter 1017 process 1017 outlines that that process. So, what would this look like? These are some examples of things that are already being done by OHA. Sponsoring events; 'Ahahui way is an example of that. You can sponsor programs, a grant and sponsor but a grant for programming, you can grant a capacity building. You can also collaborate on things like a summit, a convening. Sponsorships are what we've done with the Association of Hawaiian civic clubs as an example, or Council for Native Hawaiian advancement or those large events sponsorships; $10,000 line items, those are examples. Collaboration and sponsoring the outright 1.5 million for charter schools is a direct authorization that the trustees in support. Then there are other projects that we collaborate and support on. Then in the aid category, clearly the lava, the flooding, any disaster related storms, and of course COVID-19. So OHA has experience in all of these different verbs, if you will. But what could benefit is from a overall policy about the different ways in which we grant dollars so that we can align it also to the chapter 1017 process that's outlined there. I prepared this slide to show where the authorization controls are; in the strategic granting policy, the ultimate authorization control is with the board and the strategic plan. Then the T level policy the board controls the budget as it relates to the tactical and operating plan that administration brings back to the board. Then the authorization controls are on the biennium budget action items and in a budget realignment as it relates to granting by policy. At the C level, what administration is proposing is all the policies and processes related to the solicitation and monitoring will be C level. They are making sure that our external reviewers don't have conflicts. There's a whole C level, grant the noun sponsorship, the noun aid, the noun, that we that are already in place, and that administration would bring forward to the trustees for action. So, whether that's disaster funding for the flooding or lava or, just our regular solicitations that we're going through now. Any of those C level, right, we administration has underlying procedures and processes for authorities before releasing the solicitation, but the entire awarding decision comes back to the board always. By policy, all granting decisions come back to the board, as well as the budgetary items, right? Budgetary in and out can't be done. It needs to come through action item and that's why you're seeing in the action items at authorizations and request to move granting from one program to another based on the actual pool of candidates in that particular solicitation. With that, we just wanted to frame a strategic granting policy, the document that I forgot to attach is a draft of the policy. And so we will distribute that with you and share. That ends the workshop piece of this topic.

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Chair Hulu Lindsey Thank you Silvia. I think this is a lot for us to go through on our own time and try to digest it. Thank you for the hard work. We're going to move on to item five executive session and I'll ask for a motion to recuse ourselves into executive session.

Executive Session

1. **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 v. Leslie H. Kondo, et al.; Civil No. 1CCV-20-0000259 (JPC) lawsuit and House Bill 204, Relating to the Budget of the Office of Hawaiian Affairs, pursuant to HRS § 92-5(a)(4).**
2. **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).**

Trustee Akaka Moves to excuse our selves into Executive Session.

Trustee Dan Ahuna Seconds the motion.

The Board recuses into Executive Session at 11:38 a.m.

Motion to recuse into executive session pursuant to HRS Section 92-5						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI **AHU ISA**			X			**X**
TRUSTEE DAN **AHUNA**		X	X			
TRUSTEE KALEI **AKAKA**	X		X			
TRUSTEE KELI'I **AKINA**			X			
TRUSTEE LUANA **ALAPA**			X			
TRUSTEE BRENDON **LEE**			X			
TRUSTEE KEOLA **LINDSEY**			X			
TRUSTEE JOHN **WAIHE'E**			X			
CHAIRPERSON HULU **LINDSEY**			X			
TOTAL VOTE COUNT			**9**			
MOTION: [] UNANIMOUS [**X**] PASSED [ ] DEFERRED [ ] FAILED **Motion passes with nine (9) YES votes and one (0) EXCUSED vote.**						

The Board returns to open session at 12:13 p.m.

<u>Announcements</u>

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Chair Hulu Lindsey Our next board meeting is scheduled for May 20, 2021 at 10 a.m.

Adjournment

Chair Hulu Lindsey I would like to entertain a motion for adjournment.

Trustee Ahu Isa Moves to adjourn the meeting.

Trustee Akaka Seconds the motion.

Adjournment							
TRUSTEE		**1**	**2**	**'AE (YES)**	**A'OLE (NO)**	**KANALUA (ABSTAIN)**	**EXCUSED**
LEINA'ALA	**AHU ISA**	**X**		**X**			
DAN	**AHUNA**			**X**			
KALEIHIKINA	**AKAKA**		**X**	**X**			
KELI'I	**AKINA**			**X**			
LUANA	**ALAPA**			**X**			
BRENDON KALEI'ĀINA	**LEE**			**X**			
KEOLA	**LINDSEY**			**X**			
JOHN	**WAIHE'E**			**X**			
CHAIR CARMEN HULU	**LINDSEY**			**X**			
TOTAL VOTE COUNT				**9**		**0**	

Chairperson Carmen Hulu Lindsey adjourns the Board of Trustees meeting at 12:15 a.m.

Respectfully submitted,

_____
Lehua Itokazu
Board Secretary

As approved by the Board of Trustees on June 2, 2021.

_____
Carmen Hulu Lindsey
Chairperson, Board of Trustees

Attachments:
1. PowerPoint: Board of Trustees Board Governance Framework Policy Framework

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Office of Hawaiian Affairs
Meeting of the Board of Trustees
June 2, 2021
6:30 P.M.

VI. New Business

A. Committee on Resource Management

1. Action Item RM#21-06: Approval of FY21 Budget Realignment #3 – Core (Personnel and Non-Personnel) and Non-Core Budgets

OFFICE OF HAWAIIAN AFFAIRS
Committee on Resource Management (RM)

COMMITTEE REPORT

May 25, 2021

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

Chair Lindsey,

Your Committee on Resource Management, having met on May 25, 2021 and after full and free discussion, recommends approval of the following two actions to the Board of Trustees:

Action One

To approve OHA's Total Fiscal Budget Realignment #3 for Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) as outlined in ATTACHMENT 1, with the exception of the $5,000 additional event sponsorship (total $15,000) for the Prince Lot Hula Festival, an event sponsored by the Moanalua Gardens Foundation.

Action Two

To approve the additional $5,000 event sponsorship (total $15,000) for the Prince Lot Hula Festival, sponsored by the Moanalua Gardens Foundation.

Attachment(s):

A) RM ROLL CALL VOTE SHEET – ACTION ITEM RM #21-06: Action One

B) RM ROLL CALL VOTE SHEET – ACTION ITEM RM #21-06: Action Two

C) ACTION ITEM RM #21-06: Approval of FY21 Budget Realignment #3 – Core (Personnel and Non-Personnel) and Non-Core Budgets†

Respectfully submitted:

Trustee John Waiheʻe, IV, RM Chair

Trustee Luana Alapa, RM Vice Chair

Trustee Leinaʻala Ahu Isa, Member

Trustee Dan Ahuna, Member

Trustee Kaleihikina Akaka, Member

Trustee Keliʻi Akina, Member

ACTION ONE) CONCURRED

ACTION TWO) RECUSED

Trustee Brendon Kaleiʻāina Lee, Member

Trustee Carmen Hulu Lindsey, Member

Keola Lindsey

Trustee Keola Lindsey, Member

Office of Hawaiian Affairs
560 N Nimitz Hwy., Ste. 200
Honolulu, HI 96817
Roll Call Vote Sheet

ATTACHMENT A

COMMITTEE ON RESOURCE MANAGEMENT (RM)	**DATE: May 25, 2021** **START: 1:35 p.m.** **MOTION: 1:36 p.m.** **VOTE: 1:37 p.m.**

AGENDA ITEM:

V. New Business

A. ACTION ITEM RM #21-06: Approval of FY21 Budget Realignment #3 – Core (Personnel and Non-Personnel) and Non-Core Budgets†

MOTION 1:

To approve OHA's Total Fiscal Budget Realignment #3 for Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) as outlined in ATTACHMENT 1, with the exception of the $5,000 additional event sponsorship (total $15,000) for the Prince Lot Hula Festival, an event sponsored by the Moanalua Gardens Foundation.

AMENDMENT:

MEANS OF FINANCING:

TRUSTEE (RM)		**1**	**2**	**'AE (YES)**	**A'OLE (NO)**	**KANALUA (ABSTAIN)**	**EXCUSED**
LEINA'ALA	**AHU ISA**			X			
DAN	**AHUNA**			X			
KALEIHIKINA	**AKAKA**		2	X			
KELI'I	**AKINA**			X			
RM VICE CHAIR LUANA	**ALAPA**			X			
BRENDON KALEI'ĀINA	**LEE**	1		X			
CARMEN HULU	**LINDSEY**			X			
KEOLA	**LINDSEY**			X			
RM CHAIR JOHN	**WAIHE'E**			X			
TOTAL VOTE COUNT				9	0	0	0

VOTE 1: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED

DISCUSSION:

Office of Hawaiian Affairs
560 N Nimitz Hwy., Ste. 200
Honolulu, HI 96817
Roll Call Vote Sheet

ATTACHMENT B

COMMITTEE ON RESOURCE MANAGEMENT (RM)	**DATE: May 25, 2021** **START: 1:37 p.m.** **MOTION: 1:38 p.m.** **VOTE: 1:38 p.m.**

AGENDA ITEM:

V. New Business

A. ACTION ITEM RM #21-06: Approval of FY21 Budget Realignment #3 – Core (Personnel and Non-Personnel) and Non-Core Budgets†

MOTION 2:

To approve the additional $5,000 event sponsorship (total $15,000) for the Prince Lot Hula Festival, sponsored by the Moanalua Gardens Foundation.

AMENDMENT:

MEANS OF FINANCING:

TRUSTEE (RM)		**1**	**2**	**'AE (YES)**	**A'OLE (NO)**	**KANALUA (ABSTAIN)**	**EXCUSED**
LEINA'ALA	**AHU ISA**			**X**			
DAN	**AHUNA**			**X**			
KALEIHIKINA	**AKAKA**		**2**	**X**			
KELI'I	**AKINA**			**X**			
RM VICE CHAIR LUANA	**ALAPA**			**X**			
BRENDON KALEI'ĀINA	**LEE**						**RECUSED**
CARMEN HULU	**LINDSEY**	**1**		**X**			
KEOLA	**LINDSEY**			**X**			
RM CHAIR JOHN	**WAIHE'E**			**X**			
TOTAL VOTE COUNT				**8**	**0**	**0**	**1**

VOTE 2: [ ] UNANIMOUS [X] PASSED [ ] DEFERRED [ ] FAILED

DISCUSSION:

ATTACHMENT C

ACTION ITEM

COMMITTEE ON RESOURCE MANAGEMENT
May 25, 2021

RM #21-06

Action Item Issue: **Approval of FY21 Budget Realignment #3 – Core (Personnel and Non-Personnel) and Non-Core Budgets**

Prepared by: Grace Chen 05/21/2021

Grace Chen Date
'Aho Hui Mo'ohelu, Budget Analyst

Reviewed by: 05/21/2021

Ramona G. Hinck Date
Ka Pou Kihi Kanaloa Wai, Chief Financial Officer

Reviewed by: 05/21/2021

Casey K. Brown Date
Ka Pou Nui, Chief Operating Officer

Reviewed by: 05/21/2021

Sylvia M. Hussey, Ed.D. Date
Ka Pouhana, Chief Executive Officer

Reviewed by: 5/21/2021

Ke Kua, Trustee John D. Waihee, IV Date
Luna Ho'omalu o ke Kōmike Resource Management
Chair of the Committee on Resource Managementt

I. PROPOSED ACTIONS

Administration recommends that the Board of Trustees (BOT) approve, the following actions:

A. Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #3

Motion #1: Approve OHA's Total Fiscal Budget Realignment #3 for Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) as outlined in ATTACHMENT 1, with the exception of the $5,000 additional event sponsorship (total $15,000) for the Prince Lot Hula Festival, an event sponsored by the Moanalua Gardens Foundation.

Motion #2: Approve additional $5,000 event sponsorship (total $15,000) for the Prince Lot Hula Festival, sponsored by the Moanalua Gardens Foundation.

B. Fiscal Stabilization Policy

Motion #3: Reserve and Designate[1] an amount of **$1,060,000** in unspent, uncommitted, unencumbered funds from FY 2021, for the purpose of addressing projected reorganization related costs.

II. ACTION ITEM ORGANIZATION

Action Item RM #21-06 is organized in the following manner to support the above recommended actions:

Section III – POLICY BASIS – Budget Management Policies

Section IV – BACKGROUND – Budget Realignments

Section V - FISCAL BIENNIUM 20-21 – Realignment #3 Discussion

Section VI – RECOMMENDED ACTIONS

Section VII – ALTERNATIVE ACTIONS

Section VIII - REFERENCE ACTION ITEMS, WORKSHOP MATERIALS

Section IX – ATTACHMENTS

III. POLICY BASIS – Budget Management Policies

As recently approved by the Board of Trustees ("BOT" or "Board"), Action Item RM #21-05 - Amendment to Executive Policy Manual Section, Budget Management Policy, April 20, 2021[2]:

A. 3045 BUDGET MANAGEMENT POLICY, 3.45.c. As the biennium budget is prepared and authorized only once every two years, in accordance with the State's biennium, it may be necessary to update and make adjustments to the budget for various changes that may have occurred since

[1] Designate=specifically identify, plan for, reserve; Trustee authorization and approval, via Action Item, is still needed to activate and disburse the designated or reserved funds.

[2] 1st Reading, BOT Meeting, April 22, 2021; 2nd Reading, BOT Meeting, April 29, 2021

the budget was approved. Significant changes to the budget are made through budget realignments. A budget realignment is generally a reforecasting of the total budget. Budget realignments are prepared by the CEO through the CFO and presented to the BOT for approval.

