

**STATE OF HAWAI‘I  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. Nimitz Hwy, Suite 200  
HONOLULU, HI 96817**

**Joint Committee Minutes of the Office of Hawaiian Affairs  
Committee on Land and Property  
and  
Committee of Asset and Resource Management  
March 25, 2015 at 2:00pm.**

**ATTENDANCE:**

C. Hulu Lindsey, Maui Trustee  
Lei Ahu Isa, At-Large Trustee  
Dan Ahuna, Kaua‘i Trustee  
Rowena Akana, At-Large Trustee

Peter Apo, O‘ahu Trustee  
Robert Lindsey, Chair; Hawai‘i Island  
Trustee  
John Waihe‘e, IV, At-Large-Trustee

**STAFF PRESENT:**

Lady Garrett  
Ani Pang  
Reynold Freitas  
Kathy Owara-Takeo  
Kama Hopkins  
Dayna Pa

Louise Yee-Hoy  
Lehua Itokazu  
Capsun Poe  
Kauikealani Wailehua  
Laurene Kaluau-Kealoha  
Melissa Wennihan

**ADMINISTRATION STAFF:**

Allen Kam  
David Okamoto  
Ernest Kimoto  
Grant Mankis  
John Kim  
Kamana‘opono Crabbe, CEO

Kawika Burgess, COO  
Laura Kamalani-Paikai  
Lorna Loebel  
Merlyn Akuna  
Miles Nishijima

**GUESTS:**

Leah Harl  
Keola Beamer  
Laura Kaakua  
Leslie Uptain  
Dan Purcell  
Keali‘i Makekau

**I. Call to Order**

**Committee Chair Hulu Lindsey** – Calls to order the Joint Meeting of the Committee on Land and Property (LAP) and Asset and Resource Management (ARM) on Thursday, Wednesday, March 25, 2015 to order at 2:20pm.

		Present	Excused	Comments
TRUSTEE LEI	AHU ISA	X		
TRUSTEE DAN	AHUNA	X		
TRUSTEE ROWENA	AKANA	X		
TRUSTEE PETER	APO	X		
TRUSTEE HAUNANI	APOLIONA		X	
TRUSTEE ROBERT	LINDSEY	X		
TRUSTEE COLETTE	MACHADO		X	
TRUSTEE JOHN	WAIHE'E	X		
CHAIRPERSON HULU	LINDSEY	X		
		7		

**II. Community Concerns / Beneficiary Comments**

**Trustee Hulu Lindsey** calls on Dan Purcell for community concerns and beneficiary comments.

**Dan Purcell** introduces himself to the board and encourages OHA to acquire land located in Kona, Hawai'i Island (Kuamo'o). He shares his personal connection to this Kona coastline and that any presence that OHA can have in this area would be beneficial to practitioners. Though he was unaware of the battleground and its history, he still appreciated the beauty of the area. He states that if he were aware of its cultural history and context, he would feel even stronger.

**III. New Business**

**A. LAP/ARM #15-01 Approval to expend up to \$120,000 per year for two years for the Land and Property Committee (LAP) to contract a Real Estate Financial Advisor.**

**Trustee Hulu Lindsey** asks if there are any discussions.

**Trustee Robert Lindsey** asks what basis was used to calculate the cost of the Financial Advisor.

**Trustee Hulu Lindsey** responds by saying that \$90,000 was appropriated for the ARM Financial Analyst and the current proposed analyst has a greater amount of tasks, responsibilities, etc. as OHA plans on using them for Kaka’ako Makai and various other Land acquisitions, recommendations, and partnerships. She shares that the contract is not for \$190,000 but for *up to* the specific amount. This number is the same as PKF – as the company/expertise is used, OHA will pay them up until the proposed \$190,000.

