

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

Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listened by phone: (213) 338-8477. A physical meeting location open to the general public will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817. All members of the public that wish to access the physical meeting location must wear a mask and follow all applicable COVID-19 requirements of the meeting venue.

Minutes of the
LĀNAʻI ISLAND COMMUNITY MEETING
MINUTES
August 18, 2022
5:00pm

ATTENDANCE:

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

BOT STAFF:

Amber Kalua, Trustee Aide
Kanani Iaea, Trustee Aide
Lehua Itokazu, Board Secretary

GUEST:

Kehaulani Lum
Sam Chung, Board Financial Advisor

ADMINISTRATION:

Sylvia Hussey, CEO
Casey Brown, COO
Ramona Hinck, CFO
Everett Ohta, Interim General Counsel
Nietzsche Ozawa, Interim Sr. Legal Counsel
Capsun Poe, Community Engagement Director
Michelle McCoy, Public Policy Advocate
Erin Nakamura, IT Support
Kevin Chak, IT Support

Call to Order

Chair Hulu Lindsey Calls the Board of Trustees Meeting to order for Thursday, August 18, 2022 at 5:00 p.m. Board Secretary, please do 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		Joins mtg at 5:01 pm
TRUSTEE	MILILANI	TRASK		excused
TRUSTEE	JOHN	WAIHE‘E		Joins mtg at 5:04 pm
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			6	

At the Call to Order, **six (6)** Trustees are PRESENT, thereby constituting a quorum.

Chair Hulu Lindsey Aloha kākou, welcome and thank you for being here with us this evening. Tonight’s meeting can be viewed by livestream on OHA’s website, www.oha.org/livestream. We are also hosting this meeting on Zoom. For those of you on Zoom, we ask that you keep your cameras on and your mics muted when not speaking.

Before we begin, I would like to announce that I will be taking the agenda out of order. Under new business, I will take item IV.2 first, then followed by IV.1. At this time, I would like to ask each Trustee to introduce themselves.

Introductions

Trustee Ahu Isa Aloha mai kākou, I am so sorry we can’t be there on Lāna‘i. I love that island, and everyone knows everybody. I am Lei Ahu Isa, your At-Large Trustee. Mahalo for being here with us.

Trustee Ahuna Aloha mai kākou to everyone on Lāna‘i, thank you for having us. With me today are my two Aides, Claudine Calpito and Anuheia Diamond. I just want to say I am looking forward to the beneficiaries from Lāna‘i, thank you.

Trustee Akaka Aloha Pumehana kākou, we are so happy to be with all of you this evening. I am looking forward to hearing your mana‘o and your concerns. Joining me this evening are my Aides, Brandon Mitsuda and Mark Watanabe. Again, I mahalo our community for welcoming us.

Trustee Akina Aloha kākou everyone, I am Trustee At-Large, Trustee Keli‘i Akina. I am so glad you are joining us tonight. I am joined this evening by my two Trustee Aides that are here online, Ruben Sierra and Evalani Canto.

Trustee Lee Aloha Chair and aloha to everyone from Lāna‘i whose online. Joining me this evening are my two Aides, LeiAnn Durant and Dayna Pa. I look forward to hearing from our beneficiaries from Lāna‘i. I am looking forward to hearing from all of you.

Trustee Alapa Aloha everyone, my name is Luana Alapa. I am sorry that I am not in the islands, but away on a trip. I want to say aloha to everyone who is able to be online. I also had the privilege to visit Lāna‘i a couple weeks ago. What an amazing moment for me to meet with some of the people there. I am looking forward to hosting some of my talk story sessions there on the island. I would also like to introduce my Aide, Pohai Ryan.

Trustee Waihe‘e Aloha everyone, I am Trustee Waihe‘e IV, Trustee At-Large. I am very honored to be here and hear the concerns of our beneficiaries. I hope that eventually we can be there in the future, I love Lāna‘i. I am thankful to be here virtually to listen to all of you, thank you.

Chair Hulu Lindsey Aloha mai kākou, my name is Carmen Hulu Lindsey, and I am the Maui Trustee and serve as Chair of the Baord. My staff here is Lehua Itokazu-Board Secretary, Kanani Iaea and Amber Kalua-my Aides. We welcome all of you that are zooming in with us this evening. Mahalo for taking the time and coming to our meeting. We look forward to hearing from all of you. We also have our CEO, Sylvia Hussey. Sylvia, will you introduce yourself and your staff.

Sylvia Hussey, CEO Aloha Lāna‘i ‘ohana, we have of COO-Casey Brown, CFO-Ramona Hinck, Interim General Counsel-Everett Ohta, Interim Sr. Legal Counsel-Nietzsche Ozawa, Capsun Poe-Community Engagement Director, Michelle McCoy-Public Policy Advocate, and as always, we are supported by our IT staff-Erin and Kevin.

Chair Hulu Lindsey A quick note, the new Sunshine Law under Act 264 is that the OHA BOT and Committees may no longer take oral testimony only at the beginning of a Board’s agenda or meeting. This means I will call on testifiers for each item on the agenda.

In order to allow time for all of our beneficiaries to testify, you will be given five (5) minutes to share your mana‘o. Your name will be called, and your microphone will be unmuted when it is your turn to testify. If you are not audible, you will be muted, and the next testifier will be called.

At this time, I would like to move on to the approval of the minutes.

Approval of Minutes

Site Visit Waihe‘e Summary – May 25, 2022
Site Visit Ka‘ehu Summary – May 25, 2022

Trustee Ahuna Moves to approve the summary of minutes for site visit 1 and 2 dated May 25, 2022

Trustee Akaka Seconds the motion.

Trustee Ahuna Moves

Site Visit Waihe‘e Summary – May 25, 2022
Site Visit Ka‘ehu Summary – May 25, 2022

Trustee Akaka Seconds the motion.

	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			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 MILILANI TRASK						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, Zero (0) No votes and One (1) Excused.						

May 25, 2022
And May 26, 2022 Minutes

Trustee Akaka moves to approve the minutes.

Trustee Alapa Seconds the motion.

Trustee Akaka Moves						
Minutes: May 25, 2022 and May 26, 2022						
Trustee Alapa Seconds the motion.						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA		X	X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK						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, Zero (0) No votes and One (1) Excused.

Status of OHA Activities

Sylvia Hussey, CEO The Island Report for Lānaʻi was distributed and it will be posted along with other items on our oha.org website. The current issues on Lānaʻi are the Kuahiwi a Kai, Lānaʻi Watershed Conservation Program. Lānaʻi naturally experiences a natural erosion due to years of over grazing and the mismanagement of introduced ungulates. The National Fish and Wildlife Foundation in partnership with Pūlama Lānaʻi and many other organizations, developed the Watershed Conservation Program, and so our Compliance and Community Engagement efforts continue to monitor the progress of that for the island. Overall current grantees, there are no specific grantees on Lānaʻi. There are organizations that serve statewide, which would include Lānaʻi. There are two revolving loan funds here, totaling \$41,000.

New Business

There are no testifiers for this next item on the agenda.

IV. 2. Action Item BOT #22-14: Accept and Implement the Report of the Permitted Interaction Group to Investigate the Activation of Kakaʻako Makai Site E, 919 Ala Moana Blvd*

Casey Brown, COO Aloha Lānaʻi and aloha to the Board, we are going to go over the PIG report. This report was distributed on July 26, 2022. I would like to go over page 4, section III with all of you. This is the heart of the recommendation of the report. As a reminder, this PIG focused on and was activated to investigate Lot E, and activation to related activities to Lot E. One thing that we know and that we have heard about these two sites, A and E, are that they are the gateway to Kakaʻako Makai (KM) ʻāina. The other thing about these two sites are that they are not seeing any action. All of this is really focused on how do we temporarily activate on these lands and get some life on them and, at the same time, maybe get generate some return. This report is focused on activation of site E. Working with our in-house development consultant, recommendations were produced based on these three findings:

1. Any long-term reletting strategy of site E, this would be anything beyond 5-7 years, will require significant investment. The projected figures for that investment is over \$15 million.
2. Repositioning this building, this site with a preferred mix uses including retail and restaurants; this would like trigger a public review process and could last two or more years.
3. We have a master plan effort going on and part of that effort is to do due diligence on each parcel. We recommend not to take a position that sinks money in for a long-term, and more so does not produce enough returns if that money is sunk into it.