B. 3046 FISCAL STABILIZATION POLICY. As defined in the new Executive Policy Manual Section 3046 – FISCAL STABILIZATION POLICY: **"Reserve"** means something stored or kept available for future use or need, money or its equivalent kept on hand or set apart usually to meet liabilities. **Reserves.** The Fiscal Stabilization Fund may be used to activate previously designated reserves.

IV. BACKGROUND – Budget Realignments

A. Working Definitions. For budget realignment purposes, the following are working definitions:

- "Expenditure" is when cash is disbursed or an accounting accrual is made to recognize the obligation;
- "Committed" is when a purchase requisition is processed; and
- "Encumbrance" is when a purchase order (and relatead contract if applicable) is completed and processed.

The total of "expenditure", "committed" and "encumbrance" is collectively known as (projected) "consumption". The aggregated, projected "consumption" is compared to the approved budget from the previous period and the amount available for realignment is determined as noted in "Adjustments" column immediately following column titled the Realignment #3 requests in "Proposed Realignment #3", referencing Tables 2 and 3 on the following pages.

B. FB20-21 Biennium Budget – June 2019

The OHA fiscal biennium (FB) budget is prepared every two years, for the ensuing two years. The current biennium budget covers the periods from July 1, 2019 through June 30, 2020 (FY 20) and July 1, 2020 through June 30, 2021 (FY 21) and was approved by OHA's Board of Trustees ("BOT" or "Board") on June 20, 2019 via *Action Item RM #19-09, OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21).* By policy, the Board has conditioned and limited Administration's authority for granting authority and budget adjustments to up to $25,000 and 5% of the expense category up to $100,000, respectively. Budget adjustments in excess of the stated limitations and parameters must come to the Board for approval. The process for internally adjusting budgets within Administration parameters is triggered by a Budget Adjustment Request Form. The process of updating the biennium budget in excess of Administration's authority is referred to internally as a "budget realignment".

C. FB20-21 Biennium Budget, Realignment #1 – September 2019

Subsequently, on September 25, 2019 via *RM #19-17: Realignment #1 of the OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21),* the biennium budget was realigned for the following key elements[3]: OHA's Total Operating Budget Realignment #1 for fiscal year 2020; Transfer of $2,000,000 in cash from the Kaka`ako Makai cash account to the Native Hawaiian Trust Fund for use when needed in realizing OHA's Total

[3] One additional item was listed in Action Item RM #19-17 related to an expense reimbursement for a Trustee.

Operating Budget Realignment #1; Designation[4] of $1,445,000 in unspent, unencumbered funds (fka Fiscal Reserve) from FY 2018, for the specific purposes; and the activation of seven (7) frozen OHA staff positions to implement the related proposed Organizational Charts dated 9/4/19 (e.g., systems office, grants).

D. FB20-21 Biennium Budget, Realignment #2 – June 2020

Since the September 2019 biennium budget realignment #1, several matters triggered Board action and a subsequent need to realign FB20-21 a second time, including the following: 1) Suspension of the Act 37 audit by the State Auditor in late December 2019; 2) Completion of fiscal year ended June 30, 2019 financial audits in March 2020; 3) Related implications of the suspended Act 37 audit and non-receipt of approximately $3MM in FY21 General Funds appropriations; 4) 2020 OHA Legislative package and related actions up until the recess of the State Legislature in March 2020; 5) COVID-19 and the related disruptions to beneficiaries and OHA operations; 6) COVID-19 and the impacts of the world financial markets on the Native Hawaiian Trust Fund and commercial properties (e.g., Na Lama Kukui, Kaka`ako Makai); 7) Progress of the Board Governance Framework projects; 8) Approval of Strategic Foundations, Directions and Strategies for new Strategic Plan 2020-2035 and related implementation planning; 9) *Action Item BOT #20-3 Approval to Fund COVID-19 Responses,* approved on May 7, 2020 in the amount of $3MM; and 10) Personnel costs, positions and vacancies. Action Item BOT #20-04[5] received Trustee approval for Administration's budget realignment recommendations to realign FB20-21 given the above considerations.

E. FB20-21 Biennium Budget, Realignment #3 – May 2021

The fiscal biennium (FB) budget for 2019-2020 (FY20) and 2020-2021 (FY21) was authorized and approved by the Board[6] and subsequently realigned twice by separate action items[7]. As several Board action items have been approved since Budget Realignment #2 (BR2) in June 2020, Administration brings forward in this Budget Realignment #3 (BR3) action item, information incorporating both Board approved action items (since BR2) and proposed BR3 realignments.

1. **Transfer of FY20 to FY21 Budgetary Authority.** Reflect the Board approved transfer and reallocation of $2,170,000 in budgetary grant authority from FY20 for the purpose of emergency financial assistance grants to: FY21 for the purpose of COVID-19 grants ($1,170,000); and FY21 for the purpose of 'Ohana and Community grants ($1,000,000).[8]

[4] Designate=specifically identify, plan for, reserve; Trustee authorization and approval still needed to activate the designated or reserved funds.

[5] OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY20) and 2020-2021 (FY21) - Realignment #2, June 18, 2020.

[6] Action Item RM #19-09: OHA Biennium Budget for the Fiscal Periods 2019-2020 (FY20) and 2020-2021 (FY21), June 18, 2019

[7] Action Item RM #19-17: Realignment #1 of the OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY20) and 2020-2021 (FY21), September 25, 20219 and Action Item BOT #20-04: OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY20) and 2020-2021 (FY21) – Realignment #2, June 18, 2020

[8] Via Action Item BAE-RM #21-01, February 10, 2021

2. **Emergency Financial Assistance Re-Award.** Reflect the Board approved reallocation of the: FY20 ($8,332) and FY21 ($830,000) unspent balance of Contract #3363 in the amount of $838,332 for the purpose of an aggregated emergency financial assistance grant award; Reclassified FY21 $135,000 (Board Trustees) and $70,921 (Kaiaulu) Sponsorships for a total of $205,921 from 56560 Grants in Aid – Sponsorships to 56510 Grants in Aid – Program Grants for the purpose of an aggregated emergency financial assistance grant award; and Awarded, combined total of $1,044,253 to and contract with Hawai‘i Community Lending for the purpose of an emergency financial assistance grant award.

3. **Budget Realignment #3 Reallocations.** Reallocate a projected total of $3,716,092, comprised of $2,148,717 and $1,567,375 in projected FY21 unspent, uncommitted and unencumbered personnel and non-personnel, respectively, as further detailed below:
   a. Transfer budget authority from FY20 to FY21 for emergency financial assistance of $2,178,332[9];
   b. Add grant budgetary authorization of $496,260 to enable additional awarding for Iwi Kupuna and Reinterment, Homestead, ‘Ohana and Community and COVID-19 community program grants; and reallocate and reduce sponsorships by $18,500 to reflect actual disbursement activity (net $477,760); and
   c. Reserve[10] and designate $1,060,000 for the purpose of addressing projected re-organization related costs.
4. **Kaka'ako Makai.** Rebalance and reallocate $16,400 of funds for strategic realignment, with no change in total expenditures.
5. **Nā Lama Kukui.** Rebalance and reallocate $100,603 of funds for strategic realignment, with no change in total expenditures.
6. **Palauea Culture Preserve**. Reflect updates in the FY 2021 Spending Limit as approved in FY20 Realignment #2.
7. **Wao Kele O Puna Management Fund.** Reflect updates in the FY 2021 Spending Limit as approved in FY20 Realignment #2.
8. **Native Hawaiian Revolving Loan Fund**. Reflect updates in the Native Hawaiian Revolving Loan Fund FY20 and FY21 budgets as approved by the Administration for Native Americans.

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[9] Action Items BAE-RM #21-01, February 10, 2021 and BAE-RM #21-02, March 30, 2021

[10] “Reserve” means something stored or kept available for future use or need, money or its equivalent kept on hand or set apart usually to meet liabilities; Fiscal Stabilization Policy, SECTION II - DEFINITIONS

V. FISCAL BIENNIUM 20-21 – Realignment #3 - Discussion

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A. OHA's Budget, Available Funds and OHA's Spending Limit

An *appropriation* is an authorization granted by the OHA Board of Trustees or Hawai'i State Legislature permitting the agency, within established fiscal and budgetary controls, to incur obligations and to make expenditures for specific purposes. An *appropriation* is usually limited in amount and period of time during which it may be expended. The sources of funding available for spending include the following *appropriations* detailed in **Table 1** below:

Table 1: Sources of Funding

Type	Description	Appropriation Number
Core Operating Budget	General Fund appropriations drawn from the State of Hawai'i	100
	Public Land Trust Revenues (PLT) received annually from various State Agencies conducting business on PLT lands	901
	Matching Fund appropriations by the State of Hawai'i but drawn from the Native Hawaiian Trust Fund (NHTF)	910
	A portion of the NHTF, and also includes revenues received from 1) past-due settlements dividend and interest earnings received thereon, 2) twenty (20) percent of gross estimated lease and other revenues generated from OHA-owned Kaka`ako Makai (KM) parcels allocated for grants, and 3) fifty (50) percent of KM's net income allocated for OHA's Land Legacy Program[11]	930
Core Operating Budget	One-time cash transfer from Kaka`ako Makai (KM) Revenues generated from OHA-owned parcels to the Native Hawaiian Trust Fund	930
Fiscal Stabilization Authorizations	Appropriations authorized from the NHTF by OHA's BOT up to a maximum of $3 million annually pursuant to the Fiscal Stabilization Policy[12]	935
Commercial Property	Kaka`ako Makai (KM) Revenues generated from OHA-owned parcels	938

[11] Per BOT approved Action Item RM #19-10, Approval of a second amendment to BOT #12-05 – Kaka`ako Makai properties to the Land Legacy Program, dated August 21, 2019.

[12] Per BOT approved Action Item RM #19-16 Action Regarding a Fiscal Stabilization Policy including Withdrawal Guidelines and the related Elimination of the Fiscal Reserve Withdrawal Guidelines contained within the Native Hawaiian Trust Fund Spending Policy on September 4, 2019.

Type	Description	Appropriation Number
	Nā Lama Kukui (NLK) Revenues generated from its investment (formerly known as Gentry Pacific Design Center)	939
Legacy Property	Palauea Cultural Preserve – includes a percentage of all home sales within the development	310
	Wao Kele O Puna Management Fund – includes previously-authorized Board appropriations for current and future programmatic needs	315
Other OHA Programs Budget – *Federal*	Federal-fund appropriations for the Hālawa Lūluku Interpretive Development (HLID) Project	200
	Federal-fund appropriations for the Native Hawaiian Revolving Loan Fund (NHRLF) Program	202
Other OHA Programs Budget – *Other*	Hawaiian Projects – includes funds collected from Ka Wai Ola advertisement sales and other miscellaneous income	320
	Repayments from the OHA-DHHL Homesteader Loan Program	902

OHA's biennium budget is comprised of all five *Sources of Funding* as summarized in **Table 2** below, and is discussed herein, to include the following:

1. Core Operating Budget
2. Fiscal Stabilization Fund
3. Commercial Property Budget
4. Legacy Properties Budget
5. Other OHA Programs Budget, fka Special Programs, renamed to avoid confusion with State of Hawai'i Special Fund[13].

[13] Action Item RM #21-02 Approval to Close Native Hawaiian Rights Fund (Special Fund S-331-z1), March 23, 2021

Table 2: Spending Limit and Adjustments for OHA's FY 2020 Total Operating Budget

Funding Sources	FY 2020					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	FN
	(a)	(b)	(c)	(d)	(e) = (d - c)	
1. Core Operating Budget						
5% of NHTF Portfolio	$17,692,555	$17,692,555	$17,692,555	$17,692,555	0	
Public Land Trust Revenues	15,100,000	15,100,000	15,100,000	15,100,000	0	
State of Hawai`i General Funds	3,037,879	3,037,879	3,037,879	3,037,879	0	
Allocation of Kaka`ako Makai (KM) Revenues	1,435,610	1,866,436	2,488,155	2,488,155	0	
Made up of…						
...20% Kaka'ako Makai Gross Revenue (Grant Use)	430,826	861,652	861,652	861,652	0	
...Ka'akao Makai True-up of 10% Allocation for FY13-FY18 (Grants Use)	72,206	72,206	72,206	72,206	0	
...50% Ka'akao Makai FY19 Net Revenue (Legacy Use)	932,578	932,578	1,554,297	1,554,297	0	
Sub-total - Allocation KM Revenues	1,435,610	1,866,436	2,488,155	2,488,155	0	
Cash Transfer from Kaka`ako Makai	0	2,000,000	2,000,000	2,000,000	0	
Sub-total - Core Operating:	**$37,266,044**	**$39,696,870**	**$40,318,589**	**$40,318,589**	**$0**	
2. Fiscal Stabilization Fund (FSF)						
FY 2020 Designation	$0	$1,445,000	$0	$0	$0	[A]
Sub-total – FSF:	**$0**	**$1,445,000**	**$0**	**$0**	**$0**	
[A] FY2020 Designation is updated to reflect Action Item BOT #20-04, Motion #1: Un-designate $1,445,000 in unspent, unencumbered funds.						
3. Commercial Property Budget						
Kaka'ako Makai	$10,878,315	$10,878,315	$9,815,035	$9,815,035	$0	
Nä Lama Kukui	7,909,481	7,312,817	7,312,817	7,312,817	0	
Sub-total – Commercial:	**$18,787,796**	**$18,191,132**	**$17,127,852**	**$17,127,852**	**$0**	
4. Legacy Properties Budget						
Palauea Culture Preserve	$419,339	$419,339	$419,339	$419,339	$0	
Wao Kele O Puna Management Fund	460,918	460,918	460,918	460,918	$0	
Sub-total -Legacy Lands:	**$880,257**	**$880,257**	**$880,257**	**$880,257**	**$0**	
5. Other OHA Programs Budget						
Federal-funded						
Halawa-Luluku Interpretive Development	$4,099,249	$4,099,249	$4,099,249	$4,099,249	$0	
Native Hawaiian Revolving Loan Fund	902,005	902,005	902,005	1,029,891	127,886	[B]
Sub-total -Federal:	**$5,001,254**	**$5,001,254**	**$5,001,254**	**$5,129,140**	**$127,886**	
[B] To reflect updates in the Native Hawaiian Revolving Loan Fund (NHRLF) FY2020 budget as approved by the Administration for Native Americans (ANA).						
Others	367,862	367,862	367,862	367,862	0	
Sub-total – Other OHA:	**$5,369,116**	**$5,369,116**	**$5,369,116**	**$5,497,002**	**$127,886**	
Total Spending Limit:	**$62,303,213**	**$65,582,375**	**$63,695,814**	**$63,823,700**	**$127,886**	