**Trustee Robert Lindsey** responds by asking if the contract will be on a billable per hour basis.

**Trustee Hulu Lindsey** says yes and asks for any other questions regarding the Financial advisor.

**Trustee Akana** comments that if the proposed money is already in the Kaka’ako Makai fund, then it is no problem.

Motion: LAP/ARM #15-01 Approval to expend up to \$120,000 per year for two years for the Land and Property Committee (LAP) to contract a Real Estate Financial Advisor.						
<b>Trustee Dan Ahuna</b> moves the motion.						
<b>Trustee Robert Lindsey</b> seconds the motion.						
	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
TRUSTEE LEI			<b>X</b>			
TRUSTEE DAN		<b>X</b>	<b>X</b>			
TRUSTEE ROWENA			<b>X</b>			
TRUSTEE PETER			<b>X</b>			
TRUSTEE HAUNANI						<b>X</b>
TRUSTEE ROBERT			<b>X</b>			
TRUSTEE COLETTE						<b>X</b>
TRUSTEE JOHN		<b>X</b>	<b>X</b>			
CHAIRPERSON HULU			<b>X</b>			

<b>TOTAL VOTE COUNT</b>	7			
<b>MOTION:</b> <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED				
Motion passes with seven (7) YES votes.				

**B. LAP/ARM #15-02 Approval of Partial Funding for the Acquisition of 47 acres of the Kuamo‘o Battlefield and Burial Grounds by the Trust for Public Lands.**

**Trustee Hulu Lindsey** asks if there are any discussions.

**Trustee Akana** explains her surprise to see this on the agenda as the Budget Chair. She explains that the \$100,000 from the Fiscal Year Reserve requires six (6) votes as does the Board Initiative Funding. She explains that the 2016-2017 Budget has not been allocated yet and therefore cannot be voted on. She asks where the \$150,000 from the 2015 FY Budget is coming from and what programs will suffer because of it.

**Trustee Hulu Lindsey** calls upon Kawika Burgess to answer Trustee Akana’s question.

**Kawika Burgess** calls up John Kim and Miles Nishijima to accompany him.

**John Kim** confirms that as Trustee Akana mentioned, \$100,000 from the Fiscal Year Reserve requires six (6) votes. Additionally, the \$150,000 from the 2015 FY Core Operating Budget is currently being identified and the team will be prepared to provide a synopsis of the reallocation should this motion be approved by the board.

**Trustee Akana** addresses Mr. Kim by explaining that it is important to identify the source before the board votes on it.

**John Kim** understands that a substantial amount has already been identified and the remaining surplus is currently being sought.

**Trustee Akana** will not support the motion should this action item take away funding from another program. Trustee echoes that the Board cannot vote on the 2016-2017 that has not been seen yet.

**John Kim** replies in saying she is correct. The \$250,000 will be incorporated as the 2016-2017 budget – which is still up for proposal, discussion, and approval by the Board of Trustees.

**Trustee Akana** addresses Chair Hulu Lindsey and urges that the only thing that can be voted on today is the \$150,000 from the current 2015 Operating Budget only after identifying where the money is coming from.

**Trustee Ahuna** explains that his interest lies in the Battlefield of Kuamo‘o. He explains that being able to help in the acquisition of this property is important to him as an individual and that Kuamo‘o represents ourselves as a people and perhaps something even larger.

**Trustee Apo** wishing to make three points, highlights the issue of the Board of Trustee’s authority to vote on this. He explains that Trustees have the ability to do what they see fit and vote on it as according to parliamentary procedure. Irrespective to whether this motion goes into the budget, he highlights that it is the Administration’s responsibility to carry out the Board’s policy. He stresses the importance of Kuamo‘o as a cultural legacy property.

**Trustee Robert Lindsey** agrees with Trustee Apo and Trustee Ahuna in that the cultural, spiritual, and historical value of this property is priceless. For future reports, he suggests tying in to OHA’s Strategic Plan and Priorities in order to amplify future submittals.

**Trustee Hulu Lindsey** adds that this would not be time sensitive if this situation were not time sensitive as well, considering the current land owner.