We want to see and tie into the learnings of the master plan, based on those three findings. The recommendations from this PIG is to pursue an activation strategy of site E that requires minimum investment and relies on whatever permitted uses OHA has on that site.

Trustee Lee Thank you, Casey, what is the definition of minimum. When I looked over the report, it was not talking minimum. The budgets laid out on the attachments talked about \$15 million dollars with a return of 8%.

Casey Brown, COO It was written to be a generic term. The minimum amount can mean different things to different people once you get into the seven figure range, a million dollars or higher. When we looked at the proposed mixed use plans for this site E and the initial ones based on the plans of mixed retail in there, everything that we talked about with mixed vendors, it was hard to cut it and build or land on any kind of

estimate that wasn't in the eight figure range. Now, we are talking in the eight figure range and once you get there, that's a sizeable investment. I would say the minimum investment can vary, but nothing like eight figures.

Trustee Lee Okay, that is not being articulated in this report that we are being asked to approve and activate. When we look at this report that we're being asked to approve, it appears that it's asking for approval of a \$15 million budget with an 8% return on investment, which is actually a really good return except the fact that that's going to take nearly 15 years to recoup.

Casey Brown, COO Thanks for making that point Trustee. The figures you see are trying to prove the case that the \$15 million is high in the opinion of the PIG members and the consultants. Sorry it is not clear enough.

Trustee Lee It is not clear at all, it does not say that at all. Again, if we are being asked to approve this, the way it's written is that we are being asked to approve a \$15 million dollar budget with an 8% return. I find it hard to believe that the Board would want a fifteen year project of the current building that's standing there.

Casey Brown, COO I am very sorry that it is not clear and that it doesn't say it at all, but the recommendation is to activate these lands with a small investment. The financials provided is not the investment we are talking about; we provided that investment to say that those numbers are too high.

Chair Hulu Lindsey I agree with Trustee Lee that it's not there. Maybe we need to go back to the PIG and clarify those concerns.

Trustee Lee Madame Chair, I have two concerns: one, you are the Chair of the PIG and two, the PIG cannot go back. We have established that OIP ruled in the past that once a PIG presents its report, then that PIG is now concluded. If the PIG went back and re-opens, then the OIP would consider that a committee which would require quorum. Either at some future date, the RM committee is going to try and come back to create a new PIG, or we don't waste our time again and take this matter up in the RM committee. I don't think we would have landed here today if all nine trustees had input on this.

Chair Hulu Lindsey The recommendation of the PIG stands.

Trustee Akina Casey, are you saying the financials in the report are not necessarily being recommended? What will we be approving as a cap or a lid on the amount of the investment that we feel comfortable in allowing us to go forward with? Is there anything in the PIG report that you can point to, to substantiate that?

Casey Brown, COO I wouldn't recommend coming here with a dollar amount or a cap amount. I would recommend that we come back and recommend a use of that building that looks at the variable in front of it. A big variable in front of it is time, the amount of time you want to lease this space. You would want to keep it on a shorter timeframe than something that is more market tenant seeking which is 7–10-year range; we really want to look at this on a shorter timeframe. We would rather come back with a recommendation on a number of factors, which would include money, length of time of use, and the type of use. It is difficult to pin down an exact dollar figure.

Trustee Akina If we are not approving a dollar figure or timeframe and we are not specifying a limit to the dollar amount or a timeframe, then we are just approving a concept. Budget and timeframe are excluded from that today, is that a correct understanding?

Casey Brown, COO Right now, the recommendation says to rely on existing permitted uses.

Trustee Akina So this is a conceptual recommendation, it doesn't include budget or timetable?

Casey Brown, COO Right.

Trustee Akina Now I can feel more comfortable in approving it because I am going to presume the RM Committee, or whatever process as we move forward, will come back to us with a timetable and with a budget, and that will be a separate approval.

Casey Brown, COO What we are trying to say is to look at using the building as is, try to put as minimum investment into it, and find tenants that will accept the short-term lease who would want to rent it and give OHA temporary income from that space. Get it activated and get people on the premises and try not to go into any major renovations or permitted uses. We are saying lease it.

Trustee Akina This sounds more like an urging of direction, we go that direction and see how it works. It does not preclude you coming back to us with a plan.

Casey Brown, COO Correct, the real focus is to get a return coming in and people on our lands. Everything is temporary because the broader focus is learning what we want to do for a long-term project here. We just want to activate these lands and get some income generated, then we can plan what the larger project can be.

Trustee Lee I want to comment on what Trustee Akina's question was, and about further processing and coming back to the Board with a budget and/or other plans; none of that is specified in these recommendations. The recommendation is to use what the building is currently permitted for, and to put as little money as possible. Should that be approved? Because it doesn't say it in the recommendations the Board is approving today, they don't have to come back to the Board for anything as long as it stays in that broad scope of that language and numbers; letter C under III states they are under no obligation to come back to the Board. I don't believe they are going to do that, and they can say they are not going to do that, but there is absolutely nothing in the future that the Board can hold them to that says they have to come back to the Board. If this is approved the way it is written, then they can do what ever they want. As Casey stated, they do not have a number of what the minimum is other than it's less than eight figures; that is what today's minutes will reflect. This will be the only palapala that Trustees in the future will have to hold as evidence on what was approved. If it is their recommendation that we move forward on a temporary basis and the longer term is going to be based on the master plan, then all of that should have been laid out for us today; then it would be a clearer picture of what we are approving. There is no assurance to the Trustees that they're going to have another say in the future.

Chair Hulu Lindsey Casey, did we approve a budget for site E?

Casey Brown, COO No, what we would do is the same thing as site A. Once we choose a concept or a use for the site, then we will come back with that budget.

Chair Hulu Lindsey Okay, there is no money to be expended Trustee Lee and Trustee Akina because there is no approval from the Board.

Trustee Lee But this action is saying we do not need to approve a budget.

Chair Hulu Lindsey You have to because we are not asking for anything. It says minimum investment, but it doesn't say how much. Nothing is left up in the air at OHA.

Trustee Lee But if it is approved based on the language that is there, it can and that is my concern because it does not say that we have to approve a budget later, and it says that we are approving a strategy requiring minimum investment; there is nothing that says they have to come back, that is my concern.

Chair Hulu Lindsey I disagree, I don't think they can do anything without coming back to the Board and asking for a budget and approval just like they did for lot A.

Trustee Lee They haven't come back for a budget on lot A.

Chair Hulu Lindsey We did.

Trustee Lee We did not have a PIG for lot A.

Trustee Waihe'e My understanding of the PIG report was that it was going to say we were going to make a minimum investment relying on the existing permitted uses; the reason why, was doing otherwise would amount in the excess of \$50 million dollars or higher. Is the concern that it's not articulated in this report? Or is there a concern that it's not articulated in that way that the \$15 million dollar example could be viewed as the amount we are approving?

Sylvia Hussey, CEO Trustees, I just want to remind you of the process of a PIG and the action that's being asked of the Board is the PIGs recommendation. The Administration still needs to bring this back; we have budget policies that guide coming back. Administration cannot pursue any kind of action without a budget. The guardrail is that, based on the budget policy, Administration will come back and at that time, we would address what the minimum investment looks like. We would address what the permitted uses are. This recommendation by the PIG to the Board is just that, to pursue that activation. The actual budget needs to come back by Administration to the Board for approval which is consistent with five previous PIGs.

Trustee Akina Thank you Sylvia for your clarification, III.C. says basically what you just shared with us; we would approve, the Administration to go forth and pursue a strategy. As you pursue that strategy for minimal investment and use of existing entitlements, you would have to come to the Board with options to go forward. The control would rest there when the Board considers those options and approves which direction to go forward. This PIG frames the recommendation that's broad enough to allow the Administration to begin to strategize, but the control of the Board is going to be in the approval of whatever options are brought to the Board by the Administration; that is my understanding. Is that what you are saying?

Sylvia Hussey, CEO That is correct.

Trustee Lee I appreciate as well, Ka Pouhana's comments, that puts me at ease. Chair, based on the recent conversations that have been going on about transparency, that language built into the recommendation, that those guardrails are there without us having to come and ask about all of this probably would have avoided all of this. Without seeing it in writing gives us pause, had that been written in the recommendation, we probably would not have had any of this discussion. I appreciate what Ka Pouhana said.