Table 3: Spending Limit and Adjustments for OHA's FY 2021 Total Operating Budget

Funding Sources	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	FN
	(a)	(b)	(c)	(d)	(e) = (d - c)	
1. Core Operating Budget						
a. 5% of NHTF Portfolio	$17,886,701	$17,886,701	$17,886,701	$17,886,701	$0	
b. Public Land Trust Revenues	15,100,000	15,100,000	15,100,000	15,100,000	0	
c. State of Hawai`i General Funds	3,037,879	3,037,879	0	0	0	
d. Allocation of Kaka`ako Makai Revenues	1,584,327	1,584,327	2,398,735	2,398,735	0	
Made up of…					0	
(1) 20% Kaka'ako Makai Gross Revenue (Grant Use)	839,657	839,657	883,804	883,804	0	
(2) 50% Ka'akao Makai FY19 Net Revenue (Legacy Use)	744,670	744,670	1,514,931	1,514,931	0	
Sub-total - Allocation KM Revenues	**1,584,327**	**1,584,327**	**2,398,735**	**2,398,735**	**0**	
Sub-total - Core Operating:	**$37,608,907**	**$37,608,907**	**$35,385,436**	**$35,385,436**	**$0**	
2. Fiscal Stabilization Fund (FSF)						
FY20 Designation	$0	$0	$3,000,000	$3,000,000	$0	
FY21 Designation	$0	$0	1,000,000	1,000,000	0	
Sub-total – FSF:	**$0**	**$0**	**$4,000,000**	**$4,000,000**	**$0**	
3. Commercial Property Budget						
Kaka'ako Makai	$11,159,058	$11,159,058	$8,307,818	$8,307,818	$0	
Nä Lama Kukui	7,357,095	7,357,095	6,663,791	6,663,791	0	
Sub-total – Commercial:	**$18,516,153**	**$18,516,153**	**$14,971,609**	**$14,971,609**	**$0**	
4. Legacy Properties Budget						
Palauea Culture Preserve	$324,529	$324,529	$349,529	$349,529	$0	[A], Table 14
Wao Kele O Puna Management Fund	204,308	204,308	300,388	300,388	0	[A], Table 15
[A] The Spending Limit is updated to include the carryover of FY 20 unspent budget as approved in FY20 Realignment 2						
Sub-total -Legacy Lands:	**$528,837**	**$528,837**	**$649,917**	**$649,917**	**$0**	
5. Other OHA Programs Budget						
Federal-funded						
Halawa-Luluku Interpretive Development	$428,199	$428,199	$3,372,943	$3,372,943	$0	
Native Hawaiian Revolving Loan Fund	919,030	919,030	919,030	1,113,485	194,455	[B] Table 16
[B] To reflect updates in the Native Hawaiian Revolving Loan Fund (NHRLF) FY2021 budget as approved by the Administration for Native Americans (ANA).						
Sub-total -Federal:	**$1,347,229**	**$1,347,229**	**$4,291,973**	**$4,486,428**	**$194,455**	
Others	195,000	195,000	195,000	195,000	0	
Sub-total – Other OHA:	**$1,542,229**	**$1,542,229**	**$4,486,973**	**$4,681,428**	**$194,455**	
Total Spending Limit:	**$58,196,126**	**$58,196,126**	**$59,493,935**	**$59,688,390**	**$194,455**	

A1. Core Budget: Reflects the primary budget consisting of three budget types: operating, project and capital budgets. Operating budget consists of payroll, operations, and program expenditures. A project budget is made up of planned expenditures for particular deliverables having a beginning, middle and end for a duration of 1 to 2-year period (e.g., professional services, other contractors, software, or hardware). Capital budget consists of significant expenditures to acquire, construct or maintain land, buildings, structures and equipment for the duration of 3 or more years. Core budget includes the following four (4) funding sources:

- ***Withdrawals from the Native Hawaiian Trust Fund*** (NHTF) are limited by the Native Hawaiian Trust Fund Spending Policy. This policy limits the withdrawal to five (5) percent of the NHTF's twenty-quarter (20-quarter) rolling average market value, as defined, to ensure that resources held within the trust are available for future spending.

- ***Public Land Trust*** (PLT) ***Revenues*** are received from the State of Hawai'i and have been set at $15,100,000 (Act 178, SLH 2006) per year, until further legislative action.

- ***Kaka'ako Makai*** *(KM)* ***Revenues*** are allocated to OHA's Core Budget for grant funding and OHA's FY 20 FY 21 Legacy Property management funding. The Board approved allocation of twenty (20)[14] percent of gross revenue for grant funding and fifty (50) percent of FY 18 and FY 19 net income to OHA's FY 20 FY 21 Legacy Land Program.

- ***Kaka'ako Makai*** *(KM)* ***Cash*** with a one-time cash transfer from the Kaka`ako Makai cash account to the Native Hawaiian Trust Fund for OHA's Core Budget to be used in FY 20 fiscal period.

- ***State of Hawai'i General Fund*** appropriations are determined by the legislature during each Biennium. The State Legislature passed as Act 037(19) an appropriation of $3,037,879 annually for FY 20 and FY 21[15]. To date the State of Hawaii has not released the FY2021 appropriation as it was conditioned by the completion of an Act 37 financial and management audit; and was subsequently suspended by the State Auditor in December 2019. As a result of the suspended audit, the Board authorized the use of the Fiscal Stabilization Fund in the amount of $3,000,000 (via BR2) to mitigate the conditioned FY21 appropriation.

  HB204 SD2 CD1, OHA's Budget Bill for the FY22 and FY23 period, from the 2021 Legislative session, contains $2,054,400 in education, social services, legal and housing provisos plus an additional $200,000, for fiscal year 2021-2022 to conduct or contract for a follow-up contract and disbursement review of the CLA – OHA & LLCs Contract and Disbursement Review – Report, dated December 4, 2019 ("CLA Report); and includes the

[14] The proposed Kaka`ako Makai policy with the two noted changes (e.g., 10% to 20% for grants, 30% to 50% for Land Legacy) was approved by the Board via Action Item RM #19-10 Approval of a second amendment to BOT #12-05 – Kaka'ako Makai Policy relating to the allocation of revenue from OHA's Kaka'ako Makai properties to the Land Legacy Program dated August 21, 2019.

[15] The FY21 General Fund appropriation is conditioned by an Act 37 audit that was suspended by the State Auditor in December 2019.

substitution of the CLA Report with the Act 37 financial and management audit. On April 21, 2021, prior to the end of the 2021 Legislative session, the State Auditor terminated the Act 37 audit. HB204 SD2 CD1 awaits the Governor's action and the amounts noted above are being incorporated into the drafting of the FB22-23 budget.

Should there be any change to the general fund appropriations and any related conditions, Administration will bring forward appropriate action recommendations for the BOT.

A2. Commercial Property: Reflects the revenues generated on OHA-owned commercial property lands, Kaka'ako Makai and Nā Lama Kukui properties, and is summarized as follows:

- ***Kaka'ako Makai*** (KM) ***Revenues*** are currently estimated at $4,308,255 for FY 20 and $4,419,016 for FY 21 from lease revenues. Twenty (20) percent of gross revenue is allocated to OHA's FY 20 and FY 21 Core Budget for grant funding and fifty (50) percent of FY18 and FY19 net income to OHA's FY 20 FY 21 Legacy Land Program.

Table 4: Available Funds for OHA's FY 2020 & FY 2021 for Grants and Legacy Land Program

Kaka'ako Makai Allocation	Approved Budget		Approved Realignment #2		Proposed Realignment #3		Adjustments	
	FY 20	FY 21	FY 20	FY 21	FY 20	FY 21	FY 20	FY 21
	(1)	(2)	(3)	(4)	(5)	(6)	(7) = (5) - (3)	(8) = (6) - (4)
20% of Gross Revenue for Grant Funding	$861,652	$839,657	$861,652	$883,804	$861,652	$883,804	$0	$0
50% of FY18 FY19 Net Income for Legacy Land Program	932,578	744,670	1,554,297	1,514,931	1,554,297	1,514,931	0	0
Total	**$1,794,230**	**$1,584,327**	**$2,415,949**	**$2,398,735**	**$2,415,949**	**$2,398,735**	**$0**	**$0**

- ***Nā Lama Kukui*** (NLK) ***Revenues*** are from lease revenues. Realized surplus is retained for remaining debt service payments incurred from the purchase of the property and its Honolulu office build-out.

A3. Legacy Property*:* Reflects the funds designated for use on specific legacy property.

- ***Palauea Cultural Preserve Revenues*** are derived from the sale of homes in an affluent area on Maui. The .05% of each sale has been deposited into an account for which the funds are to be used for the upkeep and long-term stewardship of this historical site.

- ***Wao Kele O Puna Management Fund*** balances consist of previously authorized Board appropriations for current and future programmatic needs.

A4. Other OHA Programs Budget[16]

1. **Other OHA Programs Budget - Federal:** Reflects the basic operating budget consisting of payroll, operations, and program expenditures for Federally funded OHA Projects & Programs. The amount of federal funding available each year for these Programs is based on budgets submitted by OHA and approved by the respective grantors.

Funding Sources:

- Hālawa Lūluku Interpretive Development (HLID) Project
- Native Hawaiian Revolving Loan Fund (NHRLF) Program

2. **Other OHA Programs Budget - Others:** Reflects other OHA programs funded through other sources of income. These amounts are considered other OHA program income and not part of the NHTF. Expenditure of these funds is authorized through BOT approval of the Other OHA Programs Budget. As of May 2021, the approximate available funds for FY 2021, for Other OHA Programs Budget appropriations, are summarized in **Table 5** below.

   Funding Sources:

   - Hawaiian Projects
     - ✓ Ka Wai Ola advertisement sales
     - ✓ Other miscellaneous income
   - Homesteader Loan Program
     - ✓ Repayments received for the OHA-DHHL Homesteader Loan Program

Table 5: Available Funds for OHA's FY 2020 & FY 2021 Other OHA Programs Budget–Others

Funding Sources	FY 19	FY 20	FY 21
Beginning Balance	$129,031	$142,862	$0
Hawaiian Projects	76,205	75,000	75,000
Homesteader Loan Program	187,626	150,000	120,000
Sub-total Available Funds:	**$392,862**	**$367,862**	**$195,000**
BOT-Approved Appropriations	-250,000	0	
Proposed Appropriations	0	-367,862	-195,000
Estimated Net Available Funds:	**$142,862**	**$0**	**$0**

[16] Action Item RM #21-02 Approval to Close Native Hawaiian Rights Fund (Special Fund S-331-z1), March 23, 2021

B. Total Operating Budget Adjustments – FY2020, FY2021

B1. FY2020. The following sections outline and provide explanation on the major adjustments (increases/decreases) to the budget as a result of this realignment. Proposed adjustments to OHA's FY 2020 Total Budget are outlined in **Table 6** below:

Table 6: FY 2020 Approved Total Operating Budget and Realignments

Total Operating Budget	FY 2020					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
	(a)	(b)	(c)	(d)	(e) = (d - c)	
1. Core Operating Budget						
Personnel (including Fringe)	$16,905,440	$16,933,809	$15,699,730	$15,699,730	$0	
Non-Personnel	20,360,603	22,401,774	23,710,853	21,532,191	($2,178,662)	p. 15
Sub-total – Core Operating:	**$37,266,043**	**$39,335,583**	**$39,410,583**	**$37,231,921**	**($2,178,662)**	
2. Fiscal Stabilization Fund						
FY 2020 Designation	0	1,445,000	0	0	0	
Sub-total – Fiscal Stabilization Fund:	**$0**	**$1,445,000**	**$0**	**$0**	**$0**	
3. Commercial Property Budget						
Kaka'ako Makai	$2,553,946	$2,261,175	$2,261,175	$2,261,175	$0	
Nä Lama Kukui	5,853,411	5,950,051	5,950,051	$5,950,051	0	
Sub-total – Commercial Property:	**$8,407,357**	**$8,211,226**	**$8,211,226**	**$8,211,226**	**$0**	
5. Legacy Properties Budget						
Palauea Culture Preserve	$160,380	$160,380	$160,380	$135,380	($25,000)	
Wao Kele O Puna Management Fund	256,610	256,610	256,610	256,610	0	
Sub-total – Legacy Properties:	**$416,990**	**$416,990**	**$416,990**	**$391,990**	**($25,000)**	
5. Other OHA Programs Budget						
Federal-Funded						
Halawa Luluku Interpretive Development	$4,099,249	$4,099,249	$4,099,249	$4,099,249	$0	
Native Hawaiian Revolving Loan Fund	902,005	902,005	902,005	1,029,891	127,886	p. 16
Sub-total – Federal Programs:	**$5,001,254**	**$5,001,254**	**$5,001,254**	**$5,129,140**	**$127,886**	
Others						
Hi'ilei Aloha & Subsidiaries	$292,862	$405,000	$327,000	$327,000	$0	
Ho'okele Pono & Subsidiaries	75,000	88,000	166,000	166,000	0	
Sub-total – Others:	**$367,862**	**$493,000**	**$493,000**	**$493,000**	**$0**	
Sub-total – Other OHA Programs:	**$5,369,116**	**$5,494,254**	**$5,494,254**	**$5,622,140**	**$127,886**	
Total Operating Budget:	**$51,459,506**	**$54,903,053**	**$53,533,053**	**$51,457,277**	**($2,075,776)**	

B2. FY20 Core Operating Budget Adjustments.

