

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
(VIRTUAL MEETING - VIA ZOOM WEBINAR)
COMMITTEE ON RESOURCE MANAGEMENT
MINUTES**

October 11, 2022 10:00 a.m.

ATTENDANCE:

Chairperson John Waihe'e, IV
Vice-Chairperson Luana Alapa
Trustee Kaleihikina Akaka
Trustee Keli'i Akina
Trustee Brendon Kalei'aina Lee
Trustee C. Hulu Lindsey
Trustee Mililani Trask

BOT STAFF:

Crayn Akina
Melissa Wennihan

ADMINISTRATION STAFF:

Sylvia Hussey, CEO / Ka Pouhana / Administrator
Casey Brown, COO / Ka Pou Nui
Daniel Santos III, IT
Everett Ohta, Corporation Counsel
Grace Chen, Financial Analyst
Kevin Chak, IT
Nietzsche Ozawa, Corporation Counsel
Ramona Hinck, CFO

EXCUSED:

Trustee Leina'ala Ahu Isa
Trustee Dan Ahuna

I. CALL TO ORDER

Chair Waihe'e calls the Committee on Resource Management meeting for Tuesday, October 11, 2022 to order at **10:02 a.m.**

Chair Waihe'e notes for the record that **PRESENT** are:

MEMBERS			AT CALL TO ORDER (10:02 a.m.)	TIME ARRIVED
CHAIR	JOHN	WAIHE'E, IV	PRESENT	
VICE-CHAIR	LUANA	ALAPA	PRESENT	
TRUSTEE	KALEIHIKINA	AKAKA	PRESENT	
TRUSTEE	KELI'I	AKINA	PRESENT	
TRUSTEE	BRENDON KALEI'AINA	LEE	PRESENT	
TRUSTEE	CARMEN HULU	LINDSEY	PRESENT	
TRUSTEE	MILILANI	TRASK	PRESENT	

At the Call to Order, **SEVEN (7) Trustees are PRESENT**, thereby constituting a quorum.

EXCUSED from the RM Meeting are:

MEMBERS			COMMENT
TRUSTEE	LEINA'ALA	AHU ISA	MEMO – REQUESTING TO BE EXCUSED
TRUSTEE	DAN	AHUNA	MEMO – REQUESTING TO BE EXCUSED

II. APPROVAL OF MINUTES

None

III. UNFINISHED BUSINESS

None

IV. NEW BUSINESS

- A. ACTION ITEM RM #22-23D: OHA Biennium Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23) – Realignment #5***

Chair Waihe'e asks if there is anyone signed up to testify on this agenda item..

RM Staffer Akina states for the record that there is no one signed-up to testify on RM #22-23D; neither in-person, nor virtually.

Chair Waihe'e asks if Administration wants to go into Executive Session to discuss RM #22-23D and turns it over to Pouhana Sylvia Hussey.

Pouhana Hussey: Thank you, Chair Waihe'e. Yes, Administration is requesting that the Committee go into Executive Session, to, with Corporate Counsel, Interim General Counsel, Everett Ohta to discuss motions 1 and 4 of the Action Item.

Trustee Trask moves to RESOLVE INTO Executive Session pursuant to HRS§92-5(a)(4).

Trustee Alapa seconds the motion.

Chair Waihe'e asks if there is any discussion.

There is no discussion.

Chair Waihe'e calls for a ROLL CALL VOTE.

							10:06 a.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)		EXCUSED
LEINA'ALA							EXCUSED
DAN							EXCUSED
KALEIHIKINA			X				
KELI'I			X				
VICE-CHAIR LUANA		2	X				
BRENDON KALEI'ĀINA			X				
CARMEN HULU			X				
MILILANI	1		X				
CHAIR JOHN			X				
TOTAL VOTE COUNT			7	0	0		2

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the MOTION PASSES.

The committee resolved into Executive Session at 10:06 a.m. to discuss:

IV. NEW BUSINESS

A. ACTION ITEM RM #22-23D: OHA Biennium Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23) – Realignment #5*

The committee returned to Open Session at 10:28 a.m.

