

**STATE OF HAWAI‘I**  
**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](http://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 pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.**

**Minutes of the Office of Hawaiian Affairs**  
**Board of Trustees**  
**MINUTES**  
**October 26, 2023**

ATTENDANCE:

Chairperson Carmen Hulu Lindsey  
Trustee Dan Ahuna  
Trustee Kaleihikina Akaka  
Trustee Keli‘i Akina  
Trustee Luana Alapa  
Trustee Brickwood Galuteria  
Trustee J. Keoni Souza  
Trustee Mililani Trask  
Trustee John Waihe‘e, IV

ADMINISTRATION:

Kevin Chak, IT Support  
Arlene Aguinaldo, IT Support

BOARD STAFF:

Lehua Itokazu, Board Secretary  
Amber Kalua, Trustee Aide  
Kanani Iaea, Trustee Aide  
LeiAnn Durrant, Trustee Aide  
Sommer Soares, Trustee Aide  
Kahelelani Keawekane, Trustee Aide  
Pohai Ryan, Trustee Aide  
Kyla Hee, Trustee Aide  
Richelle Kim, Trustee Aide  
Evalani Canto, Trustee Aide  
Ruben Sierra, Trustee Aide  
Crayn Akina, Trustee Aide  
Mark Watanabe, Trustee Aide  
Kauai Robello, Trustee Aide

GUEST:

Robert Klein, Board Counsel  
Marie Kumabe, KUMABE  
Kim Miyashiro, KUMABE  
Clare Apana

**Call to Order**

**Chair Hulu Lindsey** I'd like to call today's Board of Trustees meeting to order. Let the record reflect that it is Thursday, October 26,2023 and the time is 9:06 a.m. Board Secretary, please do a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	DAN	AHUNA		Joins mtg at 9:34am
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI'I	AKINA	X	
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRICKWOOD	GALUTERIA	X	
TRUSTEE	J. KEONI	SOUZA	X	
TRUSTEE	MILILANI	TRASK	X	
TRUSTEE	JOHN	WAIHE'E	X	
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			8	

There are **eight (8)** Trustees PRESENT, thereby constituting a quorum.

**Chair Hulu Lindsey** Aloha everyone and welcome to our meeting, this meeting can be observed via live stream at [www.oha.org/livestream](http://www.oha.org/livestream). We are recording today's meeting for the sole purpose of producing written minutes which will become the official record of this meeting.

Joining us today is our Board Counsel-Robert Klein and IT Staff-Kevin and Arlene. Before we recuse ourselves into executive session, I want to announce that we will return to open session and continue the live stream, and we will hear any community concerns and celebrations before we adjourn.

Do we have anyone signed up to speak on the executive session items listed on the agenda?

**Board Secretary** Yes, we have one person.

**Healani Sonoda-Pale** Aloha, I just want to testify in support for Lehua Kinilau's application for CEO. She has a lot of experience in the community and has brought in millions of dollars at DHHL for housing. She has worked in the community and OHA should look at this not in a political way. She is younger, she has many years ahead of her and lots of experience. I put my full support behind her. Whatever you choose, you need to look at it for the good of the lāhui and not just for political reasons. Mahalo.

**Executive Session**

**1. Receive and take action on the Joint BAE/RM's recommendation of a candidate for the position of OHA Chief Executive Officer (CEO); Board anticipates going into executive session pursuant to HRS § 92-5(a)(2) to consider the hiring of an officer where consideration of matters affecting privacy will be involved and HRS § 92-5(a)(4) to consult with Board Counsel Robert G. Klein, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to the selection and terms and conditions of employment to be offered to the presumptive CEO.**

**2. Consideration of terms of the contract to be offered to the OHA CEO. Board anticipates going into executive session pursuant to HRS § 92-5(a)(4) to consult with Board Counsel Robert G. Klein, on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities pertaining to consideration of the terms of the contract to be offered to the OHA CEO.**

**Chair Hulu Lindsey** I will entertain a motion to move ourselves into executive session pursuant to HRS Section 92-5. We will return to our livestream once we come out of executive session.

**Trustee Souza** Moves to move the Board into executive session.

**Trustee Waihe'e** Seconds the motion.

**The Board recuses into Executive Session at 9:09 a.m.**

<b>Motion to recuse into executive session pursuant to HRS Section§92-5</b>						
	<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>'A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSE D</b>
<b>TRUSTEE DAN AHUNA</b>						Joins mtg at 9:34am
<b>TRUSTEE KALEI AKAKA</b>			<b>X</b>			
<b>TRUSTEE KELI'I AKINA</b>			<b>X</b>			
<b>TRUSTEE LUANA ALAPA</b>			<b>X</b>			
<b>TRUSTEE BRICKWOOD GALUTERIA</b>			<b>X</b>			
<b>TRUSTEE KEONI SOUZA</b>	<b>X</b>		<b>X</b>			
<b>TRUSTEE MILILANI TRASK</b>			<b>X</b>			
<b>TRUSTEE JOHN WAIHE'E</b>		<b>X</b>	<b>X</b>			
<b>CHAIRPERSON HULU LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with a Eight(8) YES votes, and Zero (0) NO votes.</b>						

**Board returns to open session at 10:19 a.m.**

**Announcements**

**Chair Hulu Lindsey** I would like to report out to our lāhui that the Board of Trustees voted on the recommendations given by the Joint BAE and RM committee for the position of the OHA Chief Executive Officer and considered the terms of the contract to be offered to the OHA CEO.