The core operating budget adjustments reflected in **Table 7a** and due to transferring of $2,170,000 in FY20 Emergency Financial Assistance Program budgetary authority to FY21; and $8,662 in FY20 unspent, uncommitted and unencumbered from Contract #3363.

Table 7a: FY 2020 Approved Budget and Realignments Core Budget Comparisons

Core Operating Budget	FY 2020					
	Approved Core Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	
	(a)	(b)	(c)	(d)	(e) = (d - c)	
Personnel & Fringe	$16,905,440	$16,933,809	$15,699,730	$15,699,730	$0	
Program	1,351,878	1,484,603	1,128,778	1,128,778	0	
Contracts	4,296,719	5,988,759	5,506,759	5,506,759	0	
Grants	9,660,921	9,660,921	12,189,862	10,011,200	(2,178,662)	
Travel	511,087	571,667	433,667	433,667	0	
Equipment	995,570	1,068,820	1,202,824	1,202,824	0	
Overhead	2,964,382	3,046,958	2,668,917	2,668,917	0	
Debt Service	580,047	580,047	580,047	580,047	0	
Totals:	**$37,266,043**	**$39,335,583**	**$39,410,583**	**$37,231,921**	**($2,178,662)**	

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B3. FY20 Non-Core Operating Budget Adjustment

The non-core operating budget adjustments reflected in **Table 7b** to reflect updates in the Native Hawaiian Revolving Loan Fund (NHRLF) FY2020 budget as approved by the Administration for Native Americans (ANA). There are no other changes to the non-core operating budget.

Table 7b: FY 2020 Approved Budget and Realignments Non-core Budget Comparisons

Other OHA Programs - Federal	FY 2020					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	FN
HLID Project						
Personnel & Fringe	$312,472	$312,472	$312,472	$312,472	$0	
Program	8,200	8,200	8,200	8,200	0	
Contracts	3,740,927	3,740,927	3,740,927	3,740,927	0	
Grants	0	0	0	0	0	
Travel	0	0	0	0	0	
Equipment	1,250	1,250	1,250	1,250	0	
Overhead	36,400	36,400	36,400	36,400	0	
Debt Service	0	0	0	0	0	
Sub-total HLID:	**$4,099,249**	**$4,099,249**	**$4,099,249**	**$4,099,249**	**$0**	
NHRLF Program						
Personnel & Fringe	$451,776	$451,776	$451,776	$571,468	$119,692	
Program	100,817	100,817	100,817	89,675	(11,142)	
Contracts	273,288	273,288	273,288	291,626	18,338	
Grants	0	0	0	0	0	
Travel	37,045	37,045	37,045	31,430	(5,615)	
Equipment	2,500	2,500	2,500	2,500	0	
Overhead	36,579	36,579	36,579	43,192	6,613	
Debt Service	0	0	0	0	0	
Sub-total NHRLF:	**$902,005**	**$902,005**	**$902,005**	**$1,029,891**	**$127,886**	[A]
[A] – To reflect updates in the Native Hawaiian Revolving Loan Fund (NHRLF) FY2020 budget as approved by the Administration for Native Americans (ANA).						
Total Other OHA Programs - Federal	**$5,001,254**	**$5,001,254**	**$5,001,254**	**$5,129,140**	**$127,886**	

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B4. FY2021. The following sections outline and provide explanation on the major adjustments (increases/decreases) to the budget as a result of this realignment. Proposed adjustments to OHA's FY 2021 Total Budget are outlined in **Table 8**.

Table 8: FY 2021 Approved Total Operating Budget and Realignments

Total Operating Budget	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
	(a)	(b)	(c)	(d)	(e) = (d - c)	
1. Core Operating Budget[17]						
Personnel (includes Fringe @ 63.08%)	$17,136,197	$17,136,197	$16,029,911	$13,881,194	($2,148,717)	p. 21
Non-Personnel	20,074,586	20,074,586	23,309,604	$24,398,321	1,088,717	p. 22
Sub-total – Core Operating:	**$37,210,783**	**$37,210,783**	**$39,339,515**	**$38,279,515**	**($1,060,000)**	
2. Commercial Property Budget						
Kaka'ako Makai	$2,600,704	$2,600,704	$2,607,088	$2,607,088	$0	p. 23
Nä Lama Kukui	5,506,460	5,506,460	5,848,644	5,848,644	0	p. 24
Sub-total – Commercial Property:	**$8,107,164**	**$8,107,164**	**$8,455,732**	**$8,455,732**	**$0**	
3. Legacy Properties Budget						
Palauea Culture Preserve	$122,180	$122,180	$89,730	$89,730	$0	p. 25
Wao Kele O Puna Management Fund	204,308	204,308	250,510	250,510	0	p. 26
Sub-total – Legacy Lands:	**$326,488**	**$326,488**	**$340,240**	**$340,240**	**$0**	
4. Other OHA Programs Budget						
Federal-Funded						
Halawa Luluku Interpretive Development	$428,199	$428,199	$3,372,943	$3,372,943	$0	
Native Hawaiian Revolving Loan Fund	919,030	919,030	919,030	1,113,484	194,454	p. 27
Sub-total – Federal:	**$1,347,229**	**$1,347,229**	**$4,291,973**	**$4,486,427**	**$194,454**	
Others						
Hiʻilei Aloha & Subsidiaries	$195,000	$195,000	$134,000	$134,000	$0	
Hoʻokele Pono & Subsidiaries	0	0	61,000	61,000	0	
Sub-total – Others:	**$195,000**	**$195,000**	**$195,000**	**$195,000**	**$0**	
Sub-total – Other OHA Programs:	**$1,542,229**	**$1,542,229**	**$4,486,973**	**$4,681,428**	**$194,454**	
Total Operating Budget:	**$47,186,664**	**$47,186,664**	**$52,622,460**	**$51,756,914**	**($865,546)**	

[17] Core Operating Budget figures reflect support from the Fiscal Stabilization Fund.

C. Core Operating Budget Adjustments – FY2021

The Core Budget (CB) consists of payroll, operations, and program expenditures. The proposed adjustments are outlined in **Tables 9a, 9b, 9c and 9d,** and reflect projections for FY 2021.

- FY 2021 has a projected total of $3,716,092, of unspent, uncommitted, and unencumbered amounts, classified as personnel and non-personnel, $2,148,717 and $1,567,375, respectively (**Tables 9a, 9b and 9d**).
- Grants and sponsorships in the proposed Realignment #3 (**Table 9c and ATTACHMENT 4**) increased to $14,444,592, net adjustments of +$2,656,092.
- A net decrease of (-$1,060,000) in expenditures as compared to figures in Approved Realignment #2, which is proposed in BR3 as a reserve for reorganization related costs.

Table 9a: Core Budget FY 2021 Proposed Realignment #3 Adjustments Summary

Core Operating Budget	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
	(a)	(b)	(c)	(d)	(e) = (d - c)	
Personnel	$17,136,197	$16,029,911	$16,029,911	$13,881,194	($2,148,717)	p.21
Non-Personnel	20,074,586	20,400,526	23,309,604	24,398,321	1,088,717	Table 9b
Totals:	**$37,210,783**	**$36,430,437**	**$39,339,515**	**$38,279,515**	**($1,060,000)**	

Table 9b: Core Operating Budget (Non-Personnel)
FY 2021 Proposed Realignment #3 Adjustments Summary

Core Operating Budget – Non-Personnel	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
	(a)	(b)	(c)	(d)	(e) = (d - c)	
Grants and Sponsorships	**$9,635,921**	**$9,635,921**	**$11,788,500**	**$14,444,592**	**$2,656,092**	Table 9c
Other than Grants:						
Contracts	3,999,924	3,999,924	5,003,918	4,402,735	(601,183)	
Debt Service	572,163	572,163	572,163	548,637	(23,526)	
Equipment	1,027,036	1,027,036	1,016,286	1,015,114	(1,172)	
Overhead	3,134,555	3,134,555	3,215,155	3,073,374	(141,781)	
Program	1,192,677	1,192,677	1,127,811	795,677	(332,134)	
Travel	512,309	512,309	585,771	118,192	(467,579)	
Subtotal - Other than Grants	**$10,438,664**	**$10,438,664**	**$11,521,104**	**$9,953,729**	**($1,567,375)**	
Totals:	**$20,074,585**	**$20,074,585**	**$23,309,604**	**$24,398,321**	**$1,088,717**	Table 9a

The sections following outline and provide explanation of the major adjustments (increases/decreases) to the CB in **Table 9c** because of this realignment.

Table 9c: Core Budget FY 2021 Proposed Realignment #3 Adjustments Summary
Non-Personnel - Grants and Sponsorships. Refer to details in ATTACHMENT 4.

Core Operating Budget – Non-Personnel Grants	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	BAE-RM Action Items	Proposed Realignment #3 Ending Bal	Adjustments
	(a)	(b)	(c)		(d)	(e) = (d - c)
Grants and Sponsorships	**$9,635,921**	**$9,635,921**	**$11,788,500**		**$14,444,592**	**$2,656,092**
56510 GRANTS IN AID – Program Grants			**$830,000**	**$214,253**	**$1,044,253**	**$214,253**
56530 GRANTS IN AID – Community Grants			**$5,094,079**	**$1,000,000**	**$6,482,356**	**$1,388,277**
56540 GRANTS IN AID – Level II Grants			**$5,500,000**	**$1,170,000**	**$6,777,983**	**$1,277,983**
56560 GRANTS IN AID – Sponsorships			**$364,421**	**(205,921)**	**$140,000**	**($224,421)**
Detail			**$11,788,500**	**$2,178,332**	**$14,444,592**	**$2,656,092**

Reallocated Programmatic Sponsorships, Refer to ATTACHMENT 4 for details

A. **Moratorium on BOT and Kaiaulu (fka CEO-initiated) Sponsorships.** On February 27, 2018, the Grants Ad Hoc brought before the OHA BOT Action Item BOT #18-01, *Approval for OHA to impose a moratorium effective February 27, 2018 on the use of Trustee Sponsorship and Allowance Fund (TSAAF) and CEO-initiated Sponsorships*. The Grants Ad Hoc cited the release of the State Auditor's report 18-03, which "raised an immediate need to prioritize a review of the [TSAAF] and CEO-initiated sponsorship" and voted unanimously to recommend the moratorium and the immediate return of the unused balance of TSAAF funds.3 The OHA BOT passed the moratorium on the use of the TSAAF and CEO-initiated sponsorships at its February 27, 2018 meeting, which was to remain in effect until the Grants Ad Hoc recommended policies and procedures to the BOT on the use of the TSAAF and CEO-initiated sponsorship funds. The Board discussed the Ad Hoc Committee's work at the May 6, 2021 workshop and anticipates a final report and recommendation from the Ad Hoc committee leadership.

B. **Programmatic Sponsorships.** Programmatic (or operating unit) sponsorships were not placed on moratorium in 2018; and because of revised plans, formats, additional information, the following 2021 reallocations are recommended: Moanalua Gardens Foundation, Prince Lot Hula Festival for a total of $15,000 ($10,000 'Ahahui + $5,000 BR3); Merrie Monarch Festival ($15,000)[18]; Queen Liliuokalani, Keiki Hula Competition ($15,000); Lunalilo Home Event, Project or Program ($15,000);

[18] $26,000 in budget for television and related media buys + $1,000 for honorarium for Miss Aloha Hula, the recommendation is an additional $15,000 as there are no ticket sales in 2021 due to virtual format.

Iolani Palace Event, Project or Program ($15,000); and ‘Aha Punana Leo Event, Project or Program ($15,000). Some of the items were identified as “Legacy Sponsorships” in previous biennium budgets.

The sections following outline and provide explanation of the major adjustments (increases/decreases) to the CB in **Table 9d** because of this realignment.

Table 9d: Core Budget FY 2021 Proposed Realignment #3 Adjustments Summary, by Category

Core Operating Budget	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	
	(a)	(b)	(c)	(d)	(e) = (d - c)	
Contracts	$3,999,924	$3,999,924	$5,003,918	$4,402,735	($601,183)	
Debt Service	572,163	572,163	572,163	548,637	(23,526)	
Equipment	1,027,036	1,027,036	1,016,286	1,015,114	(1,172)	
Grants	9,635,921	9,635,921	11,788,500	14,444,592	2,656,092	
Overhead	3,134,555	3,134,555	3,215,155	3,073,374	(141,781)	
Personnel & Fringe	17,136,197	17,136,197	16,029,911	13,881,194	(2,148,717)	
Program	1,192,677	1,192,677	1,127,811	795,677	(332,134)	
Travel	512,309	512,309	585,771	118,192	(467,579)	
Totals:	**$37,210,782**	**$37,210,782**	**$39,339,515**	**$38,279,515**	**($1,060,000)**	

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C1. Core Personnel Budget Adjustments

Personnel costs includes all expenditures directly related to personnel and comprises of Salaries & Fringe, Student Helper Program, Vacation Payments (including transfer of vacation leave to other State agencies), Employee Continued Education Program and Workers' Compensation Payments. The Core Personnel Budget has been adjusted to reflect estimated needs for FY 2021. Core Personnel Budget Adjustments are summarized in **Table 10**. Due to a higher-than-expected staff turnover leading to unplanned vacant and unfilled positions and also a lower-than-expected fringe rate, estimated needs for FY 2021 resulted in expenditures totaling $13,881,194, a net decrease of (-$2,148,717).