**Trustee Akana** adds that she believes that this Action Item failed to go through a necessary process before arriving at the Committee and Board. Trustee Akana again highlights her financial concerns, highlights the Trustee’s fiduciary duty and avoiding making decisions off of emotions. Though she does not support the \$500,000 funding, she does support the \$150,000 from the 2015 FY and the project of Kuamo‘o itself.

**Trustee Ahu Isa** comments on the \$4,250,000 cost to buy Kuamo‘o and currently needs approximately \$1 million additionally. She takes into consideration Trustee Akana’s comments in that there is still time and supports the \$150,000 of funding from OHA.

**Trustee Hulu Lindsey** makes the correction that an additional \$500,000 will be needed should OHA’s funding be approved.

**Trustee Ahuna** speaks to Trustee Akana’s financial concerns and sees the value in her concerns, as well. Today, however, he sees the importance in the decision to support the acquisition of Kuamo‘o.

**Trustee Akana** states that she believes that the Board should bifurcate the motion and that the only legal action that can be done today is to vote on the \$150,000

**Trustee Hulu Lindsey** repeats the motion for Trustee Akana.

**Trustee Waihe‘e** highlights that the Action Item is more detailed than expressed.

**Trustee Akana** proposes an amendment to the Motion on the floor to allow for \$150,000 from 2015 Core Operating Budget.

**Trustee Robert Lindsey** states that the motion on the floor cannot be amended and that it must be voted on it. Addressing Trustee Akana, he advises her to vote “No” instead.

Motion: LAP/ARM #15-02 Approval of Partial Funding for the Acquisition of 47 acres of the Kuamo‘o Battlefield and Burial Grounds by the Trust for Public Lands.						
<b>Trustee Dan Ahuna</b> moves the motion. <b>Trustee Robert Lindsey</b> seconds the motion.						
	<b>1</b>	<b>2</b>	<b>‘AE (YES)</b>	<b>‘A‘OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
TRUSTEE LEI <b>AHU ISA</b>			<b>X</b>			
TRUSTEE DAN <b>AHUNA</b>	<b>X</b>		<b>X</b>			
TRUSTEE ROWENA <b>AKANA</b>				<b>X</b>		
TRUSTEE PETER <b>APO</b>		<b>X</b>	<b>X</b>			
TRUSTEE HAUNANI <b>APOLIONA</b>						<b>X</b>
TRUSTEE ROBERT <b>LINDSEY</b>			<b>X</b>			
TRUSTEE COLETTE <b>MACHADO</b>						<b>X</b>
TRUSTEE JOHN <b>WAIHE‘E</b>			<b>X</b>			
CHAIRPERSON HULU <b>LINDSEY</b>			<b>X</b>			
<b>TOTAL VOTE COUNT</b>			<b>6</b>	<b>1</b>	<b>0</b>	<b>2</b>
<b>MOTION:</b> <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
The motion passes with six (6) YES votes, one (1) NO vote, and two (2) excused.						

**IV. Executive Session\*\*\***

None

**V. Announcements**

**Trustee Hulu Lindsey** asks if there are any other announcements.

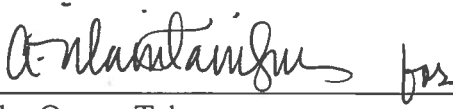
**Trustee Robert Lindsey** suggests consulting with Corporation Counsel.

**Trustee Hulu Lindsey** states that Corporation Counsel was consulted.

**VI. Adjournment**

**Chairperson Hulu Lindsey** adjourns the meeting at 2:39pm.

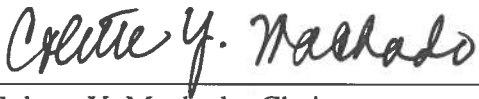
Respectfully Submitted,



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Kathy Owara-Takeo  
Trustee Aide

As approved by the Committee on Resource Management on October 7<sup>th</sup>, 2015.



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Colette Y. Machado, Chair  
Committee on Resource Management

ATTACHMENTS:

- Excused Absence Memo (2)