Chair Waihe'e reminds the Committee that no one signed up to testify on this matter.

Chair Waihe'e turns it over to Ka Pouhana Sylvia Hussey.

Pouhana Hussey: Thank you, Chair Waihe'e. Trustees, we just had a Budget Realignment two weeks ago, and here's another budget realignment. This realignment is because we are in the process of what we normally do at this time of the year, which is close the books, prepare for the financial audit, and then to make sure that we're in compliance with budget policy; we bring forward these recommendations.

So, the four recommendations that you see before you are in accordance with Budget Management Policy, especially the carryforward. Each of the motions are determined to be what impacts the Spending Policy and what doesn't impact the Spending Policy.

So, you will see on page 12 of the supporting recommendations, a characterization of whether the action affects Spending Policy or doesn't, and the reason why, if so.

Three of the motions are for moving budget from '22 to '23, so that's authority. The fourth is a designation of the general funds for FY 23 and if there are any questions by the Trustees, I'd be happy to answer.

Chair Waihe'e asks if there are any questions.

There are none.

Motion #1 - 2021-2022 (FY22) Carryforward Budgetary Authority – Appropriation 930 (Native Hawaiian Trust Fund)

Trustee Lindsey moves to approve the carryforward budget from 2021-2022 (FY22) to 2022-2023 (FY23) for any unspent, uncommitted, unencumbered, and unaccrued amounts in Appropriation 930 in an estimated aggregate amount of \$1,418,000 as follows:

Budgetary Purpose	Amount
Legal	\$1,118,000
Legacy Lands	\$100,000
Major Repairs & Maintenance, Construction in Progress	\$200,000
Total	\$1,418,000

Trustee Alapa seconds the motion.

Chair Waihe'e asks if there is any discussion.

There is no further discussion.

Chair Waihe'e calls for a **ROLL CALL VOTE**.

MOTION #1							Motion #1: 10:32 a.m. Vote #1: 10:33 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED
KALEIHIKINA	AKAKA			X			
	KELI'I			X			
VICE-CHAIR LUANA	ALAPA		2	X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
	MILILANI			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION PASSES**.

Motion #2 - 2021-2022 (FY22) Carryforward Budgetary Authority – Appropriation 901 (Public Land Trust)

Trustee Akaka moves to approve the carryforward budget from 2021-2022 (FY22) to 2022-2023 (FY23), any unspent, uncommitted, unencumbered, and unaccrued amounts in Appropriation 901 (Public Land Trust) in an estimated aggregate amount of \$8,600,000 for Grants.

Trustee Lindsey seconds the motion.

Chair Waihe'e asks if there is any discussion.

Chair Waihe'e recognizes Trustee Akina.

Trustee Akina: Since we've already determined the Grants would be given, *what will the 8.6 million dollars here be used for generally?*

Pouhana Hussey: Trustee, the 8.6 million - basically the budgets approved 15 million each year, all from Public Land Trust dollars, and so, because of the shortage in our Grants program, and because of the delay of awarding; basically, this is awarded amounts as of June 30, 2022, that were awarded subsequent to that, and will be awarded in the future. So, the budget doesn't change, it is just the timing of the awarding, and we want to make sure that the budgetary authority is specifically carried forward to the period of awarding.

Trustee Akina: Very good, thank you.

Chair Waihe'e asks if there is any further discussion.

There is no further discussion.

Chair Waihe'e calls for a **ROLL CALL VOTE**.

MOTION #2							Motion #2: 10:35 a.m. Vote #2: 10:35 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED
KALEIHIKINA	AKAKA	1		X			
	KELI'I			X			
VICE-CHAIR LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY		2	X			
	MILILANI			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

VOTE: UNANIMOUS PASSED DEFERRED FAILED

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION PASSES**.

Motion #3 - 2021-2022 (FY22) Carryforward Budgetary Authority
Appropriation 938 (Kaka'ako Makai), 939 (Nā Lama Kukui), 950 (500 N Nimitz) and
951 (501 Sumner)

Trustee Akaka moves to approve the carryforward from 2021-2022 (FY22) budget to 2022-2023 (FY23) budget, any unspent, uncommitted, unencumbered, and unaccrued amounts for the following appropriations:

Appropriation	Amount
938 - Kaka'ako Makai	\$2,100,000
939 – Nā Lama Kukui	\$254,000
950 – 500 N Nimitz	\$182,000
951 – 501 Sumner	\$129,000

Trustee Lindsey seconds the motion.