Table 10: Core Personnel FY 2021 Proposed Realignment #3 Adjustments Summary

Core Operating Budget Personnel	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
	(a)	(b)	(c)	(d)	(e) = (d - c)	
1. Salaries & Fringe						
OHA Salaries	$10,323,888	$10,323,888	$9,217,602	$8,941,341	($276,261)	
OHA Fringe	6,512,309	6,512,309	6,512,309	4,515,644	(1,996,665)	
Student Helper Program	104,050	104,050	104,050	59,485	(44,565)	
Sub-total (1):	**$16,940,247**	**$16,940,247**	**$15,833,961**	**$13,516,470**	**($2,317,491)**	
2. Reserves						
Vacation Payout	150,000	150,000	150,000	300,000	150,000	
Overtime	10,000	10,000	10,000	59,724	49,724	
Worker's Compensation Payments	5,950	5,950	5,950	0	(5,950)	
Continuing Education Program	30,000	30,000	30,000	5,000	(25,000)	
Sub-total (2):	**$195,950**	**$195,950**	**$195,950**	**$364,724**	**$168,774**	
Total Core Personnel:	**$17,136,197**	**$17,136,197**	**$16,029,911**	**$13,881,194**	**($2,148,717)**	p.17

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C2. Core Non-Personnel Budget Adjustments

The FY 2021 Core Non-Personnel Budget consists of all operational and programmatic costs and has been adjusted to reflect estimated needs through June 30, 2021. OHA's FY 2021 needs are summarized in **Table 11** below.

Most notably, to reflect Item 3 on page 5, the transfer budget authority from FY20 to FY21 for emergency financial assistance of $2,178,332; add $496,260 of additional grants awards; and reallocate and reduce sponsorships by $18,500 to reflect actual disbursement activity; together a net total of $2,656,092, comprised of:

- $1,567,375 of the projected FY21 unspent, uncommitted, and unencumbered non-personnel budget is reallocated to support Grants needs.
- to require an additional funding of $1,088,717 from the projected FY21 unspent, uncommitted, and unencumbered personnel budget.

Table 11. Core Non-Personnel FY 2021 Proposed Realignment #3 Adjustments Summary

Core Operating Budget – Non-Personnel	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
	(a)	(b)	(c)	(d)	(e) = (d - c)	
Grants and Sponsorships	**$9,635,921**	**$9,635,921**	**$11,788,500**	**$14,444,592**	**$2,656,092**	**ATTACHMENT 4, Table 9c**
Other than Grants:						
Contracts	3,999,924	3,999,924	5,003,918	4,402,735	(601,183)	
Debt Service	572,163	572,163	572,163	548,637	(23,526)	
Equipment	1,027,036	1,027,036	1,016,286	1,015,114	(1,172)	
Overhead	3,134,555	3,134,555	3,215,155	3,073,374	(141,781)	
Program	1,192,677	1,192,677	1,127,811	795,677	(332,134)	
Travel	512,309	512,309	585,771	118,192	(467,579)	
Subtotal - Other than Grants	**$10,438,664**	**$10,438,664**	**$11,521,104**	**$9,953,729**	**($1,567,375)**	
Totals:	**$20,074,585**	**$20,074,585**	**$23,309,604**	**$24,398,321**	**$1,088,717**	

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D. Commercial Property Budget Adjustments – FY2021

The Commercial Property Budget consists of Kakaʻako Makai and Nä Lama Kukui's revised operational costs to reflect estimated needs through June 30, 2021.

D1. Kakaʻako Makai

Kakaʻako Makai's gross revenues are currently estimated at $4,419,016 per year from lease revenues. The adjustments, as summarized in **Table 12**, consist of rebalancing and reallocating funds for strategic realignment with no change in total expenditures. Estimated net available funds of $7,657,493 for FY 2021 is to be retained for contribution to future expenditures on its parcels including expenditures relating to its master planning efforts.

Table 12: Kakaʻako Makai FY 2021 Proposed Realignment #3 Adjustments Summary

Kaka'ako Makai	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
Beginning Balance	$8,324,369	$8,324,369	$8,307,818	$8,307,818	$0	
Gross Revenue	4,419,016	4,419,016	4,419,016	4,419,016	0	
Less: Allocation to Grants[2] (20% KM Gross Revenue)	(839,657)	(839,657)	(883,803)	(883,803)	0	
Less: True-up of 10% Allocation for FY 2013 - 2018			(63,519)	(63,519)	0	
Less: KM 50% of FY19 Net Revenue to Legacy Lands	(744,670)	(744,670)	(1,514,931)	(1,514,931)	0	
Sub-total Available Funds:	**$11,159,058**	**$11,159,058**	**$10,264,581**	**$10,264,581**	**$0**	
Less: Expenses						
Personnel	283,724	283,724	280,608	280,608	0	
Program	59,475	59,475	18,975	18,575	(400)	
Contracts	665,000	665,000	715,000	715,000	0	
Equipment	945,200	945,200	945,200	929,200	(16,000)	
Overhead	647,305	647,305	647,305	663,705	16,400	
Sub-total Expenditures:	**$2,600,704**	**$2,600,704**	**$2,607,088**	**$2,607,088**	**$0**	
Estimated Net Available Kaka'ako Makai:	**$8,558,354**	**$8,558,354**	**$7,657,493**	**$7,657,493**	**$0**	**p.17**

D2. Nā Lama Kukui

Nā Lama Kukui's gross revenue is currently estimated at $5,301,025 from lease revenues, including space occupied by OHA. The adjustments, as summarized in **Table 13**, consist of rebalancing and reallocating funds for strategic realignment with no change in total expenditures. Estimated net available funds of $815,147 for FY 2021 is to be retained for future debt service payments. Refinancing efforts are in progress noting the balloon payment in FB22-23.

Table 13: Nā Lama Kukui FY 2020 FY 2021 Summary

Nä Lama Kukui	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
Beginning Balance	$2,056,070	$2,056,070	$1,362,766	$1,362,766	$0	
Gross Revenue	5,301,025	5,301,025	5,301,025	5,301,025	0	
Sub-total Available Funds:	**$7,357,095**	**$7,357,095**	**$6,663,791**	**$6,663,791**	**$0**	
Less: Expenses						
Personnel	0	0	103,884	103,884	0	
Program	380,057	380,057	384,357	384,357	0	
Contracts	559,502	559,502	559,502	660,105	100,603	
Equipment	1,053,578	1,053,578	1,207,578	1,193,975	(13,603)	
Overhead	1,002,371	1,002,371	1,082,371	995,371	(87,000)	
Sub-total Expenditures:	**$2,995,508**	**$2,995,508**	**$3,337,692**	**$3,337,692**	**$0**	
Debt Service	2,510,952	2,510,952	2,510,952	2,510,952	0	
Total Expenditures:	**$5,506,460**	**$5,506,460**	**$5,848,644**	**$5,848,644**	**$0**	
Estimated Net Available Nä Lama Kukui:	**$1,850,635**	**$1,850,635**	**$815,147**	**$815,147**	**$0**	

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E. Legacy Property Budget Adjustments

The Legacy Property Budget consists of operational costs associated with the long-term stewardship kuleana of these historical sites.

E1. Palauea Culture Preserve

Revised needs through June 30, 2021 are estimated and summarized in **Table 14** for the Palauea Culture Preserve and includes a $25,000 carryover from FY20 unspent budget in approved in FY20 Realignment #2.

Table 14: Palauea Culture Preserve FY 2021 Proposed Realignment #3 Adjustments Summary

Palauea Culture Preserve	FY 2021				
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments
Beginning Balance	$258,959	$258,959	$258,959	$258,959	$0
Add: Unspent Budget FY20			25,000	25,000	0
Gross Revenue	65,570	65,570	65,570	65,570	0
Sub-total Available Funds:	**$324,529**	**$324,529**	**$349,529**	**$349,529**	**$0**
Less: Expenses					
Program	3,000	3,000	2,500	2,500	0
Contracts	42,000	42,000	42,000	42,000	0
Grants	35,000	35,000	0	0	0
Travel	4,680	4,680	4,680	4,680	0
Equipment	28,500	28,500	31,550	31,550	0
Overhead	9,000	9,000	9,000	9,000	0
Sub-total Expenditures:	**$122,180**	**$122,180**	**$89,730**	**$89,730**	**$0**
Estimated Net Available:	**$202,349**	**$202,349**	**$259,799**	**$259,799**	**$0**

E2. Wahiawa Lands, Kukaniloko

Included in BR3 is reallocated resources within the Legacy Land Program (LLP) to fund the design for the Kapuahuawa Complex Proof of Concept Design in the amount of $150,000. At the request of a beneficiary and after further study and reallocation by the LLP, the amount is included and dedicated to working with the University of Hawaii at Manoa – Community Design Center (UHCDC).

Information provided by Cathi Ho Schar, Director, UHCDC Assistant Professor, School of Architecture: UHCDC is a teaching practice, like a teaching hospital, that gathers multi-disciplinary faculty, full time UHCDC staff, and paid student interns to provide engagement, research, and proof of concept designs for public agencies. UHCDC has current MOAs in place with HPHA, UH, DAGS, PSD, DOD, DLNR, and have also worked with DOE, SFCA, and OP. Many of our past appropriations have been $250-350K for 18-24 months of work, but we do projects at all scales and budget ranges. The proposed $150K funding would cover the cost of

faculty supervision, project management, a student team, materials, and subconsultants as needed. The work is directed and supervised as it would be in a typical practice, the only difference being that we are often able to integrate projects into courses as a value add, and that students and new graduates are doing much of the work. State agencies find that UHCDC can provide nimble planning and design services that can gather stakeholders, reach out to communities, program, design, and visualize scenarios that help with CIP justification, decision-making, RFPs, or grant proposals.

E3. Wao Kele O Puna Management Fund

Included in OHA's Biennium Budget, BOT #15-02 approved on June 25, 2015, was the establishment of the Wao Kele O Puna (WKOP) Management Fund to include previously authorized Board appropriations for current and future programmatic needs.

Revised needs through June 30, 2021 are estimated and summarized in **Table 15** for the Wao Kele O Puna and includes a $97,946 carryover from FY20 unspent budget as approved in FY20 Realignment #2. An assessment of the continuing plans for Wao Kele O Puna, including future funding, will be addressed in OHA's fiscal biennium budget for 2022-2023.

Table 15: Wao Kele O Puna FY 2021 Proposed Realignment #3 Adjustments Summary

Wao Kele O Puna	FY 2021				
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Approved Realignment #3	Adjustments
Beginning Balance	$204,308	$204,308	$204,308	$204,308	0
Add: Unspent Budget FY19	0	0	(1,866)	(1,866)	0
Add: Unspent Budget FY20	0	0	97,946	97,946	0
Sub-total Available Balance:	**$204,308**	**$204,308**	**$300,388**	**$300,388**	**0**
Less: Expenses					
Program	9,550	9,550	4,550	4,550	0
Contracts	80,000	80,000	93,500	93,500	0
Grants	10,000	10,000	0	0	0
Travel	8,160	8,160	8,160	8,160	0
Equipment	95,798	95,798	144,300	144,300	0
Overhead	800	800	0	0	0
Sub-total Expenditures:	**$204,308**	**$204,308**	**$250,510**	**$250,510**	**0**
Estimated Net Available:	**$0**	**$0**	**$49,878**	**$49,878**	**0**

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F. Other OHA Programs Budget Adjustments

OHA's Other OHA Programs Budget reflects budgets for other programs funded through non-trust-fund sources, including federal funds and other fund sources.

F1. Federal-funded

OHA's Other Programs – Federal-funded budget requests are summarized in **Table 16** below and reflect updates in the Native Hawaiian Revolving Loan Fund (NHRLF) FY2021 budget as approved by the Administration for Native Americans (ANA).

Table 16: Other OHA Programs Budget – Federal-funded
FY 2021 Proposed Realignment #3 Adjustments Summary

Other OHA Programs - Federal	FY 2021					
	Approved Budget	Approved Realignment #1	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
HLID Project						
Contracts	$63,860	$63,860	$3,098,860	$3,098,860	$0	
Debt Service	0	0	0	0	0	
Equipment	1,250	1,250	600	600	0	
Grants	0	0	0	0	0	
Overhead	36,119	36,119	26,509	26,509	0	
Personnel & Fringe	318,770	318,770	242,474	242,474	0	
Program	8,200	8,200	4,500	4,500	0	
Travel				0	0	
Sub-total HLID:	**$428,199**	**$428,199**	**$3,372,943**	**$3,372,943**	**$0**	
NHRLF						
Contracts	276,099	276,099	276,099	300,397	24,298	
Debt Service	0	0	0	0	0	
Equipment	0	0	0	0	0	
Grants	0	0	0	0	0	
Overhead	39,083	39,083	39,083	47,096	8,013	
Personnel & Fringe	460,812	460,812	460,812	641,347	180,535	
Program	105,991	105,991	105,991	93,334	(12,657)	
Travel	37,045	37,045	37,045	31,310	(5,735)	
Sub-total NHRLF:	**$919,030**	**$919,030**	**$919,030**	**$1,113,484**	**$194,454**	
Other OHA Programs - Federal	**$1,347,229**	**$1,347,229**	**$4,291,973**	**$4,486,427**	**$194,454**	

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F2. Other Programs

OHA's Other Programs – Others budget requests are summarized in **Table 17** below,

The $61,000 adjustment represents reclassified costs related to Board authorized (in May 2019) dissolution and winddown activities for Hi`ikualono LLC, Ho`okele Pono LLC and Ho`okipaipai LLC based on projections for FY21; and a six-month no cost extension for the Youth Build program operated by Hi`ilei Aloha LLC.

