



BOARD OF TRUSTEES

Carmen. Hulu Lindsey, *Chairperson*Leina'ala Ahu Isa, *Vice Chairperson*

Dan Ahuna, Trustee Kaua'i &amp; Ni'ihau

Kalei Akaka, Trustee O'ahu

Keli'i Akina, Trustee At-Large

Luana Alapa, Trustee Moloka'i &amp; 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:** Wednesday, September 8, 2021

**TIME:** 10:00 am

**PLACE:** Virtual Meeting

Viewable at [www.oha.org/livestream](http://www.oha.org/livestream) OR

Listen by phone: (213) 338-8477, Webinar ID: 851 0612 9421

**Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Proclamation Related to the COVID-19 Response, dated August 5, 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](http://www.oha.org/livestream) or listen by phone: (213) 338-8477, Webinar ID: 851 0612 9421**

**AGENDA**

- I. Call to Order**
- II. Approval of Minutes**
  - A. July 1, 2021
  - B. July 14, 2021 – Kealopiko Site Visit
  - C. July 14, 2021 - Hānai ā Ulu Native Crop Program Site Visit
  - D. July 14, 2021 – Moloka'i Community Meeting
  - E. July 15, 2021
- III. Public Testimony** on Items Listed on the Agenda\* (Please see page 1 & 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- IV. 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)
- V. New Business**
  - A. Report of the OHA Ad Hoc Committee and Permitted Interaction Group to determine the scope of the Contract and Disbursement Review of the CLA Audit Report dated December 4, 2019, pursuant to Section 11 of Act 29 (2021) and to provide a process to address and comply with those requirements to the Board of Trustees. Pursuant to HRS S 92-2.5(b)(1)(B). *No discussion*
- VI. Executive Session‡**
  - A. Consultation with Board Counsel Robert G. Klein, Randall Sakumoto, Esq. and Everett Ohta, OHA Assistant Senior Legal Counsel, re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to updates by Administration regarding potential acquisition of commercial properties, pursuant to HRS§ 92-5(a)(3) and (4)
  - B. Action Item BOT #21-10: Approve Retention of Legal Representation for Sylvia Hussey, Ed.D, in her Official Capacity; Consultation with Board Counsel Robert G. Klein, Esq. and OHA Senior Legal Counsel Raina Gushiken, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities with respect to Price v. Securitas Security Services USA, Inc. et al, Civil No. 1CCV-21-0000060, pursuant to HRS§92-5(a)(4).
- VII. Announcements**
- VIII. Adjournment**

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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](mailto: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 Sunday, September 5, 2021 and posted to OHA's website at:

[www.oha.org/bot](http://www.oha.org/bot) In the event that the livestream public broadcast is interrupted and cannot be restored, the meeting may continue as audio-only through the phone and Webinar ID provided at the beginning of this agenda.

† 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.

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](mailto: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://us06web.zoom.us/webinar/register/WN\\_U6-VKA0VQvOpvyqCW5exPw](https://us06web.zoom.us/webinar/register/WN_U6-VKA0VQvOpvyqCW5exPw)

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

9/2/2021

Date