Chair Hulu Lindsey Thank you.

Trustee Waihe'e Madame Chair I would like to

Accept and implement the report of the Permitted Interaction Group to investigate the activation of Kaka ako Makai Site E, 919 Ala Moana Blvd, including the recommendation to pursue an activation strategy requiring minimum investment and relying on existing permitted uses for Kaka ako Site E, 919 Ala Moana Blvd., as attached.

Trustee Akaka Seconds the motion.

Trustee Lee I would like to speak in favor of the motion with the caveat that Administration made it clear by using the budget guardrails; any further action for lot E will come back to the Board of Trustees through the RM Committee or to the Board itself for future action as far as what the minimum budget number would be, and what concepts and items that would include for lot E. Thank you.

Chair Hulu Lindsey Thank you, roll call vote.

Trustee Waihe'e Moves						
Accept and implement the report of the Permitted Interaction Group to investigate the activation of Kaka ako Makai Site E, 919 Ala Moana Blvd, including the recommendation to pursue an activation strategy requiring minimum investment and relying on existing permitted uses for Kaka ako Site E, 919 Ala Moana Blvd., as attached.						
Trustee Akaka Seconds the motion						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA		X	X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK						X
TRUSTEE JOHN WAIHE‘E	X		X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with eight (8) Yes votes, Zero (0) No votes and One (1) Excused.						

IV. 1. Action Item BOT #22-12: A Resolution Recognizing the Sacred ‘Āina of Kalaupapa National Historical Park and Kalawao County by Honoring the Kalaupapa Community Memorial and the Unwavering Efforts of Ka ‘Ohana ‘O Kalaupapa*

Chair Hulu Lindsey Do we have any testimony for this item?

Kehaulani Lum Aloha mai kākou, mahalo for the opporunity to speak in support of this resolution. As a member of the Board of Ka ‘Ohana ‘O Kalaupapa, my heart is filed with deep grattitude to all of you for

shining light on this heroic story of how our Native Hawaiian ancestors and their families sacrificed their freedom so that the community would survive an epidemic of leprosy. I am the grandniece of four young members of the Helelanala'ielua 'ohana of Hilo, Hawai'i, who nearly a century ago were diagnosed with a disease by a district school nurse and within days, without appeal, were taken into custody for the remainder of their lives. They were children: Christina 16, Evelyn 9, Henry 10, and Joseph 8; all but one perished without ever seeing their parents, grandparents or siblings again, and neither receiving the gratitude of their nation. Mahalo nui for this resolution on behalf of my ancestors and also on behalf of Auntie Pi'olani Mota, the hānai daughter of Auntie Lena Machado. Auntie Pi'o descended from the people of 'Āwini in Kohala and her ancestors cared for the newborn, Kamehameha, until it was safe for him to emerge, only to have their own descendants, decades later, whisked away with no trace. A founding member of Ka 'Ohana 'O Kalaupapa and the Memorial Committee, Auntie Pi'o championed this project for over two decades after she learned the faith of her kūpuna while caring for Kalaupapa residents with a group of Sacred Hearts sisters. Her grandmother, Becky Perry, was exiled to Kalaupapa from 'Āwini in 1898 as a child, and she died there. Becky's daughter, Rose Alana Perry Kulaia, with ties to Kaua'i, was born at Kalaupapa and taken away at birth to be raised by the sisters of Charity at Kapi'olani Home. Her trauma was deep, she never spoke of them to anyone. When Auntie asked her mother if the story was true, her response was why? Who is asking? No one ever came to look for me. It was Auntie's aim to learn more about her family, to break the cycle of separation, stigma and silence through honor, forgiveness, and love. In 2005, she traveled to Washington DC alone to deliver testimony from Kalaupapa residents to the US Congress. Seeking authorization for Ka 'Ohana to establish a memorial in Kalaupapa, a bill introduced, subsequently by Senator Dan Akaka, furthered their request. This monument he wrote, is to provide a closure and a sense of belonging to many family members who have no knowledge of their ancestors whereabouts. Through this monument, more than 8,000 Hansen's disease patients will forever be memorialized as having been a part of the history of Kalaupapa. It also allows the world to recognize and learn from the tragedy that took place on Kalaupapa where mothers were taken from their children, husbands from their wives, and children from their parents. On March 30, 2009, only four years after Auntie Pi'o testified, another son of Hawai'i, President Barack Obama, signed the Kalaupapa Memorial legislation into law. In her last appearance before the land board, before she passed two years ago, Auntie said, I am a direct descendant of six family members buried somewhere in Kalaupapa. My grandmother was 14 from the 'Āwini mountains of Kohala from a family of 11 children, she was number three in line; where in the world would you find someone in 'Āwini way in Kohala, one of 11 children, to be picked up to come here to Kalaupapa because there was no record of where they were buried or when they died; this monument will be my only contact with my 'ohana, just as it would be for countless others in my situation. My standing commitment is to see the 8,000 residents are never forgotten. We must listen to their voices, they needed to be heard, and they must know that someone cares. OHA has brought powerful medicine to the 'ohana from its very conception, all the way through this past legislative session in which \$5 million was successfully appropriated for the memorial, the Governor recently signed it. This work that you have before you today is poetic healing and is lifting us all. We pray that the State Department of Health will release the funds that were unanimously approved before the last resident leaves us. Our stories of resilience and aloha abound, these are but a few; there are 7,994 more to be released, perhaps even in your own 'ohana. Mahalo nui loa for helping to bring them forward in this resolution, mahalo.

Sylvia Hussey, CEO *reads the resolution.*

A RESOLUTION OF THE OFFICE OF HAWAIIAN AFFAIRS
RECOGNIZING THE SACRED 'ĀINA OF KALAUPAPA NATIONAL HISTORICAL PARK
AND KALAWAO COUNTY BY HONORING THE KALAUPAPA MEMORIAL AND THE
UNWAVERING EFFORTS OF KA 'OHANA O KALAUPAPA

WHEREAS, the Kalawao County has great natural beauty with rare endemic plants and animals along with ancient cultural and archaeology sites;

WHEREAS, the peninsula was once known for Kumanomano and 'Ahapi'i types of kapa, and Kalaupapa was also known for its fine grained white salt and fishing areas;

WHEREAS, because of Kalaupapa's isolation, 'āina ka'awalei, it also became known as the 'āina of kaumaha noho'i and pilikia, land of deep sorrow, misery and hardship;

WHEREAS, on January 6, 1866, the first twelve of an estimated eight thousand leprosy patients arrived in Kalaupapa. They were taken from their families and forced into isolation;

WHEREAS, the original inhabitants of Kalaupapa played a critical role in helping these patients, who were abandoned with no support or supplies. The settlement grew and became overcrowded, the original inhabitants were ordered to leave the land they had occupied for generations;

WHEREAS, the last of the original people living in Kalaupapa were evicted in January 1895. Kalaupapa became the home and final resting place for many of the patient residents who remained;

WHEREAS, the naming process and the giving of a Hawaiian name is an important and sacred component of Hawaiian culture;

WHEREAS, names carry significant mana (spiritual power), and they are part of a person, just like an arm or a leg;

WHEREAS, a person's name was one of the most precious possessions, unique to the individual, and, moreover, the name of the person who was the first to settle on the peninsula was the name of the first elder (elderly person) who was the first to settle on the peninsula.