Table 17: Other OHA Programs – Others
FY 2021 Proposed Realignment #3 Adjustments Summary

Other OHA Programs Budget - Others	FY 2021				
	Approved Budget	Approved Realignment #2	Proposed Realignment #3	Adjustments	Ref Page(s)
Beginning Balance	$0	$0	$0	$0	
Ka Wai Ola Revenues	75,000	75,000	75,000	0	
Homesteader Loan Repayments	120,000	120,000	120,000	0	
Sub-total Available Funds:	**$195,000**	**$195,000**	**$195,000**	**$0**	
Less: Expenses					
Hi'ilei Aloha & Subsidiaries	195,000	134,000	134,000	0	
Ho'okele Pono & Subsidiaries	0	61,000	61,000	0	
Sub-total Expenditures:	**$195,000**	**$195,000**	**$195,000**	**$0**	
Estimated Net Available Special Programs Budget Other:	**$0**	**$0**	**$0**	**$0**	

G. Chief Financial Officer Certification

The following is the certification by the Chief Financial Officer that the funds are available to effect the realignment actions:

Ramona G Hinck

Chief Financial Officer

Date: 05/21/2021

VI. RECOMMENDED ACTIONS

Administration recommends that the Board of Trustees (BOT) approve, the following actions:

A. Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) – Realignment #3

Motion #1: Approve OHA's Total Fiscal Budget Realignment #3 for Fiscal Biennium Periods 2019-2020 (FY 20) and 2020-2021 (FY 21) as outlined in ATTACHMENT 1, with the exception of the $5,000 additional event sponsorship (total $15,000) for the Prince Lot Hula Festival, an event sponsored by the Moanalua Gardens Foundation.

Motion #2: Approve additional $5,000 event sponsorship (total $15,000) for the Prince Lot Hula Festival, sponsored by the Moanalua Gardens Foundation.

B. Fiscal Stabilization Policy

Motion #3: Reserve and Designate[19] an amount of **$1,060,000** in unspent, uncommitted, unencumbered funds from FY 2021, for the purpose of addressing projected reorganization related costs.

VII. ALTERNATIVE ACTIONS

A. Amend the recommended action.

B. Do not approve the recommended action.

VIII. REFERENCE ACTION ITEMS, WORKSHOP MATERIALS

The following budget related and grants related action items listed below set context for BR3:

A. Action Item BAE-RM #21-06-01: Approve the Awarding of 'Ohana and Community Based Grants, Island of O'ahu for a total of $392,500 for Solicitation No. 21-05-01, Released March 2021, May 18, 2021

B. Action Item BAE-RM #21-06-02: Approve the Awarding of 'Ohana and Community Based Grants, Island of Hawai`i for a total of $436,117 for Solicitation No. 21-05-02, Released March 2021, May 18, 2021

C. Action Item BAE-RM #21-06-03: Approve the Awarding of 'Ohana and Community Based Grants, Island of Maui for a total of $251,493 for Solicitation No. 21-05-03, Released March 2021, May 18, 2021

D. Action Item BAE-RM #21-06-04: Approve the Awarding of 'Ohana and Community Based Grants, Island of Kaua'i for a total of $126,899 for Solicitation No. 21-05-04, Released March 2021, May 18, 2021

[19] Designate=specifically identify, plan for, reserve; Trustee authorization and approval, via Action Item, is still needed to activate and disburse the designated or specified funds.

E. **Action Item BAE-RM #21-06-05:** Approve the Awarding of ʻOhana and Community Based Grants, Islands of Molokaʻi and Lānaʻi for a total of $36,475 and $4,724, Solicitations No. 21-05-05 and 21-05-06, respectively, Released March 2021, May 18, 2021

F. **Action Item BAE-RM #21-05:** Approve the Awarding of Homestead Grants for a total of $250,000 for Solicitation No. 21-03, Released February 2021; and an Additional Award Amount, April 27, 2021

G. **Action Item BAE-RM #21-04:** Approve the Awarding of Iwi Kupuna and Reinternment Grants for a Total of $144,079 from Solicitation No. 21-02, Released February 2021; and an Additional Award Amount, April 27, 2021

H. **Action Item BAE-RM #21-03:** Approve the Awarding and Reallocation of ʻAhahui Grants for a total of $200,000 from Solicitation No. 21-01, Released February 2021, April 27, 2021

I. **Action Item BAE-RM #21-02:** Approval to Reallocate the FY20 and FY21 Unspent Balance of Contract #3363 in the Amount of $838,332; and Reclassify FY21 Unencumbered Sponsorships of $205,921; for the Combined Purpose to Award a Grant of $1,044,253 for Emergency Financial Assistance to Hawaiʻi Community Lending, March 30, 2021

J. **Action Item BAE-RM #21-01:** Approval to Reallocate $2,170,000 in COVID-19 Emergency Financial Assistance Program Grant Authorization to $1,170,000 to COVID-19 Impact Grants and $1,000,000 to ʻOhana and Community Program Grants, February 10, 2021

K. **Action Item BOT #20-04:** OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY20) and 2020-2021 (FY21) – Realignment #2, June 18, 2020

L. **Action Item BOT #20-03:** Approval to Fund Responses to COVID-19, May 7, 2020

M. **Action Item RM #19-17:** Realignment #1 of the OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY20) and 2020-2021 (FY21), September 25, 20219

N. **Action Item RM #19-09:** OHA Biennium Budget for the Fiscal Biennium Periods 2019-2020 (FY20) and 2020-2021 (FY21), June 18, 2019

O. **May 11, 2021 Workshop Materials, Committee on Resource Management:** Memos dated May 7, 2021 and May 10, 2021 and related materials distributed.

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IX. ATTACHMENTS

A. **ATTACHMENT 1 -** 2019-2020 (FY20) Core and Non-Core Budgets and 2020-2021 (FY21) Core and Non-Core Budgets – Realignment #3 – 1 page

B. **ATTACHMENT 2 -** 2019-2020 (FY20) Core and Non-Core Budgets – Original Budget to Realignment #1, Realignment #1 to Realignment #2 and Realignment #2 to Realignment #3 – 3 pages

C. **ATTACHMENT 3 -** 2020-2021 (FY21) Core and Non-Core Budgets – Original Budget to Realignment #1, Realignment #1 to Realignment #2 and Realignment #2 to Realignment #3 – 2 pages

D. **ATTACHMENT 4** – FY21 Mission Aligned & Strategic Beneficiary and Community Investments via Grants, Contracts and Sponsorships – 4 pages

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OFFICE OF HAWAIIAN AFFAIRS
FY 2020 AND FY 2021 BUDGET REALIGNMENT #3

ATTACHMENT 1
2019-2020 (FY20) Core and Non-Core Budgets and 2020-2021 (FY21) Core and Non-Core Budgets – Realignment #3

Table 1. FY 2020 REALIGNMENT #3 (May 2021)

FY 2020 PROPOSED REALIGNMENT #3	FTE	Core	Fiscal Stabilization Fund	Commercial Property		Legacy Property		Other OHA		FY 2020
				Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	Others	Total Operating Budget
Personnel & Fringe	179	$ 15,699,730	$ -	$ 285,390	$ 77,875	$ -	$ -	$ 883,940	$ -	$ 16,946,935
Program		1,128,778	-	81,475	368,276	2,700	4,550	97,875	-	1,683,654
Contracts		5,506,759	-	810,000	560,560	80,000	73,500	4,032,553	-	11,063,372
Grants		10,011,200	-	-	-	-	10,000	-	-	10,021,200
Travel		433,667	-	-	-	4,680	8,160	31,430	-	477,937
Equipment		1,202,824	-	439,500	1,305,178	39,000	159,600	3,750	-	3,149,852
Overhead		2,668,917	-	644,810	1,087,183	9,000	800	79,592	-	4,490,302
Debt Service		580,047	-	-	2,550,979	-	-	-	-	3,131,026
Sub-total:		**$ 37,231,921**	**$ -**	**$ 2,261,175**	**$ 5,950,051**	**$ 135,380**	**$ 256,610**	**$ 5,129,140**	**$ -**	**$ 50,964,277**
Other - LLC		125,138	-	-	-	-	-	-	367,862	493,000
Totals:		**$ 37,357,059**	**$ -**	**$ 2,261,175**	**$ 5,950,051**	**$ 135,380**	**$ 256,610**	**$ 5,129,140**	**$ 367,862**	**$ 51,457,277**

Table 2. FY 2021 REALIGNMENT #3 (May 2021)

FY 2021 PROPOSED REALIGNMENT #3	FTE	Core	Fiscal Stabilization Fund	Commercial Property		Legacy Property		Other OHA		FY 2021
				Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	Others	Total Operating Budget
Contracts		4,402,735	-	715,000	660,105	42,000	93,500	3,399,257	-	9,312,597
Debt Service		548,637	-	-	2,510,952	-	-	0	-	3,059,589
Equipment		1,015,114	-	929,200	1,193,975	31,550	144,300	600		3,314,739
Grants		14,444,592	-	-	-	-	-	0	-	14,444,592
Overhead		3,073,374	-	663,705	995,371	9,000	-	73,605	-	4,815,055
Personnel & Fringe	179	13,881,194	-	280,608	103,884	-	-	883,821	-	15,149,507
Program		795,677	-	18,575	384,357	2,500	4,550	97,834	-	1,303,493
Travel		118,192	-	-	-	4,680	8,160	31,310	-	162,342
Sub-total 1:		**38,279,515**	**-**	**2,607,088**	**5,848,644**	**89,730**	**250,510**	**4,486,427**	**-**	**51,561,914**
Other - LLC			-	-	-	-		-	195,000	195,000
Subtotal 2:		**-**	**-**	**-**	**-**	**-**	**-**	**-**	**195,000**	**195,000**
Totals (1 +2) :		**$ 38,279,515**	**$ -**	**$ 2,607,088**	**$ 5,848,644**	**$ 89,730**	**$ 250,510**	**$ 4,486,427**	**$ 195,000**	**$ 51,756,914**

OFFICE OF HAWAIIAN AFFAIRS
FY 2020 BUDGET REALIGNMENT #3

ATTACHMENT 2
2019-2020 (FY20) Core and Non-Core Budgets – Original Budget to Realignment #1, Realignment #1 to Realignment #2 and Realignment #2 to Realignment #3

A. FY 2020 TOTAL OPERATING BUDGET (June 2019)

FY 2020 APPROVED BUDGET	FTE	Core	Commercial Property Budget		Legacy Property Budget		Special Programs Budget		FY 2020
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	OHA Funded	Total Operating Budget
Personnel & Fringe	179	$ 16,905,440	$ 278,161	$ -	$ -	$ -	$ 764,248	$ -	$ 17,947,849
Program		1,351,878	81,475	368,276	3,000	9,550	109,017	-	1,923,196
Contracts		4,296,719	610,000	535,015	75,000	70,000	4,014,215	-	9,600,949
Grants		9,660,921	-	-	25,000	10,000	-	-	9,695,921
Travel		511,087	-	-	4,680	8,160	37,045	-	560,972
Equipment		995,570	939,500	1,311,958	43,500	158,100	3,750		3,452,378
Overhead		2,964,382	644,810	1,087,183	9,200	800	72,979	-	4,779,354
Debt Service		580,047	-	2,550,979	-	-	-	-	3,131,026
Other - LLC		-	-	-	-	-	-	367,862	367,862
Totals (A):		**$ 37,266,043**	**$ 2,553,946**	**$ 5,853,411**	**$ 160,380**	**$ 256,610**	**$ 5,001,254**	**$ 367,862**	**$ 51,459,507**

B. FY 2020 REALIGNMENT #1 (September 2019)

FY 2020 APPROVED REALIGNMENT #1	FTE	Core	Commercial Property Budget		Legacy Property Budget		Special Programs Budget		FY 2020
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	OHA Funded	Total Operating Budget
Personnel & Fringe	179	$ 16,933,809	$ 285,390	$ 77,875	$ -	$ -	$ 764,248	$ -	$ 18,061,322
Program		1,484,603	81,475	368,276	2,700	4,550	109,017	-	2,050,621
Contracts		5,988,759	810,000	560,560	80,000	73,500	4,014,215	-	11,527,034
Grants		9,660,921	-	-	-	10,000	0	-	9,670,921
Travel		571,667	-	-	4,680	8,160	37,045	-	621,552
Equipment		1,068,820	439,500	1,305,178	39,000	159,600	3,750		3,015,848
Overhead		3,046,958	644,810	1,087,183	9,000	800	72,979	-	4,861,730
Debt Service		580,047	-	2,550,979	-	-	-	-	3,131,026
Sub-total:		**39,335,583**	**2,261,175**	**5,950,051**	**135,380**	**256,610**	**5,001,254**	**-**	**52,940,053**
Other - LLC		125,138	-	-	-	-	-	367,862	493,000
Totals (B):		**$ 39,460,721**	**$ 2,261,175**	**$ 5,950,051**	**$ 135,380**	**$ 256,610**	**$ 5,001,254**	**$ 367,862**	**$ 53,433,053**
Difference (C) = (B - A):		**$ 2,194,678**	**$ (292,771)**	**$ 96,640**	**$ (25,000)**	**$ -**	**$ -**	**$ -**	**$ 1,973,546**