Chair Waihe'e asks if there is any discussion.

There is no further discussion.

Chair Waihe'e calls for a **ROLL CALL VOTE**.

MOTION #3						Motion #3: 10:36 a.m. Vote #3: 10:37 a.m.
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA					EXCUSED
DAN	AHUNA					EXCUSED
KALEIHIKINA	AKAKA	1	X			
KELI'I	AKINA		X			
VICE-CHAIR LUANA	ALAPA		X			
BRENDON KALEI'ĀINA	LEE		X			
CARMEN HULU	LINDSEY	2	X			
MILILANI	TRASK		X			
CHAIR JOHN	WAIHE'E		X			
TOTAL VOTE COUNT			7	0	0	2

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION PASSES**.

Motion #4 - 2022-2023 (FY23) Budgetary Designations – Appropriation 100 (General Funds)

Trustee Lindsey moves to approve the budgetary designation of \$200,000, General Funds, Appropriation 100 for Object Code 57110 SERVICES ON A FEE BASIS to provide additional legal services for beneficiaries consistent with the legal provision.

Trustee Akaka seconds the motion.

Chair Waihe'e asks if there is any discussion.

There is none.

Chair Waihe'e calls for a **ROLL CALL VOTE**.

MOTION #4						Motion #4: 10:39 a.m. Vote #4: 10:39 a.m.	
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED	
LEINA'ALA						EXCUSED	
DAN						EXCUSED	
KALEIHIKINA		2	X				
KELI'I			X				
VICE-CHAIR LUANA			X				
BRENDON KALEI'ĀINA			X				
CARMEN HULU	1		X				
MILILANI			X				
CHAIR JOHN			X				
TOTAL VOTE COUNT			7	0	0	2	

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION PASSES**.

IV. NEW BUSINESS

B. ACTION ITEM RM #22-23E: OHA Biennium Budget for the Fiscal Biennium Periods 2021-2022 (FY 22) and 2022-2023 (FY 23) – Legacy Land Program Carryover Budgets*

Chair Waihe'e asks if there is anyone signed up to testify on this agenda item..

RM Staffer Akina states for the record that there are zero registrants signed-up to testify on RM #22-23E either in-person, or virtually.

Chair Waihe'e turns it over to Ka Pouhana Sylvia Hussey.

Pouhana Hussey: Thank you, Chair Waihe'e. Trustees, this is a continuing realignment, and this is to formally establish the Legacy Land Program budget that is being funded from the Kaka'ako Makai policy.

The Action Item chronicles the establishment of the policy, the 2019 and the 2021 amendments, the different changes in the policy, and the different percentages that were allocated to the Legacy Land Program. So, this is Administration's way of codifying and memorializing all the policy changes into what actually the number changes for the budget are.

Attachment 1 chronicles those additions. It chronicles; the projected expenditures, and then it chronicles the legacy, carryover budget. And again, because of the multi-year carryover budget provisions, we need to establish what legacy lands can spend from the Kaka'ako Makai policy, and until the policy is changed, this is the calculation. So, the ask is to establish the budgets, as shown on Attachment 1, and it does a projection of what the carry-over would be for the period.

Chair Waihe'e recognizes Trustee Akina.

Trustee Akina: Thank you, Chair. A question for Ka Pouhana, you refer to Attachment number one, and you have your projections there. One of those projections, I believe it's that there will be an annual deficit of \$188,449 in 2023, in previous years there's been a surplus in the carryover. *Could you explain this?*

Pouhana Hussey: A lot has to do with the projected activity. So, the policy was changed from gross to net. Currently, the policy is that sixty percent of the net of Kaka'ako Makai proceeds goes to the Legacy Land Program, and as the Trustees are very aware, there are a lot of activities going on in Kaka'ako Makai, and so the projected net is less.