WHEREAS, it was the responsibility of the bearer of the name to carry its weight. Therefore, it is important to remember people by their names at their final resting place;

WHEREAS, in 1980, Federal Public Law 96-565 established Kalaupapa National Historical Park to assist and support the community;

WHEREAS, in 2009, President Barack Obama signed the Kalaupapa Memorial Act, into law, as Public Law 111-11, directing the Secretary of the Interior to authorize Ka 'Ohana O Kalaupapa, a non-profit organization consisting of patient residents at Kalaupapa National Historical Park, and their family members and friends, to establish a Memorial which would display the names of the estimated 8,000 people sent to the peninsula because of government separation policies regarding leprosy;

WHEREAS, the Kalaupapa Memorial will list the names of each individual to illustrate and show the sheer enormity of the lives and families affected by the separation and to honor the individual identities of those sent to Kalaupapa who were often only referred to as a collective group of "patients" or identified in records by the number assigned to them by the government;

WHEREAS, Ka 'Ohana has reconnected nearly 900 families with their Kalaupapa 'ohana through their extremely successful program of "Restoration of Family Ties";

WHEREAS, Ka 'Ohana's efforts in establishing Kalaupapa's important historic Memorial is an important step toward recognizing and healing the tragic harms of the past;

WHEREAS, many Native Hawaiian 'ohana had members exiled to Kalaupapa. Of the estimated 8,000 Hawai'i citizens sent to Kalaupapa, 90% were Native Hawaiian;

WHEREAS, because many early residents were buried in unmarked graves and other markers have deteriorated over time or were washed out by the 1946 tsunami, only approximately 1,000 of the 8,000 buried at Kalaupapa have a grave that can be identified;

WHEREAS, the Memorial will have all 8,000 names inscribed for future generations to see and reconnect with their Kalaupapa 'ohana;

WHEREAS, Bernard K. Punikai'a, who was sent to Kalaupapa in 1942 stated: You have to hear the voices to feel the people. You know their names. If you don't say the names, it's like something has been lost;

WHEREAS, the late Clarence "Boogie" Kahilihiwa, a patient resident at Kalaupapa and past President of Ka 'Ohana O Kalaupapa said, "When you see all the names on the Memorial, it will be like everyone from Kalawao and Kalaupapa is standing right there in front of you.";

WHEREAS, the Kalaupapa Memorial will be located in the Kalawao Settlement area on the peninsula within the site of the former Baldwin Boys Home, which is where patient residents had intended it to be established;

WHEREAS, Ka 'Ohana has received six historic preservation awards from Historic Hawai'i Foundation for its preservation work at Kalaupapa;

WHEREAS, at a meeting on October 16, 2015, the State Land Use Commission officially approved a declaration attesting to the fact that the establishment of the Memorial is a permitted use on the State-owned Baldwin Boys Home land because it considers the establishment of the Memorial to be "an improvement to a site of historic or scenic interest," as provided for under the law "HRS § 205-4.5(a)(8)";

WHEREAS, the Memorial location is on ceded lands that provide the Office of Hawaiian Affairs a stakeholder interest in the land, and, as such, the Office of Hawaiian Affairs supports the Memorial and its design and deems it an appropriate use of this ceded land;

WHEREAS, the Office of Hawaiian Affairs supports and honors Ka 'Ohana and the patients, especially, in providing the wisdom for the way we shall commemorate those whose names will rest on the Memorial;

WHEREAS, the Office of Hawaiian Affairs recognizes the importance of the relationships, and that emotional ties between past and present patients and generations of 'ohana members are deeply sensitive matters; and,

WHEREAS, it is Hawaiian custom to look up to kūpuna, our elders, for guidance and instruction because of the wisdom they possess. Ka 'Ohana has fulfilled that role.

NOW, THEREFORE, BE IT RESOLVED, the undersigned duly recognized as the board chair and trustees of the Office of Hawaiian Affairs, on the 18th day of August 2022, do set forth their hand to recognize the sacred 'āina of Kalaupapa National Historical Park and Kalawao County;

BE IT FURTHER RESOLVED, the Office of Hawaiian Affairs recognizes the unwavering commitment, mālama and 'ike of Ka 'Ohana O Kalaupapa for the many projects helping the people of Kalaupapa, especially the Native Hawaiian Community;

BE IT FURTHER RESOLVED, the Office of Hawaiian Affairs recognizes how the commitment of Ka 'Ohana O Kalaupapa has touched the lives of many and provided a path toward healing for the people of Kalaupapa, throughout the lāhui, in the State of Hawai'i and beyond;

BE IT FURTHER RESOLVED, the Office of Hawaiian Affairs recognizes Ka 'Ohana O Kalaupapa's vision, planning, funding and advocacy efforts will come to fruition upon the completion of the Kalaupapa Memorial within the Kalaupapa National Historical Park; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to Ka 'Ohana O Kalaupapa; United States Secretary of the Interior; Director of National Park Service; Hawai'i's U.S. Congressional Delegation; Chairperson of the State of Hawaii Board of Land and

Natural Resources; Governor of the State of Hawaii; President of the Senate, State of Hawaii; Speaker of the House, State of Hawaii; Chair of the State Senate subject matter committee on Hawaiian Affairs; Chair of the State House subject matter committee on Hawaiian Affairs; State Senator for the Island of Moloka'i; State Representative for the Island of Moloka'i; Chair of the Maui County Council, and all County Mayors.

ADOPTED, this 18th day of August 2022, island of O'ahu, State of Hawai'i, by the Board of Trustees of the Office of Hawaiian Affairs in its regular meeting assembled.

Trustee Akaka Madame Chair, I

Move to approve an honorary resolution recognizing the sacred 'āina of Kalaupapa National Historical Park and Kalawao County by honoring the Kalaupapa Community Memorial and the unwavering efforts of Ka 'Ohana 'O Kalaupapa, at Attachment A.

Trustee Alapa Seconds the motion.

Trustee Akaka Moves						
Move to approve an honorary resolution recognizing the sacred 'āina of Kalaupapa National Historical Park and Kalawao County by honoring the Kalaupapa Community Memorial and the unwavering efforts of Ka 'Ohana 'O Kalaupapa, at Attachment A.						
Trustee Alapa Seconds the motion						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE LUANA ALAPA		X	X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK						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, Zero (0) No votes and One (1) Excused.						

There are no testifiers for this next item on the agenda.

V.1. Department of Hawaiian Homelands (DHHL)

Tyler Gomes, Deputy Director Aloha kākou, mahalo for the opportunity to join you this evening. This will be a brief update largely because you are aware that Lāna‘i is our smallest island of landholdings. I will do a brief update on land development and homestead leases. We did an older development beginning in 2004 with, 45 lots; the remainder of those lots, I think 16 awards were made in 2019 shortly before the pandemic; those are all vacant lot awards, which means owner/builder, so the lessees have the opportunity to build to their need, that closes out that project. We have an additional site where we could develop up to 79 new lots. The challenge there is it requires significant investment in onsite and offsite infrastructure resources, including water source development and storage. In 2018, and I think we prepared an estimate, it's old now so we'd have to redo it. At the time, I think the estimate was approximately \$33 million to do the infrastructural improvements, it's going to be a little higher than that now; however, the \$600 million proposal currently includes, for consideration to the Committee, procuring a consultant to start the offsite infrastructure planning and design. We'd like to kick that off, I don't have an estimate when those 79 units could come online, but we are moving forward with that project.

As you folks might be aware as a part of the Act 14 settlement arising out of the 1995 legislation, the State of Hawai‘i owed the Department land. I believe DLNR agreed to transfer two parcels to DHHL, one 10-acre parcel and one 15-acre parcel. They are commercial and industrial respectively. In order for that land transfer to be completed, the Department has to proceed with a subdivision of those units, that's currently pending before the County of Maui; that requires neighboring landowners to submit their testimony and whether or not they believe there are impacts. Once the subdivisions complete the transfer, they can go through, and then we have two additional opportunities for revenue generation, and/or beneficiaries become tenants in the commercial/industrial capacities. Happy to announce that part of the \$600 million dollars deliberations, they will consider infrastructure developments there. I am happy to answer any questions you folks have.

Announcements

Chair Hulu Lindsey Our next ‘Oahu Island Community Meeting will be held on September 1st at 5:30 pm at the University of Hawai‘i, UH Mānoa campus.

We want to say mahalo to our Lāna‘i people and to everyone who joined us.

Adjournment

Trustee Akaka Moves to adjourn the meeting.

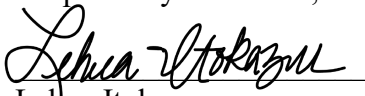
Trustee Ahuna Seconds the motion.

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			
MILILANI	TRASK						X
JOHN	WAIHE'E			X			
CHAIR CARMEN HULU	LINDSEY			X			
TOTAL VOTE COUNT				8			1

Chairperson Carmen Hulu Lindsey Adjourns the Board of Trustees meeting at 6:08 p.m.

Respectfully submitted,


 Lehua Itokazu
 Board Secretary

As approved by the Board of Trustees on January 26, 2023.