OFFICE OF HAWAIIAN AFFAIRS
FY 2020 BUDGET REALIGNMENT #3

B. FY 2020 REALIGNMENT #1 (September 2019)

FY 2020 APPROVED REALIGNMENT #1	FTE	Core	Commercial Property Budget		Legacy Property Budget		Special Programs Budget		FY 2020
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	OHA Funded	Total Operating Budget
Personnel & Fringe	179	$ 16,933,809	$ 285,390	$ 77,875	$ -	$ -	$ 764,248	$ -	$ 18,061,322
Program		1,484,603	81,475	368,276	2,700	4,550	109,017	-	2,050,621
Contracts		5,988,759	810,000	560,560	80,000	73,500	4,014,215	-	11,527,034
Grants		9,660,921	-	-	-	10,000	0	-	9,670,921
Travel		571,667	-	-	4,680	8,160	37,045	-	621,552
Equipment		1,068,820	439,500	1,305,178	39,000	159,600	3,750		3,015,848
Overhead		3,046,958	644,810	1,087,183	9,000	800	72,979	-	4,861,730
Debt Service		580,047	-	2,550,979	-	-	-	-	3,131,026
Sub-total:		**39,335,583**	**2,261,175**	**5,950,051**	**135,380**	**256,610**	**5,001,254**	**-**	**52,940,053**
Other - LLC		125,138	-	-	-	-	-	367,862	493,000
Totals (A):		**$ 39,460,721**	**$ 2,261,175**	**$ 5,950,051**	**$ 135,380**	**$ 256,610**	**$ 5,001,254**	**$ 367,862**	**$ 53,433,053**

C. FY 2020 REALIGNMENT #2 (June 2020)

FY 2020 APPROVED REALIGNMENT #2	FTE	Core	Commercial Property Budget		Legacy Property Budget		Special Programs Budget		FY 2020
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	OHA Funded	Total Operating Budget
Personnel & Fringe	179	$ 15,699,730	$ 285,390	$ 77,875	$ -	$ -	$ -	$ -	$ 17,297,074
Program		1,128,778	81,475	368,276	2,700	4,550	37,045	-	1,978,649
Contracts		5,506,759	810,000	560,560	80,000	73,500	3,750	-	7,516,569
Grants		12,189,862	-	-	-	10,000	72,979	-	9,743,900
Travel		433,667	-	-	4,680	8,160	0	-	584,507
Equipment		1,202,824	439,500	1,305,178	39,000	159,600	0		3,012,098
Overhead		2,668,917	644,810	1,087,183	9,000	800	5,001,254	-	9,790,005
Debt Service		580,047	-	2,550,979	-	-	-	-	3,131,026
Sub-total:		**39,410,583**	**2,261,175**	**5,950,051**	**135,380**	**256,610**	**5,115,028**	**-**	**53,053,827**
Other - LLC		125,138	-	-	-	-	-	367,862	493,000
Totals (B):		**$ 39,535,721**	**$ 2,261,175**	**$ 5,950,051**	**$ 135,380**	**$ 256,610**	**$ 5,115,028**	**$ 367,862**	**$ 53,546,827**
Difference (C) = (B - A):		**$ 75,000**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 113,774**	**$ -**	**$ 113,774**

OFFICE OF HAWAIIAN AFFAIRS
FY 2020 BUDGET REALIGNMENT #3

ATTACHMENT 2
FY20

C1. FY 2020 REALIGNMENT #2 (5.20.21 Updated) (June 2020)

FY 2020 APPROVED REALIGNMENT #2	FTE	Core	Commercial Property		Legacy Property		Other OHA		FY 2020
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded [a]	Others	Total Operating Budget
Personnel & Fringe	179	$ 15,699,730	$ 285,390	$ 77,875	$ -	$ -	$ 764,248	$ -	$ 17,297,074
Program		1,128,778	81,475	368,276	2,700	4,550	109,017	-	1,978,649
Contracts		5,506,759	810,000	560,560	80,000	73,500	4,014,215	-	7,516,569
Grants		12,189,862	-	-	-	10,000	0	-	9,743,900
Travel		433,667	-	-	4,680	8,160	37,045	-	584,507
Equipment		1,202,824	439,500	1,305,178	39,000	159,600	3,750		3,012,098
Overhead		2,668,917	644,810	1,087,183	9,000	800	72,979	-	9,790,005
Debt Service		580,047	-	2,550,979	-	-	-	-	3,131,026
Sub-total:		**39,410,583**	**2,261,175**	**5,950,051**	**135,380**	**256,610**	**5,001,254**	**-**	**53,053,827**
Other - LLC		125,138	-	-	-	-	-	367,862	493,000
Totals (A):		**$ 39,535,721**	**$ 2,261,175**	**$ 5,950,051**	**$ 135,380**	**$ 256,610**	**$ 5,001,254**	**$ 367,862**	**$ 53,546,827**

[a] Typo error in previous printed version's Federal Funded figures and shown corrected.

D. FY 2020 REALIGNMENT #3 (May 2021)

FY 2020 PROPOSED REALIGNMENT #3	FTE	Core	Commercial Property		Legacy Property		Other OHA		FY 2020
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded [b]	Others	Total Operating Budget
Personnel & Fringe	179	$ 15,699,730	$ 285,390	$ 77,875	$ -	$ -	$ 883,940	$ -	$ 16,946,935
Program		1,128,778	81,475	368,276	2,700	4,550	97,875	-	1,683,654
Contracts		5,506,759	810,000	560,560	80,000	73,500	4,032,553	-	11,063,372
Grants		10,011,200	-	-	-	10,000	0	-	10,021,200
Travel		433,667	-	-	4,680	8,160	31,430	-	477,937
Equipment		1,202,824	439,500	1,305,178	39,000	159,600	3,750		3,149,852
Overhead		2,668,917	644,810	1,087,183	9,000	800	79,592	-	4,490,302
Debt Service		580,047	-	2,550,979	-	-	-	-	3,131,026
Sub-total:		**37,231,921**	**2,261,175**	**5,950,051**	**135,380**	**256,610**	**5,129,140**	**-**	**50,964,277**
Other - LLC		125,138	-	-	-	-	-	367,862	493,000
Totals (B):		**$ 37,357,059**	**$ 2,261,175**	**$ 5,950,051**	**$ 135,380**	**$ 256,610**	**$ 5,129,140**	**$ 367,862**	**$ 51,457,277**

[b] - Previous printed version of "Federal Funded" column updated to show approved ANA budget.

Difference (C) = (B - A):	**$ (2,178,662)**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 127,886**	**$ -**	**$ (2,089,551)**

OFFICE OF HAWAIIAN AFFAIRS
FY2021 BUDGET REALIGNMENT #3

ATTACHMENT 3
2020-2021 (FY21) Core and Non-Core Budgets
Original Budget to Realignment #1, Realignment #1 to Realignment #2, and Realignment #2 to Realignment #3

A. FY 2021 TOTAL OPERATING BUDGET (June 2019)

FY 2021 APPROVED BUDGET	FTE	Core	Commercial Property Budget		Legacy Property Budget		Special Programs Budget		FY 2021
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	OHA Funded	Total Operating Budget
Personnel & Fringe	179	$ 17,136,197	$ 283,724	$ -	$ -	$ -	$ 779,582	$ -	$ 18,199,503
Program		1,192,677	59,475	380,057	3,000	9,550	114,191	-	1,758,950
Contracts		3,999,924	665,000	559,502	42,000	80,000	339,959	-	5,686,385
Grants		9,635,921	-	-	35,000	10,000	-	-	9,680,921
Travel		512,309	-	-	4,680	8,160	37,045	-	562,194
Equipment		1,027,036	945,200	1,053,578	28,500	95,798	1,250		3,151,362
Overhead		3,134,555	647,305	1,002,371	9,000	800	75,202	-	4,869,233
Debt Service		572,163	-	2,510,952	-	-	-	-	3,083,115
Other - LLC		-	-	-	-	-	-	195,000	195,000
Totals:		**$ 37,210,783**	**$ 2,600,704**	**$ 5,506,460**	**$ 122,180**	**$ 204,308**	**$ 1,347,229**	**$ 195,000**	**$ 47,186,664**

B. FY 2021 REALIGNMENT #1 (NO CHANGE) (September 2019)

C. FY 2021 REALIGNMENT #2 (5.20.21 Updated) (June 2020)

FY 2021 APPROVED REALIGNMENT #2	FTE	Core	Commercial Property		Legacy Property		Other OHA		FY 2021
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	OHA Funded	Total Operating Budget
Personnel & Fringe	179	16,029,911	$ 280,608	$ 103,884	$ -	$ -	$ 703,286	$ -	$ 17,117,689
Program		1,127,811	18,975	384,357	2,500	4,550	110,491	-	1,648,684
Contracts		5,003,918	715,000	559,502	42,000	93,500	3,374,959	-	9,788,879
Grants [a]		11,788,500	-	-	-	-	0	-	11,788,500
Travel		585,771	-	-	4,680	8,160	37,045	-	635,656
Equipment		1,016,286	945,200	1,207,578	31,550	144,300	600		3,345,514
Overhead		3,215,155	647,305	1,082,371	9,000	-	65,592	-	5,019,423
Debt Service		572,163	-	2,510,952	-	-	-	-	3,083,115
Sub-total 1:		**39,339,515**	**2,607,088**	**5,848,644**	**89,730**	**250,510**	**4,291,973**	**-**	**52,427,460**
Other - LLC			-	-	-		-	195,000	195,000
Subtotal 2:		**-**	**-**	**-**	**-**	**-**	**-**	**195,000**	**195,000**
Totals (1 +2) :		**$ 39,339,515**	**$ 2,607,088**	**$ 5,848,644**	**$ 89,730**	**$ 250,510**	**$ 4,291,973**	**$ 195,000**	**$ 52,622,460**
Difference:		**$ 2,128,732**	**$ 6,384**	**$ 342,184**	**$ (32,450)**	**$ 46,202**	**$ 2,944,744**	**$ -**	**$ 5,435,796**

[a] Math error of $5,000 in previous printed version's Grants figure and shown corrected.

OFFICE OF HAWAIIAN AFFAIRS
FY2021 BUDGET REALIGNMENT #3

C1. FY 2021 REALIGNMENT #2 (5.12.21 Updated, Sequence Reordering) (June 2020)

FY 2021 APPROVED REALIGNMENT #2	FTE	Core	Commercial Property		Legacy Property		Other OHA		FY 2021
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	Others	Total Operating Budget
Contracts		5,003,918	715,000	559,502	42,000	93,500	3,374,959	-	9,788,879
Debt Service		572,163	-	2,510,952	-	-	-	-	3,083,115
Equipment		1,016,286	945,200	1,207,578	31,550	144,300	600		3,345,514
Grants		11,788,500	-	-	-	-	0	-	11,788,500
Overhead		3,215,155	647,305	1,082,371	9,000	-	65,592	-	5,019,423
Personnel & Fringe	179	16,029,911	280,608	103,884	-	-	703,286	-	17,117,689
Program		1,127,811	18,975	384,357	2,500	4,550	110,491	-	1,648,684
Travel		585,771	-	-	4,680	8,160	37,045	-	635,656
Sub-total 1:		**39,339,515**	**2,607,088**	**5,848,644**	**89,730**	**250,510**	**4,291,973**	**-**	**52,427,460**
Other - LLC			-	-	-		-	195,000	195,000
Subtotal 2:		**-**	**-**	**-**	**-**	**-**	**-**	**195,000**	**195,000**
Totals (1 +2) :		**$ 39,339,515**	**$ 2,607,088**	**$ 5,848,644**	**$ 89,730**	**$ 250,510**	**$ 4,291,973**	**$ 195,000**	**$ 52,622,460**

D. FY 2021 BUDGET REALIGNMENT #3 (May 2021)

FY 2021 PROPOSED REALIGNMENT #3	FTE	Core	Commercial Property		Legacy Property		Other OHA		FY 2021
			Kaka'ako Makai	Nā Lama Kukui	Palauea Culture Preserve	WKOP Mgmt Fund	Federal Funded	Others	Total Operating Budget
Contracts		4,402,735	715,000	660,105	42,000	93,500	3,399,257	-	9,312,597
Debt Service		548,637	-	2,510,952	-	-	0	-	3,059,589
Equipment		1,015,114	929,200	1,193,975	31,550	144,300	600		3,314,739
Grants		14,444,592	-	-	-	-	0	-	14,444,592
Overhead		3,073,374	663,705	995,371	9,000	-	73,605	-	4,815,055
Personnel & Fringe	179	13,881,194	280,608	103,884	-	-	883,821	-	15,149,507
Program		795,677	18,575	384,357	2,500	4,550	97,834	-	1,303,493
Travel		118,192	-	-	4,680	8,160	31,310	-	162,342
Sub-total 1:		**38,279,515**	**2,607,088**	**5,848,644**	**89,730**	**250,510**	**4,486,427**	**-**	**51,561,914**
Other - LLC			-	-	-		-	195,000	195,000
Subtotal 2:		**-**	**-**	**-**	**-**	**-**	**-**	**195,000**	**195,000**
Totals (1 +2) :		**$ 38,279,515**	**$ 2,607,088**	**$ 5,848,644**	**$ 89,730**	**$ 250,510**	**$ 4,486,427**	**$ 195,000**	**$ 51,756,914**
Difference:		**$ (1,060,000)**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 194,454**	**$ -**	**$ (865,546)**

FY21 Mission Aligned & Strategic Beneficiary and Community Investments via Grants, Contracts and Sponsorships
Various Programs