If you look at the attachment, \$440,604, is the number that was in Budget Realignment #4 as the projected net income of Kaka'ako Makai. So it's just being reflective of the activity that is going on in Kaka'ako Makai and the related net activity coming over to Legacy Land. That deficit, as you pointed out, Trustee Akina, is for the year FY 23, and then you will see it reduces the carry over amount that's there for planning and spending and execution.

Trustee Akina: Okay, that makes sense. Moving from gross to net and looking at the increased activity. *Do you anticipate on-going deficits?*

Pouhana Hussey: I would say that, like anything, it's based in planning. Whatever is going on and planning to commence in Kaka'ako Makai and what policy changes are made. Because Board policy change could impact what is going on for allocation of resources for Legacy Lands. So, there are a number of factors with the Trustees from actions to policy, and then just allocation.

All this means is that at the end of 2023, Administration is projecting 2.4 million in funds available because of Kaka'ako Makai. In the event there are planned and approved budgetary projections that's more than that, then that will come from what we call Appropriation 930, the Native Hawaiian Trust Fund and will impact the spending. So, any kind of projections, Administration will need to make those calculations, and then those recommendations to the Board.

Trustee Akina: Thank you, Ka Pouhana.

Chair Waihe'e asks if there are any further questions.

There are none.

Trustee Alapa moves to establish and approve the Legacy Land Program Carryover Budgets, for the fiscal biennium periods 2021-2022 (FY22) and 2022-2023 (FY23) as summarized at Attachment #1.

Trustee Lindsey seconds the motion.

Chair Waihe'e asks if there is any discussion.

There is none.

Chair Waihe'e calls for a **ROLL CALL VOTE**.

MOTION							Motion: 10:46 a.m. Vote: 10:46 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED
KALEIHIKINA	AKAKA			X			
KELI'I	AKINA			X			
VICE-CHAIR LUANA	ALAPA	1		X			
BRENDON KALEI'AINA	LEE			X			
CARMEN HULU	LINDSEY		2	X			
MILILANI	TRASK			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION PASSES**.

IV. NEW BUSINESS

C. ACTION ITEM RM #22-24: Approve the Awarding of Solicitation #22-05.01 – ‘Ōlelo Hawai‘i Community Research Grants, published March 31, 2022, Application Deadline May 13, 2022, as Extended*

Chair Waihe‘e asks if there is anyone signed up to testify on this agenda item.

RM Staffer Akina states for the record that there are zero registrants signed-up to testify on RM #22-24 either in-person, or virtually.

Chair Waihe‘e turns it over to Ka Pouhana Sylvia Hussey.

Pouhana Hussey: Thank you, Chair Waihe‘e. Trustees, as a refresher, this is the sub-granting; the award from the Administration for Native Americans under the ARPA Grants that OHA was awarded. They told us it would be about \$250,000; the final award.

The Board approved our application to apply for the dollars, and the plan was to sub-grant this to our Community. So, not take the grant in and of itself, but turn around and sub-grant to the community. Because of the nature of the ARPA Grant, we formulated the grant as a research grant, so that we can gather from five different sites across the pae ‘āina. The various practices in helping to preserve ‘Ōlelo, and in the Action Item, you will see the research questions. These are the same research questions that all five awardees will be responding to. They will just have different data collection, methodologies and information, and our Research division will be able to aggregate all of the feedback, and then have a report that will be available, to all grantees, as well as to the feds.

So, it's a first, in several respects; one is the sub-granting process, and then two, the research aspect of granting. So, I'll leave with that if there are any questions.

Chair Waihe‘e recognizes Trustee Akina.

Trustee Akina: Thank you, Chair. Ka Pouhana, I have two questions. First, you said that the grant came from ARPA in in the amount of \$250K. *From where are we giving the \$311,939 total?*

Pouhana Hussey: So the initial award notice to us was 250,000, because they notified us that it was a million dollars split between four awardees. Then, when the final notification was given. That's where we got the \$311,939.

So we were able to put out for awards, 311,939 and sticking to the five sites - that's how we got to the total amount, and then the allocation there.