Carmen Hulu Lindsey
 Carmen Hulu Lindsey
 Chairperson, Board of Trustees

Attachments:

1. Excused Memo – Trustee Trask
2. Action Item BOT #22-12 and attachment.
3. Action Item BOT #22-14



OFFICE OF HAWAIIAN AFFAIRS
Trustee Mililani B. Trask
Interoffice Memorandum

Date: August 16, 2022

To: Trustee Hulu Lindsey, Chair – Board of Trustees

From: Trustee Mililani B. Trask

Re: Excuse memo for the Lāna'i Community/Board of Trustees meeting
on Thursday, August 18, 2022

Aloha Chair Lindsey,

Please excuse me from the Lāna'i Community/Board of Trustees meeting on
August 18, 2022.

Please extend my excused absence and sincere apologies to the other members
of the board.

Mahalo,

Mililani B. Trask
Trustee, Hawai'i Island



ACTION ITEM
Board of Trustees
August 18, 2022

BOT #22-12

Action Item Issue: A Resolution Recognizing the Sacred 'Āina of Kalaupapa National Historical Park and Kalawao County by Honoring the Kalaupapa Community Memorial and the Unwavering Efforts of Ka 'Ohana 'O Kalaupapa

Prepared by:

Unavailable for Signature

Michele McCoy, 'Aho Pueo Kulekele Aupuni
Public Policy Advocate

Date

Reviewed by:

Aug 14, 2022

Capsun M. Poe, Pou Kihi Paia Kaiāulu ame Paia Kū Kūikawā
Community Engagement Director &
Interim Advocacy Director

Date

Reviewed by:

Aug 14, 2022

Casey K. Brown, Ka Pou Nui
Chief Operating Officer

Date



ACTION ITEM
Board of Trustees
August 18, 2022

BOT #22-12

Reviewed by:

Aug 14, 2022

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

Date

Reviewed by:

Aug 15, 2022

Trustee Carmen Hulu Lindsey
Ke Kauhuhu o ke Kaupoku, Chairperson, Board of Trustee

Date

I. Proposed Action

Move to approve an honorary resolution recognizing the sacred ‘āina of Kalaupapa National Historical Park and Kalawao County by honoring the Kalaupapa Community Memorial and the unwavering efforts of Ka ‘Ohana ‘O Kalaupapa, at Attachment A.

II. Issue

Whether (or not) the Office of Hawaiian Affairs (“OHA”), Board of Trustees (“BOT”) should approve (or not) the attached honorary resolution at Attachment A.

III. Discussi

In 1980, Federal Public Law 96-565 established Kalaupapa National Historical Park to assist and support the community. Almost three decades later, in 2009, President Barack Obama signed the Kalaupapa Memorial Act, into law, as Public Law 111-11, directing the Secretary of the Interior to authorize Ka ‘Ohana O Kalaupapa (“Ka ‘Ohana”), a non-profit organization, consisting of patient residents at Kalaupapa National Historical Park, and their family members and friends, to establish a memorial which would display the names of the estimated 8,000 people sent to the peninsula because of government separation policies regarding leprosy.

The Kalaupapa Memorial or Memorial, will list the names of each individual to illustrate and show the sheer enormity of the lives and families affected by the separation and to honor the individual identities of those sent to Kalaupapa who were often only referred to as a collective group of “patients” or identified in records by the number assigned to them by the government.

Ka ‘Ohana’s efforts in establishing Kalaupapa’s important historic Memorial is an important step toward recognizing and healing the tragic harms of the past. Many Native Hawaiian ‘ohana had members exiled to Kalaupapa, of the estimated 8,000 Hawai‘i citizens sent to Kalaupapa, 90% were Native Hawaiian. Because many early residents were buried in unmarked graves and other markers have deteriorated over time or were washed out by the 1946 tsunami, only approximately 1,000 of the 8,000 buried at Kalaupapa have a grave that can be identified.

The Kalaupapa Memorial will be located in the Kalawao Settlement area on the peninsula within the site of the former Baldwin Boys Home, which is where patient residents had intended it to be established. Ka ‘Ohana has received six historic preservation awards from Historic Hawai‘i Foundation for its preservation work at Kalaupapa. At a meeting on October 16, 2015, the State Land Use Commission officially approved a declaration attesting to the fact that the establishment of the Memorial is a permitted use on the State-owned Baldwin Boys Home land because it considers the establishment of the Memorial to be “an improvement to a site of historic or scenic interest,” as provided for under the law “HRS § 205-4.5(a)(8)”.

Action Item BOT #22-12: A Resolution Recognizing the Sacred ‘Āina of Kalaupapa National Historical Park and Kalawao County by Honoring the Kalaupapa Community Memorial and the Unwavering Efforts of Ka ‘Ohana ‘O Kalaupapa

On June 29, 2022, Governor David Ige signed into law, as Act 230 (2022), SB3338 SD2 HD1 RELATING TO THE KALAUPAPA MEMORIAL, which appropriated \$5,000,000 for the design, planning, and construction of the Kalaupapa memorial (Attachment B).

The planned Memorial location is on ceded lands that provide OHA a stakeholder interest in the land, and, as such, OHA supports the Memorial and its design and deems it an appropriate use of this ceded land area. OHA also supports and honors Ka ‘Ohana and the patients, especially, in providing the wisdom for the way in which names will rest on the Memorial. OHA recognizes the importance of the relationships, and that emotional ties between past and present patients and generations of ‘ohana members are deeply sensitive matters; and recognizes how the commitment of Ka ‘Ohana has touched the lives of many and provided a path toward healing for the people of Kalaupapa, throughout the lāhui, in the State of Hawai‘i and beyond.

IV. Recommendation

To approve an honorary resolution recognizing the sacred ‘āina of Kalaupapa National Historical Park and Kalawao County by honoring the Kalaupapa Community Memorial and the unwavering efforts of Ka ‘Ohana ‘O Kalaupapa, at Attachment A.

V. Alternative Actions

- A. To not approve Administration’s recommended honorary resolution
- B. To approve an amended version of Administration’s recommended honorary resolution

VI. Funding

No funding is required.

VII. Timeframe

Immediate action is recommended.

VIII. Attachments

- A. A Resolution Recognizing the Sacred ‘Āina of Kalaupapa National Historical Park and Kalawao County by Honoring the Kalaupapa Community Memorial and the Unwavering Efforts of Ka ‘Ohana ‘O Kalaupapa
- B. Act 230 (2022) - SB3338 SD2 HD1 RELATING TO THE KALAUPAPA MEMORIAL

A RESOLUTION OF THE OFFICE OF HAWAIIAN AFFAIRS

RECOGNIZING THE SACRED ‘ĀINA OF KALAUPAPA NATIONAL HISTORICAL PARK AND KALAWAO COUNTY BY HONORING THE KALAUPAPA MEMORIAL AND THE UNWAVERING EFFORTS OF KA ‘OHANA O KALAUPAPA

WHEREAS, the Kalawao County has great natural beauty with rare endemic plants and animals along with ancient cultural and archaeology sites;

WHEREAS, the peninsula was once known for Kumanomano and ‘Ahapi‘i types of kapa, and Kalaupapa was also known for its fine grained white salt and fishing areas;

WHEREAS, because of Kalaupapa’s isolation, ‘āina ka‘awalei, it also became known as the ‘āina of kaumaha noho‘i and pilikia, land of deep sorrow, misery and hardship;

WHEREAS, on January 6, 1866, the first twelve of an estimated eight thousand leprosy patients arrived in Kalaupapa. They were taken from their families and forced into isolation;

WHEREAS, the original inhabitants of Kalaupapa played a critical role in helping these patients, who were abandoned with no support or supplies. The settlement grew and became overcrowded, the original inhabitants were ordered to leave the land they had occupied for generations;

WHEREAS, the last of the original people living in Kalaupapa were evicted in January 1895. Kalaupapa became the home and final resting place for many of the patient residents who remained;

WHEREAS, the naming process and the giving of a Hawaiian name is an important and sacred component of Hawaiian culture;

WHEREAS, names carry significant mana (spiritual power), and they are part of a person, just like an arm or a leg;

WHEREAS, a person’s name was one of the most precious possessions, unique to the individual, and, most times, related to an event, an ancestor, or a personality trait. In every case, the Kūpuna (elders) were always consulted;

