



BOARD OF TRUSTEES
Carmen. Hulu Lindsey, *Chairperson*
Leina'ala Ahu Isa, *Vice Chairperson*
Dan Ahuna, Trustee Kaua'i & Ni'ihau
Kalei Akaka, Trustee O'ahu
Keli'i Akina, Trustee At-Large
Luana Alapa, Trustee Moloka'i & Lāna'i
Brendon Kalei'āina Lee, Trustee At-Large
Keola Lindsey, Trustee Hawai'i Island
John Waihe'e IV, Trustee At-Large

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE BOARD OF TRUSTEES

DATE: Thursday, April 22, 2021
TIME: 10:00 am
PLACE: Virtual Meeting
Viewable at www.oha.org/livestream OR
Listen by phone: (213) 338-8477,
Webinar ID: 930 3060 4339

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2021 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listen by phone: (213) 338-8477, Webinar ID: 930 3060 4339

AGENDA

- I. Call to Order
- II. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- III. New Business
 - A. Committee on Resource Management
 1. Action Item RM #21-04: Approval of a Third Amendment to BOT #12-05 – Kaka'ako Makai Policy Relating to the Allocation of Revenue from Kaka'ako Makai Properties to the Land Legacy Program. (*1st reading*)
 2. Action Item RM #21-05: Amendment to the Executive Policy Manual Section, Budget Management Policy. (*1st reading*)
 - B. Action Item BOT#21-06: Approval of Exempt Status of Trustee Aide (SR 22), Trustee Secretary, and Board Secretary consistent with the Fair Labor Standards Act of 1938, as amended, in accordance with 29 C.F.R. § 553.11.
- IV. Executive Session‡
 - A. Consultation with Corporate Counsel Raina P.B. Gushiken, Esq. regarding questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities related to Action Item BOT #21-06: Approval of Exempt Status of Trustee Aide (SR 22), Trustee Secretary, and Board Secretary consistent with the Fair Labor Standards Act of 1938, as amended, in accordance with 29 C.F.R. § 553.11, pursuant to HRS § 92-5(a)(4).
- V. Community Concerns and Celebrations*(Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- VI. Announcements
- VII. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email rainag@oha.org no later than three (3) business days prior to the date of the meeting.

Meeting Materials will be available to the public on Monday, April 19, 2021 and posted to OHA's website at: www.oha.org/bot

BOARD OF TRUSTEES

Carmen. Hulu Lindsey, *Chairperson*
Leina'ala Ahu Isa, *Vice Chairperson*
Dan Ahuna, Trustee Kaua'i & Ni'ihau
Kalei Akaka, Trustee O'ahu
Keli'i Akina, Trustee At-Large
Luana Alapa, Trustee Moloka'i & Lāna'i
Brendon Kalei'āina Lee, Trustee At-Large
Keola Lindsey, Trustee Hawai'i Island
John Waihe'e IV, Trustee At-Large



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS

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

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

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

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

Testimony can be provided to the OHA Board of Trustees either as: (1) *written testimony* emailed at least 24 hours prior to the scheduled meeting, or (2) live, *oral testimony online* during the virtual meeting.

- (1) Persons wishing to provide *written testimony* on items listed on the agenda should submit testimony via *email* to BOTmeetings@oha.org at least **24 hours prior** to the scheduled meeting. Any testimony received after this deadline will be late testimony and will be distributed to the Board members after the scheduled meeting. **Due to COVID- 19, please do not fax, mail, or hand-deliver written testimony**
- (2) Persons wishing to provide *oral testimony online* during the virtual meeting must first register at: https://zoom.us/webinar/register/WN_VGYKBX9uRCCGULGsKsYHkA

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

To provide oral testimony online, you will need:

- (1) a computer or mobile device to connect to the virtual meeting;
- (2) internet access; and
- (3) a microphone to provide oral testimony.

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

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



Trustee Carmen Hulu Lindsey
Chairperson, Board of Trustees

4/16/2021
Date