Trustee Akina: Maybe that answers part of my second question, which was, when I look at the Grant requests from those soliciting grants, we've actually awarded them more than the request. *Could you explain that, and did they submit a budget for that additional amount as well?*

Pouhana Hussey: They submitted a budget for what they initially were asking, but as the raters looked at the application, the budget, the methodology, same process that we use for other Grants - external raters reviewed the packets. These were members of the Native Hawaiian research community particularly, and so it didn't make sense to Administration, to just say, take \$311,939, and divide by five, because that's not reflected in the scoring and the feedback.

So, our approach was to keep the \$311,939 and pro-rata based on those who had higher scores, we reason, should get a higher amount, and others, you know, accordingly.

The other piece that will need to be done is, they will need to backwards map into the budget for that. So, if they submitted a budget for sixty-three, and their award is eighty-three, then they will need to submit a budget. That's one of the conditions of the award, firstly, that ANA needs to approve our recommendation of the awards - since we are sub-granting. Then, second, the applicant, in-fact has a budget that aligns to that award. Then we move forward with contracting.

Trustee Akina: Well, thank you. It sounds like good news for our grantees.

Pouhana Hussey: We hope so. It's good for the research community and the community-based research approach.

Chair Waihe'e: Thank you, Ka Pouhana.

Chair Waihe'e asks if there is any further questions or discussion.

There are zero questions and zero discussion.

Trustee Lindsey moves to approve the following Fiscal Year 2022, sub-grants for the U.S. Department of Health & Human Services (HHS), Administration for Children and Families (“ACF”) Division, Administration for Native Americans (“ANA”) Office, American Rescue Plan Act, Emergency Native Language Funding Opportunity for Native Hawaiians and Pacific Islanders, in the aggregate amount of \$311,939, Appropriation Code 209; Program 3810 Grants – Grants in Aid Pass Through and Object Code 56580, subject to final sub-grant approval by ACF/ANA:

Organization/Program/Island	Amount
1. Papahana Kuaola/Nā Leo Makamae/O‘ahu	\$84,757
2. ‘Aha Punana Leo/Noi'i OHA/Statewide	\$79,514
3. Ke Kula ‘o Pi‘ilani/Ka Piko Kaiao/Maui	\$77,766
4. Hui o Hanohano/Pilināhāleo/Hawai'i	\$69,902
Total	\$311,939

Trustee Akaka seconds the motion.

Chair Waihe'e asks if there are any questions.

There are no further questions, nor are there comments.

Chair Waihe'e calls for a **ROLL CALL VOTE**.

MOTION							Motion: 10:51 a.m. Vote: 10:51 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED
KALEIHIKINA	AKAKA		2	X			
KELI'I	AKINA			X			
VICE-CHAIR LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

VOTE: UNANIMOUS PASSED DEFERRED FAILED

Chair Waihe'e notes for the record that all members present vote 'AE (YES) and the **MOTION PASSES**.

V. ANNOUNCEMENTS

None

VI. ADJOURNMENT

Trustee Lindsey moves to adjourn the RM meeting.

Trustee Akaka seconds the motion.

Chair Waihe'e asks if there is any discussion.

There is zero discussion.

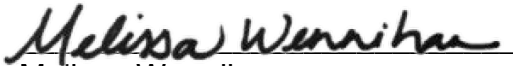
Chair Waihe'e calls for a **ROLL CALL VOTE**.

							10:53 a.m.
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						EXCUSED
DAN	AHUNA						EXCUSED
KALEIHIKINA	AKAKA		2	X			
KELI'I	AKINA			X			
VICE-CHAIR LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
CARMEN HULU	LINDSEY	1		X			
MILILANI	TRASK			X			
CHAIR JOHN	WAIHE'E			X			
TOTAL VOTE COUNT				7	0	0	2

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

Chair Waihe'e adjourns the RM meeting at 10:53 a.m.

Respectfully submitted,



Melissa Wennihan
Trustee Aide
Committee on Resource Management

As approved by the Committee on Resource Management (RM) on December 12, 2022.



Trustee John Waihe'e, IV
Chair
Committee on Resource Management