WHEREAS, it was the responsibility of the bearer of the name to carry its weight. Therefore, it is important to remember people by their names at their final resting place;

WHEREAS, in 1980, Federal Public Law 96-565 established Kalaupapa National Historical Park to assist and support the community;

WHEREAS, in 2009, President Barack Obama signed the Kalaupapa Memorial Act, into law, as Public Law 111-11, directing the Secretary of the Interior to authorize Ka ‘Ohana O Kalaupapa, a non-profit organization consisting of patient residents at Kalaupapa National Historical Park, and their family members and friends, to establish a Memorial which would display the names of the estimated 8,000 people sent to the peninsula because of government separation policies regarding leprosy;

WHEREAS, the Kalaupapa Memorial will list the names of each individual to illustrate and show the sheer enormity of the lives and families affected by the separation and to honor the individual identities of those sent to Kalaupapa who were often only referred to as a collective group of “patients” or identified in records by the number assigned to them by the government;

WHEREAS, Ka ‘Ohana has reconnected nearly 900 families with their Kalaupapa ‘ohana through their extremely successful program of "Restoration of Family Ties";

WHEREAS, Ka ‘Ohana’s efforts in establishing Kalaupapa’s important historic Memorial is an important step toward recognizing and healing the tragic harms of the past;

WHEREAS, many Native Hawaiian ‘ohana had members exiled to Kalaupapa. Of the estimated 8,000 Hawai‘i citizens sent to Kalaupapa, 90% were Native Hawaiian;

WHEREAS, because many early residents were buried in unmarked graves and other markers have deteriorated over time or were washed out by the 1946 tsunami, only approximately 1,000 of the 8,000 buried at Kalaupapa have a grave that can be identified;

WHEREAS, the Memorial will have all 8,000 names inscribed for future generations to see and reconnect with their Kalaupapa ‘ohana;

WHEREAS, Bernard K. Punikai‘a, who was sent to Kalaupapa in 1942 stated: You have to hear the voices to feel the people. You know their names. If you don’t say the names, it’s like something has been lost;

WHEREAS, the late Clarence “Boogie” Kahilihiwa, a patient resident at Kalaupapa and past President of Ka ‘Ohana O Kalaupapa said, “When you see all the names on the Memorial, it will be like everyone from Kalawao and Kalaupapa is standing right there in front of you.”;

WHEREAS, the Kalaupapa Memorial will be located in the Kalawao Settlement area on the peninsula within the site of the former Baldwin Boys Home, which is where patient residents had intended it to be established;

WHEREAS, Ka ‘Ohana has received six historic preservation awards from Historic Hawai‘i Foundation for its preservation work at Kalaupapa;

WHEREAS, at a meeting on October 16, 2015, the State Land Use Commission officially approved a declaration attesting to the fact that the establishment of the Memorial is a permitted use on the State-owned Baldwin Boys Home land because it considers the establishment of the Memorial to be “an improvement to a site of historic or scenic interest,” as provided for under the law “HRS § 205-4.5(a)(8)”;

WHEREAS, the Memorial location is on ceded lands that provide the Office of Hawaiian Affairs a stakeholder interest in the land, and, as such, the Office of Hawaiian Affairs supports the Memorial and its design and deems it an appropriate use of this ceded land;

WHEREAS, the Office of Hawaiian Affairs supports and honors Ka ‘Ohana and the patients, especially, in providing the wisdom for the way we shall commemorate those whose names will rest on the Memorial;

WHEREAS, the Office of Hawaiian Affairs recognizes the importance of the relationships, and that emotional ties between past and present patients and generations of ‘ohana members are deeply sensitive matters; and,

WHEREAS, it is Hawaiian custom to look up to kūpuna, our elders, for guidance and instruction because of the wisdom they possess. Ka ‘Ohana has fulfilled that role.

NOW, THEREFORE, BE IT RESOLVED, the undersigned duly recognized as the board chair and trustees of the Office of Hawaiian Affairs, on the 18th day of August 2022, do set forth their hand to recognize the sacred ‘āina of Kalaupapa National Historical Park and Kalawao County;

BE IT FURTHER RESOLVED, the Office of Hawaiian Affairs recognizes the unwavering commitment, mālama and ‘ike of Ka ‘Ohana O Kalaupapa for the many projects helping the people of Kalaupapa, especially the Native Hawaiian Community;

BE IT FURTHER RESOLVED, the Office of Hawaiian Affairs recognizes how the commitment of Ka ‘Ohana O Kalaupapa has touched the lives of many and provided a path toward healing for the people of Kalaupapa, throughout the lāhui, in the State of Hawai‘i and beyond;

BE IT FURTHER RESOLVED, the Office of Hawaiian Affairs recognizes Ka ‘Ohana O Kalaupapa’s vision, planning, funding and advocacy efforts will come to fruition upon the completion of the Kalaupapa Memorial within the Kalaupapa National Historical Park; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to Ka ‘Ohana O Kalaupapa; United States Secretary of the Interior; Director of National Park Service; Hawai‘i’s U.S. Congressional Delegation; Chairperson of the State of Hawaii Board of Land and

Action Item BOT #22-12: A Resolution Recognizing the Sacred ‘Āina of Kalaupapa National Historical Park and Kalawao County by Honoring the Kalaupapa Community Memorial and the Unwavering Efforts of Ka ‘Ohana ‘O Kalaupapa **Attachment A**

Natural Resources; Governor of the State of Hawaii; President of the Senate, State of Hawaii; Speaker of the House, State of Hawaii; Chair of the State Senate subject matter committee on Hawaiian Affairs; Chair of the State House subject matter committee on Hawaiian Affairs; State Senator for the Island of Moloka‘i; State Representative for the Island of Moloka‘i; Chair of the Maui County Council, and all County Mayors.

ADOPTED, this 18th day of August 2022, island of O‘ahu, State of Hawai‘i, by the Board of Trustees of the Office of Hawaiian Affairs in its regular meeting assembled.



GOV. MSG. NO. 1332

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 29, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 29, 2022, the following bill was signed into law:

SB3338 SD2 HD1

RELATING TO THE KALAUPAPA MEMORIAL.
ACT 230

Sincerely,

A handwritten signature in black ink, appearing to read "David Y. Ige", written in a cursive style.

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO THE KALAUPAPA MEMORIAL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$5,000,000 or so much
3 thereof as may be necessary for fiscal year 2022-2023 for the
4 design, planning, and construction of the Kalaupapa memorial.

5 The sum appropriated shall be expended by the department of
6 health for the purposes of this Act.

7 SECTION 2. This Act shall take effect on July 1, 2022.



S.B. NO. 3338
S.D. 2
H.D. 1

APPROVED this 29th day of June , 2022

A handwritten signature in black ink, appearing to read "David Y. Ige". The signature is fluid and cursive, with a long horizontal stroke at the end.

GOVERNOR OF THE STATE OF HAWAII


S.B. No. 3338, S.D. 2, H.D. 1

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 5, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate

SB No. 3338, SD 2, HD 1

THE HOUSE OF REPRESENTATIVES OF THE
STATE OF HAWAII

Date: April 12, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives


OFFICE OF HAWAIIAN AFFAIRS
Action Item

BOARD OF TRUSTEES

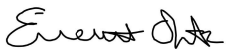
August 18, 2022

BOT #22-14


Action Item Issue: Accept and Implement the Report of the Permitted Interaction Group to Investigate the Activation of Kaka'ako Makai Site E, 919 Ala Moana Blvd

Prepared by:  Aug 13, 2022

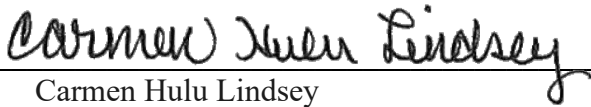
Casey K. Brown Date
Ka Pou Nui, Chief Operating Officer

Reviewed by:  Aug 13, 2022

Everett Ohta Date
Ka Paepae Puka Kūikawā, Interim General Counsel

Reviewed by:  Aug 13, 2022

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

Reviewed by:  8/13/2022

Carmen Hulu Lindsey Date
Ke Kauhuhu o ke Kaupoku
Chair, Board & Permitted Interaction Group

Action Item BOT #22-14: Accept and Implement the Report of the Permitted Interaction Group to Investigate the Activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd

I. Proposed Action

Accept and implement the report of the Permitted Interaction Group to investigate the activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd, including the recommendation to pursue an activation strategy requiring minimum investment and relying on existing permitted uses for Kaka’ako Site E, 919 Ala Moana Blvd., as attached.