At this time, we have a beneficiary that will speak under community concerns and celebrations.

**Clare Apana** I am Clare Apana from Wailuku, Maui. I am here to testify on behalf of myself, Mālama Kakanilua, and the Interveners of the Grand Wailea Expansion case. First, I want to update you and ask again for your assistance. I hope you know the owner of the Grand Wailea is Blackstone. We have been in a contested case with them for 3 ½ to 4 years. We are just three small kānaka maoli groups who care about our iwi kūpuna. We still have not received any decisions from the Office of Hawaiian Affairs about the Memorandum of Agreement (MOA) that was signed between OHA and this resort. Many things have happened that has broken that contract and endangered our iwi kūpuna. Two weeks ago, on Thursday, they were doing excavation and they hit iwi kūpuna again. The hotel's contention is that they have taken everything out and everything is in the burial preserve, and there is no need for us to worry. This iwi they

found was found under the hotel's kitchen. Carol Lee, a recognized descendant by the Burial Council in the State of Hawai'i, and myself went to mihi and see the iwi. I will tell you that where the iwi kūpuna was found, it is very heavy. I will venture to say that there are more iwi kūpuna under there. They have stopped work but more of this will happen if they plan to expand. Blackstone is one of the largest private investors in the world, but can you imagine how strong we would be if the Office of Hawaiian Affairs were to enact the contractual agreement that was made. It is not often that we have a contract for our iwi kūpuna but there is a contract. The original burial preserve in the north. They had to hold up the opening because there were 340 minimum sets of iwi that needed to be wrapped and reinterred in the burial preserve that was in the contract, the MOA signed in 1987. This burial preserve had a landscape architect drawing in it and it was the whole hill. You could tell where everything was placed. By April of 2022, all the plants at the hotel were dead around the burial preserve. They eventually came back in a smaller area. They shrank the burial preserve; I measured it by what they recorded, and it was a significant decrease from what they had listed back in the contractual agreement in 1987. I measured and they cut off an entire corner. Do you know why they did this? They needed to do some upgrades and they needed to get some trucks through. They are running over the burial preserves with their trucks. We have told them this and they are doing nothing about it. I think we need your help. Can you at least take care of the burial preserve that was made in the first MOA with the Office of Hawaiian Affairs.

**Chair Hulu Lindsey** We will see how Kamakana can help with a letter from the Office of Hawaiian Affairs.

**Clare Apana** I would also like to mention that OHA suggested a fence be put up around the burial site. This is not something that we wanted; we wanted it to be no desecration of the preserve. This fence has helped make the burial area smaller. If there is a will by the Board, then much can be achieved with the power and the desire to protect the iwi kūpuna.

**Chair Hulu Lindsey** It is the desire of this Board to protect our iwi kūpuna. It's always been our desire, sometimes there are difficult issues at different locations but our desire to protect our iwi is strong among all the Trustees.

**Trustee Trask** Thank you for coming in. Could we ask for the agreement that OHA signed, could we get a copy so that I can review it?

**Clare Apana** We can get that to you. One last thing, we will be going to the Planning Commission on 12/12/2023. We do not know what to expect but there is a question about a new water meter which they made plans for. There is a giant banyan tree that will need to be removed to do this water meter upgrade. Oddly enough, they did not put the banyan tree in the plans so there is no consideration on how it would impact iwi in that area. Thank you.

**Chair Hulu Lindsey** Our next BOT meeting is scheduled for next Thursday at 10:00 am

### **Adjournment**

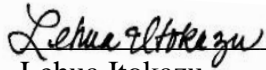
**Trustee Alapa Moves to adjourn the meeting.**

**Trustee Souza Seconds the motion.**

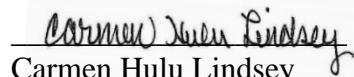
Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
DAN	AHUNA			X			
KALEI	AKAKA			X			
KELI'I	AKINA			X			
LUANA	ALAPA	X		X			
BRICKWOOD	GALUTERIA			X			
J. KEONI	SOUZA		X	X			
MILILANI	TRASK			X			
JOHN	WAIHE'E			X			
CHAIR CARMEN HULU	LINDSEY			X			
<b>TOTAL VOTE COUNT</b>				<b>9</b>			

**Chair Hulu Lindsey Adjourns the Board of Trustees meeting at 10:33 a.m.**

Respectfully submitted,

  
 Lehua Itokazu  
 Board Secretary

As approved by the Board of Trustees on July 24, 2024

  
 Carmen Hulu Lindsey  
 Chairperson, Board of Trustees