A. SUMMARY

		FY21 Realignment #2			FY21 Budget Realignment #3					
Category	**Initial Approved Total**	**Realign #2 Addition**	**FN**	**Approved Realignment #2**	**BAE-RM #21-01**	**BAE-RM #21-01**	**BAE-RM #21-03, 04,**	**Realign #3 Adjustments**	**Realign #3 Request**	**Proposed (Post) Realignment #3**
	(1)	(2)		(3) = (1) + (2)	(4)	(5)	(6)	(7)	(8) = (4+5+6+7)	(9) = (3) + (8)
GRANTS CATEGORY										
56510 GRANTS IN AID - PROGRAM GRANTS	$ 830,000	$ -		$ 830,000	$ -	$ 214,253	$ -	$ -	$ 214,253	$ 1,044,253
56530 GRANTS IN AID - COMMUNITY GRANTS	$ 3,700,000	$ 1,394,079		$ 5,094,079	$ 1,000,000	$ -	$ -	$ 388,277	$ 1,388,277	$ 6,482,356
56540 GRANTS IN AID - LEVEL II GRANTS	$ 4,750,000	$ 750,000		$ 5,500,000	$ 1,170,000	$ -	$ -	$ 107,983	$ 1,277,983	$ 6,777,983
56560 GRANTS IN AID - SPONSORSHIPS	$ 339,421	$ 25,000		$ 364,421	$ -	$ (205,921)	$ -	$ (18,500)	$ (224,421)	$ 140,000
	$ 9,619,421	**$ 2,169,079**		**$ 11,788,500**	**$ 2,170,000**	**$ 8,332**	**$ -**	**$ 477,760**	**$ 2,656,092**	**$ 14,444,592**
CONTRACTS CATEGORY										
Legal Proviso - Professional Services	$ 1,048,000	$ 250,000		$ 1,298,000						$ 1,298,000
	$ 10,667,421	**$ 2,419,079**		**$ 13,086,500**						**$ 15,742,592**
PROGRAM CATEGORY										
Media Buy	$ 149,000			$ 149,000						$ 149,000
Contract - Ka Wai Ola - Production & Delivery	$ 356,664			$ 356,664						$ 356,664
	$ 505,664			**$ 505,664**						**$ 505,664**
	$ 11,173,085	**$ 2,419,079**		**$ 13,592,164**						**$ 16,248,256**

FY21 Mission Aligned & Strategic Beneficiary and Community Investments via Grants, Contracts and Sponsorships
Various Programs
B. Classification I - Beneficiary and Community Investments via Grants Subject to HRS 10-17 Process

		FY21 Realignment #2				FY21 Budget Realignment #3							
GRANTS Description	**Initial Approved Total**	**Realign #2 Addition**	**FN**	**Approved Realignment #2**	**FN**	**BAE-RM #21-01**	**BAE-RM #21-01**	**BAE-RM #21-03, 04, 05**	**Realign #3 Adjustments**	**Realign #3 Request**	**Proposed (Post) Realignment #3**
	(1)	(2)		(3) = (1) + (2)		(4)	(5)	(6)	(7)	(8) = (4+5+6+7)	(9) = (3) + (8)
Account: 56510 Program											
A. Social Services	**$ 830,000**	**$ -**		**$ 830,000**			**$ 214,253**			**$ 214,253**	**$ 1,044,253**
Account: 56530 Community											
A. Education - Higher Education	**$ 500,000**	**$ -**		**$ 500,000**						0	**$ 500,000**
B. Culture	$ 500,000	$ -		$ 500,000						-	$ 500,000
C. Health	$ 500,000	$ -		$ 500,000						-	$ 500,000
D. Education	$ 500,000	$ -		$ 500,000						-	$ 500,000
E. Housing	$ 500,000	$ -		$ 500,000						-	$ 500,000
F. Income	$ 500,000	$ -		$ 500,000						-	$ 500,000
G. Land	$ 500,000	$ -		$ 500,000						-	$ 500,000
Sub-total:	**$ 3,000,000**	**$ -**		**$ 3,000,000**		**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 3,000,000**
H. 'Ahahui	$ 200,000	$ -		$ 200,000	(i)			$ (51,314)	$ (11,035)	(62,349)	$ 137,651
Total 56530 Community	**$ 3,700,000**	**$ -**		**$ 3,700,000**		**$ -**	**$ -**	**$ (51,314)**	**$ (11,035)**	**$ (62,349)**	**$ 3,637,651**
Account: 56540 Level II											
A. Kulia	$ 250,000	$ 250,000	[a]	$ 500,000						-	$ 500,000
B. Charter Schools	$ 730,000	$ -		$ 730,000						-	$ 730,000
B. Charter Schools	$ 770,000	$ -		$ 770,000						-	$ 770,000
	$ 1,750,000	$ 250,000		$ 2,000,000						$ -	$ 2,000,000
C. DHHL	$ 3,000,000	$ -		$ 3,000,000						$ -	$ 3,000,000
Total 56540 Level II	**$ 4,750,000**	**$ 250,000**		**$ 5,000,000**		**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 5,000,000**
Account:56550 Sponsorships											
A. BOT	$ 135,000	$ -		$ 135,000			$ (135,000)			(135,000)	$ -
B. Kaiaulu (fka CEO)	$ 70,921	$ -		$ 70,921			$ (70,921)			(70,921)	$ -
Total 56550 Sponsorships	**$ 205,921**	**$ -**		**$ 205,921**		**$ -**	**$ (205,921)**	**$ -**	**$ -**	**$ (205,921)**	**$ -**
Sub-total:	**$ 9,485,921**	**$ 250,000**		**$ 9,735,921**		**$ -**	**$ 8,332**	**$ (51,314)**	**$ (11,035)**	**$ (54,017)**	**$ 9,681,904**
FY21 Grants Recommendations - Via Competitive Process											
A. COVID-19 Responses	$ -	$ 500,000	[c]	$ 500,000		$ 1,170,000			$ 107,983	$ 1,277,983	$ 1,777,983
B. Homestead Community Grants	$ -	$ 250,000	[d]	$ 250,000				$ 28,095	$ 21,905	$ 50,000	$ 300,000
C. Charter School Major Repairs & Maintenance	$ -	$ 500,000	[e]	$ 500,000						$ -	$ 500,000
D. Iwi Kupuna Repatriation and Reinternment Community Grants	$ -	$ 144,079	[f]	$ 144,079				$ 23,219	$ 50,000	$ 73,219	$ 217,298
E. NH Teacher Education & Professional Development	$ -	$ 250,000	[g]	$ 250,000							$ 250,000
F. Community & 'Ohana Based Program Grants	$ -	$ 250,000	[h]	$ 250,000		$ 1,000,000			$ 327,407	$ 1,327,407	$ 1,577,407
	$ -	**$ 1,894,079**		**$ 1,894,079**		**$ 2,170,000**	**$ -**	**$ 51,314**	**$ 507,295**	**$ 2,728,609**	**$ 4,622,688**
Total - Grants	**$ 9,485,921**	**$ 2,144,079**		**$ 11,630,000**		**$ 2,170,000**	**$ 8,332**	**$ -**	**$ 496,260**	**$ 2,674,592**	**$ 14,304,592**

Footnotes:
[a] - To increase Kulia grants amount to pilot amount of $500,000.
[b] - Pending Ad Hoc Committee on Grants and Sponsorships recommendation and Board action.
[c] - To provide additional beneficiary supports as a result of the impacts of COVID-19 (e.g., food, living and household items, testing, economic recovery investments); final recommendation and approval to be presented to the Board based on assessment.
[d] - To provide homestead community grant opportunities to strengthen homestead beneficiaries, families and communities.
[e] - To strengthen and improve Hawaiian focused charter school learning environment(s) via facilities repair, maintenance, replacement.
[f] - To support community based iwi kupuna repatriation and reinternment efforts.
[g] - To increase Native Hawaiian teacher recruitment and retention in kaiapuni and Hawaiian focused charter schools.
[h] - To support 'ohana-based programming that strengthen Native Hawaiian well-being, including physical, spiritual, mental and emotional health. Note: includes programming that promote prevention and intervention to address mental, physical, and substance abuse issues.
(i) - Corrected to $200,000, prior version $250,000.

FY21 Mission Aligned & Strategic Beneficiary and Community Investments via Grants, Contracts and Sponsorships
Various Programs

C. Classification III - Beneficiary and Community Investments via Sponsorships

		FY21 Realignment #2				FY21 Budget Realignment #3						
Grants Description - Sponsorships	**Initial Approved Total**	**Realign #2 Addition**	**FN**	**Approved Realignment #2**	**FN**	**BAE-RM #21-01**	**BAE-RM #21-01**	**BAE-RM #21-03, 04,**	**Realign #3 Adjustments**	**FN**	**Realign #3 Request**	**Proposed (Post) Realignment #3**
	(1)	(2)		(3) = (1) + (2)		(4)	(5)	(6)	(7)		(8) = (4+5+6+7)	(9) = (3) + (8)
Community Engagement												
A. Coalition Building	$ 20,000			$ 20,000					$ (20,000)		$ (20,000)	$ -
B. Association of Hawaiian Civic Clubs	$ 10,000			$ 10,000					$ (10,000)		$ (10,000)	$ -
C. Council for Native Hawaiian Advancement	$ 10,000			$ 10,000					$ -		$ -	$ 10,000
D. Onipa`a Celebration	$ 5,000			$ 5,000					$ -		$ -	$ 5,000
Total - Community Engagement	**$ 45,000**	**$ -**		**$ 45,000**		**-**	**-**	**-**	**$ (30,000)**		**$ (30,000)**	**$ 15,000**
Advocacy												
A. NH Congressional Fellowship	$ 50,000			$ 50,000					$ (50,000)		$ (50,000)	$ -
B. Papahanaumokuakea MNM	$ 15,000			$ 15,000					$ (10,000)		$ (10,000)	$ 5,000
C. Alaska Federation of Natives	$ 5,000			$ 5,000							$ -	$ 5,000
D. National Congress of American Indians	$ 5,000			$ 5,000							$ -	$ 5,000
E. National Indian Education Association	$ 5,000			$ 5,000							$ -	$ 5,000
F. National Museum of the American Indians	$ 5,000			$ 5,000					$ (5,000)		$ (5,000)	$ -
G. Pacific Day - NZ Embassy	$ 3,500			$ 3,500	(b)				$ (3,500)		$ (3,500)	$ -
Total - Advocacy	**$ 88,500**	**$ -**		**$ 88,500**					**$ (68,500)**		**$ (68,500)**	**$ 20,000**
Community Engagement												
H. Nā Mamo Makamae o Ka Po'e Hawai'i: Living Treasures of the Hawaiian People recognizes individuals and groups in Hawai'i and on the continent who have contributed to the preservation and perpetuation of Hawaiian cultural and artistic traditions and properties (2017,2019)	$ -	$ 15,000	[a]	$ 15,000					(15,000)		$ (15,000)	$ -
H-1: Sovereign Council of the Hawaiian Homestead Associations, Homestead Summit, December 2020									10,000	(c)	$ 10,000	$ 10,000
H-2: Native Hawaiian Chamber of Commerce, O'o Awards, December 2020									5,000	(c)	$ 5,000	$ 5,000
I. Moanalua Gardens Foundation/Prince Lot Hula Festival		$ 10,000		$ 10,000					5,000	(c)	$ 5,000	$ 15,000
J. Merrie Monarch Festival	$ -			$ -					15,000	(c)	$ 15,000	$ 15,000
K. Queen Liliuokalani Keiki Hula Competition	$ -			$ -					15,000	(c)	$ 15,000	$ 15,000
L. Lunalilo Home Event, Project, Program	$ -			$ -					15,000	(c)	$ 15,000	$ 15,000
M. Iolani Palace Event, Project, Program	$ -			$ -					15,000	(c)	$ 15,000	$ 15,000
N. 'Aha Punana Leo Event, Project, Program	$ -	$ -		$ -					15,000	(c)	$ 15,000	$ 15,000
Grand Total - Sponsorships	**$ 133,500**	**$ 25,000**		**$ 158,500**		**$ -**	**$ -**	**$ -**	**$ (18,500)**		**$ (18,500)**	**$ 140,000**

[a] - Biennial recognition of living treasures
(b) - Corrected to $3500, prior version $3000.
(c) - Represents a reallocation of Board approved programmatic sponsorships from Budget Realignment #2 (June 2020), that were not subject to the February 2018 imposed moratorium. The proposed reallocation is a mixture of previously designated "Legacy Sponsorships" that used to be presented as a line item and approved by the Board; a recognition of needs and proposed new line items aligned to the draft Strategic Granting Policy introduced in the May 6, 2021 Board workshop.

FY21 Mission Aligned & Strategic Beneficiary and Community Investments via Grants, Contracts and Sponsorships
Various Programs
D. Classification II - Beneficiary and Community Investments via Procurement Subject to HRS 103D

		FY21 Realignment #2			FY21 Budget Realignment #3					
Description	**Initial Approved Total**	**Realign #2 Addition**	**FN**	**Approved Realignment #2**	**BAE-RM #21-01**	**BAE-RM #21-01**	**BAE-RM #21-03, 04, --**	**Realign #3 Adjustments**	**Realign #3 Request**	**Proposed (Post) Realignment #3**
	(1)	(2)		(3) = (1) + (2)	(4)	(5)	(6)	(7)	(8) = (4+5+6+7)	(9) = (3) + (8)
CONTRACTS										
A. Legal Proviso - Professional Services	$ 1,048,000	$ 250,000	[a]	$ 1,298,000					$ -	$ 1,298,000
B. Media Buy/Contract - Media buyer contract includes Merrie Monarch $25k, KS Song Contest $10k, Hokus $10k, civic engagement $20k, advocacy initiatives $20k + New Strategic Plan $39k	$ 124,000	$ -		$ 124,000					$ -	$ 124,000
PROGRAMS										
C. Media Buy/Contract - Keiki Hula	$ 25,000	$ -		$ 25,000					$ -	$ 25,000
E. Contract - Ka Wai Ola - Production & Delivery	$ 356,664	$ -		$ 356,664					$ -	$ 356,664
Grand Total - Contracts	**$ 1,553,664**	**$ 250,000**		**$ 1,803,664**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 1,803,664**

Footnotes:
[a] - Increase beneficiary and issue (e.g., water, land, iwi kupuna) supports

Office of Hawaiian Affairs
Meeting of the Board of Trustees
June 2, 2021
6:30 P.M.

VII. Executive Session

A. Executive Session: 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 updates by Administration regarding potential acquisition of commercial properties, pursuant to HRS§92-5(a)(4)