II. Issue

Whether or not the Board of Trustees (“BOT”) will accept and implement the attached report of the Permitted Interaction Group (“PIG”) to investigate the activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd. and the related recommendation. The PIG was authorized and formed on March 10, 2022, via Action Item BOT #22-04, consistent with Hawai‘i Revised Statutes §92-2.5(b)(1).

III. Discussion

- A. Overview.** On March 10, 2022, via Action Item BOT #22-04, the Board of Trustees (“BOT” or “Board”) approved the formation of a Permitted Interaction Group (PIG)¹ to investigate the activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd.
- B. Permitted Interaction Group - Purview.** The purview of the PIG is for the Board of Trustees (BOT or Board), BOT staff and OHA Administration staff to work together to investigate the plan for activation of site E, 919 Ala Moana Blvd., in Kaka’ako Makai.
- C. Permitted Interaction Group – Members.** The membership of the Permitted Interaction Group was approved to include: (a) Trustee Carmen Hulu Lindsey; (b) Trustee Leina’ala Ahu Isa; (c) Trustee John Waihee, IV; and (d) Trustee Kalei Akaka. Trustee Carmen Hulu Lindsey served as the Chair of the Permitted Interaction Group and Trustee Leina’ala Ahu Isa served as its Vice Chair. Casey K. Brown, Ka Pou Nui, functioned as the Project Manager.
- D. Permitted Interaction Group - Term/Duration.** The term of the Permitted Interaction Group expired at the completion of the assigned tasks or at the discretion of the Chair of the Board of Trustees, subject to later adjustment, but in no event later than July 31, 2022.
- E. PIG Investigation Activities and Related Recommendations.** The PIG convened near the end of the term to allow information resulting from Lot A activities and Master Planning activities to surface. Lot E is the second of two lots identified for activation and it was a benefit to Lot E planning to use information learned from both the Lot A planning and Master Planning work. The PIG engaged in investigative activities, including the assessment of the work done by the in-house development consultant (“IHDC”), and makes the following recommendation: **Pursue an activation strategy requiring minimum investment and relying on existing permitted uses for Kaka’ako Site E, 919 Ala Moana Blvd.**
- F. Report Distribution.** The report distribution was agendaized at the July 26, 2022 Board meeting and consistent with past practice, no discussion was held. Full and free discussion and related Board action(s) are scheduled to be agendaized the August 18, 2022 Board meeting.

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

Action Item BOT #22-14: Accept and Implement the Report of the Permitted Interaction Group to Investigate the Activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd

IV. Funding Source

Not applicable, no dedicated funding needed to accept and implement the report of the PIG to investigate the activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd, as attached.

V. Recommended Action

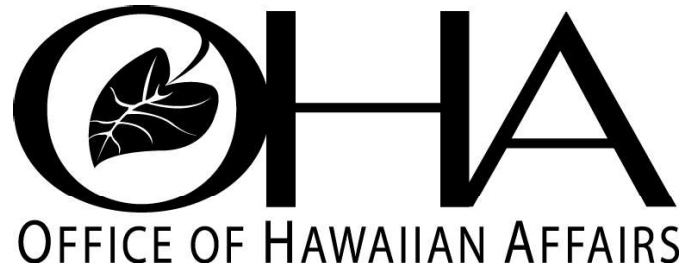
Accept and implement the report of the Permitted Interaction Group to investigate the activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd, including the recommendation to pursue an activation strategy requiring minimum investment and relying on existing permitted uses for Kaka’ako Site E, 919 Ala Moana Blvd, as attached.

VI. Reference Documents

- A. LCP #5 – Formation Action Item BOT#22-04:** Approve the Formation of a Permitted Interaction Group re: to investigate Activation of Kaka’ako Makai Site E, March 10, 2022
- B. LCP #4 – Report Action Item BOT#22-03:** Accept the Report of the Permitted Interaction Group re: to investigate Activation of Kaka’ako Makai Site A, February 3, 2022
- C. LCP #4 – Formation Action Item BOT#22-01:** Approve the Formation of a Permitted Interaction Group re: to investigate Activation of Kaka’ako Makai Site A, January 13, 2022
- D. LCP #3 – Report Action Item BOT #21-15:** Accept the Report of the Permitted Interaction Group re: to Investigate the Initial Steps in the First Phase of Work for the Development of Kaka’ako Makai, November 4, 2021
- E. LCP #3 – Formation Action Item BOT #21-14:** Approve the Formation of a Permitted Interaction Group to Investigate the Initial Steps in the First Phase of Work for the Development of Kaka’ako Makai, October 26, 2021
- F. LCP #2 – Report Action Item BOT #21-07:** Accept the Report of the Permitted Interaction Group re: to Investigate and Recommend a Short List of Eligible Entities for Selection of a Development Consultant; Land and Commercial Property Policies; and the Development and Implementation of a Request for Proposal for a Community Planner, June 24, 2021
- G. LCP #2 – Formation - Action Item BOT #21-05:** Approve the Formation of a Permitted Interaction Group to Investigate: and Recommend a Short List of Eligible Entities for Selection of a Development Consultant; Land and Commercial Property Policies; and the Development and Implementation of a Request for Proposal for a Community Planner, April 15, 2021
- H. LCP #1 – Report - Action Item BOT #21-03:** Accept the Report of the Land and Commercial Property Permitted Interaction Group, April 15, 2021
- I. LCP #1 – Formation - Action Item BOT #21-01:** Approve the Formation of a Permitted Interaction Group to Investigate the Development of Land and Commercial Property Policies and Strategies relating to the Development of OHA’s Nā Lama Kukui and Kaka’ako Makai Properties, January 28, 2021

VII. Attachment

Office of Hawaiian Affairs, Report of the Permitted Interaction Group re: Activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd, July 2022



Office of Hawaiian Affairs
Report of the Permitted Interaction Group to
Investigate the Activation of Kaka'ako Makai Site E,
919 Ala Moana Blvd

July 26 2022

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**Investigate the Activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd
July 2022**

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I. EXECUTIVE SUMMARY

- A. **Overview.** On March 10, 2022, via Action Item BOT #22-04, the Board of Trustees (“BOT” or “Board”) approved the formation of a Permitted Interaction Group (PIG)¹ to investigate the activation of Kaka’ako Makai Site E, 919 Ala Moana Blvd, with the noted purview, members and term/duration.
- B. **Permitted Interaction Group - Purview.** The purview of the PIG is for the BOT, BOT staff and Administration staff to work together to investigate the plan for activation of site E, 919 Ala Moana Blvd., in Kaka’ako Makai.
- C. **Permitted Interaction Group – Members.** The membership of the Permitted Interaction Group as approved was: (a) Trustee Carmen Hulu Lindsey; (b) Trustee Leina’ala Ahu Isa; (c) Trustee John Waihee, IV; and (d) Trustee Kalei Akaka. Trustee Carmen Hulu Lindsey served as the Chair of the PIG and Trustee Leina’ala Ahu Isa served as its Vice Chair. Casey K. Brown, Ka Pou Nui, functioned as the Project Manager.
- D. **Permitted Interaction Group - Term/Duration.** The term of the Permitted Interaction Group expires at the completion of the assigned tasks or at the discretion of the Chair of the Board of Trustees, subject to later adjustment, but in no event later than July 31, 2022.
- E. **PIG Investigation Activities and Related Recommendations.** The PIG convened near the end of the term to allow information resulting from Lot A activities and Master Planning activities to surface. Lot E is the second of two lots identified for activation and it was a benefit to Lot E planning to use information learned from both the Lot A planning and Master Planning work. The PIG engaged in investigative activities, including the assessment of the work done by the in-house development consultant (“IHDC”), and makes the following recommendation: **Pursue an activation strategy requiring minimum investment and relying on existing permitted uses for Kaka’ako Site E, 919 Ala Moana Blvd.**
- F. **Report Distribution.** The report distribution is agendized for the July 26, 2022 Board meeting and consistent with past practice, no discussion will be held. Full and free discussion and related Board actions are scheduled to be agendized for a future to be scheduled Board meeting on August 18, 2022.

II. 3RD PARTY ASSISTANCE

Previous PIG work illuminated the need for professional 3rd party assistance in the furtherance of development and deployment of strategies for Nā Lama Kukui (“NLK”) and Kaka’ako Makai (“KM”). Working definitions and descriptors of such 3rd party assistance is provided below in support of recommendations. While working descriptors below reflect KM application, engagement of 3rd party assistance can further NLK strategies as well.

- A. **Development Consultant.** Provides planning, consultative, analysis, review, validation and other services as needed, spanning the period from inception of engagement through the period of time to develop a Kaka’ako Makai Land Development Plan including implementation (e.g., regulatory

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

approval, development, construction, tenant occupancy) of the first project in the master plan.

- B. Community Planner.** Prepares and delivers a Land Development Plan to include a vision, physical master plan and implementation strategies to guide the future development opportunities of the Kaka’ako Makai, thirty (30) acres of land considering all of the related attributes (e.g., size, characteristics, height, use or other restrictions).
- C. Developer.** Real estate or property development encompasses a range of activities such as renovation and releasing of existing buildings, purchase and finance of raw land and sale of developed land to others. Developers coordinate all activities from converting ideas from paper to tangible real property. While there are similar activities, real estate development as a business process does differ from construction or house building. Entity is responsible to determine the marketing of the property, develop the building program and design, obtain the necessary public approvals and financing, build the structure(s), rent out, and manage.

III. PERMITTED INTERACTION GROUP WORK

- A. Purview.** The purview of the PIG is for the Board of Trustees (“BOT” or “Board”), BOT staff and Administration staff to work together to investigate the plan for activation of Site E, 919 Ala Moana Blvd., in Kaka’ako Makai.
- B. Context and Investigative Activities.** With assistance from and in conjunction with the In House Development Consultant (“IHDC”), the Permitted Interaction Group (“PIG”) investigated the recommendations and supporting material produced to inform the activation of Kaka’ako Makai Site E. The PIG’s recommendation in Section C. below is based on the following findings:
 - 1. Any long-term reletting strategy of Site E will require a significant investment in the property(> \$15M (see Attachment A));
 - 2. Repositioning 919 Ala Moana with a preferred mix of new uses including retail and restaurants would likely trigger a public review process and could last two years or more; and
 - 3. Seeking short term occupancies that generate income will provide flexibility over the next several years at a minimal investment and is consistent with a strategy of awaiting a market-based concept master plan and exploration of residential development opportunities.
- C. Recommendation.** The PIG makes the following recommendation: **Pursue an activation strategy requiring minimum investment and relying on existing permitted uses for Kaka’ako Site E, 919 Ala Moana Blvd.**

IV. REFERENCE DOCUMENTS

The following documents are listed as reference documents for report development purposes:

- A. LCP #5 – Formation Action Item BOT#22-04:** Approve the Formation of a Permitted Interaction Group re: to investigate Activation of Kaka’ako Makai Site E, March 10, 2022
- B. LCP #4 – Report Action Item BOT#22-03:** Accept the Report of the Permitted Interaction Group re: to investigate Activation of Kaka’ako Makai Site A, February 3, 2022

- C. **LCP #4 – Formation Action Item BOT#22-01:** Approve the Formation of a Permitted Interaction Group re: to investigate Activation of Kaka'ako Makai Site A, January 13, 2022
- D. **LCP #3 – Report Action Item BOT #21-15:** Accept the Report of the Permitted Interaction Group re: to Investigate the Initial Steps in the First Phase of Work for the Development of Kaka'ako Makai, November 4, 2021
- E. **LCP #3 – Formation Action Item BOT #21-14:** Approve the Formation of a Permitted Interaction Group to Investigate the Initial Steps in the First Phase of Work for the Development of Kaka'ako Makai, October 26, 2021
- F. **LCP #2 – Report Action Item BOT #21-07:** Accept the Report of the Permitted Interaction Group re: to Investigate and Recommend a Short List of Eligible Entities for Selection of a Development Consultant; Land and Commercial Property Policies; and the Development and Implementation of a Request for Proposal for a Community Planner, June 24, 2021
- G. **LCP #2 – Formation - Action Item BOT #21-05:** Approve the Formation of a Permitted Interaction Group to Investigate: and Recommend a Short List of Eligible Entities for Selection of a Development Consultant; Land and Commercial Property Policies; and the Development and Implementation of a Request for Proposal for a Community Planner, April 15, 2021
- H. **LCP #1 – Report - Action Item BOT #21-03:** Accept the Report of the Land and Commercial Property Permitted Interaction Group, April 15, 2021
- I. **LCP #1 – Formation - Action Item BOT #21-01:** Approve the Formation of a Permitted Interaction Group to Investigate the Development of Land and Commercial Property Policies and Strategies relating to the Development of OHA's Nā Lama Kukui and Kaka'ako Makai Properties, January 28, 2021

V. CONCLUSION AND NEXT STEPS

Consistent with Hawai'i Revised Statutes §92-2.5(b)(1), on March 10, 2022, via Action Item BOT #22-04, the Board of Trustees approved the formation of a Permitted Interaction Group (PIG) to investigate the activation of Kaka'ako Makai Site E, 919 Ala Moana Blvd. The report distribution is agendized for the July 26, 2022 Board meeting and consistent with past practice, no discussion will be held. Full and free discussion and related Board actions are scheduled to be agendized for a future to be scheduled Board meeting on August 18, 2022.

VI. ATTACHMENTS

- ATTACHMENT A – KAKA'KO MAKAI SITE E FINANCIALS

OH-A KAKA'AKO MAKAI

PARCEL E FINANCIALS



ATTACHMENT A

LINE ITEM	AMOUNT	\$/GSF	%
Total	\$15,816,092	\$137.53	100%
Hard Costs	\$12,497,830	\$108.68	79.0%
Renovation	\$6,626,030	\$5.24	41.9%
Tenant Improvement Allowance	\$5,871,800	\$3.57	37.1%
Soft Costs	\$1,930,885	\$16.79	12.2%
Permits & Fees	\$2,200	\$0.02	0.0%
Architecture & Engineering	\$660,500	\$5.74	4.2%
Consultants	\$12,000	\$0.10	0.1%
Project & Construction Management	\$250,000	\$2.17	1.6%
Leasing & Marketing	-	-	0.0%
Legal & Accounting	\$100,000	\$0.87	0.6%
Insurance	-	-	0.0%
General & Administrative	\$351,235	\$3.05	2.2%
Developer Fee (4%)	\$554,951	\$4.83	3.5%
Contingency	\$1,387,376	\$12.06	8.8%

ATTACHMENT A

OPERATING CASH FLOW		SQUARE FEET	RATE	MONTHLY	ANNUAL
Revenue					
First Floor Retail		16,132 SF	\$3.61/SF	\$58,271	\$699,252
Second Floor Retail		13,692 SF	\$1.30/SF	\$17,800	\$213,595
Second Floor Commercial Kitchen		1,501 SF	\$25.00/HR	\$8,000	\$96,000
Third Floor Office		15,853 SF	\$1.30/SF	\$20,609	\$247,307
Fourth Floor Office		15,853 SF	\$1.30/SF	\$20,609	\$247,307
Rooftop Restaurant		13,010 SF	\$3.25/SF	\$43,283	\$507,390
Gross Potential Income		79,659 SF	\$2.10/SF	\$167,571	\$2,010,851
General Vacancy & Credit Loss			25%	-\$41,892.73	-\$502,713
Effective Gross Income			1.57/SF	\$125,678	\$1,508,138
Expenses (CAM)			-	-	-
PROJECTED RETURNS					
Estimated Total Project Cost					\$15,816,092
Projected Stabilized NOI					\$1,357,324
Unlevered Return on Cost					8.58%

ASSUMPTIONS

- Retail rents are based on Salt Kaka’ako, confirmed by retail brokers
- Office rents are based on the Gold Bond Building, confirmed by office brokers
- Restaurant rents are based on broker opinion
- All rent assumptions are conservative and discounted to account for risk
- All expenses are assumed to be covered by CAM