

HAWAIIAN HOMES COMMISSION/WORKSHOP AGENDA

Minutes of January 12, 2021, via Videoconference
DHHL Main Office, Hale Pono'i, Kapolei, O'ahu, Hawai'i

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held via videoconference, moderated by Chairman William Aila Jr., from Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i, beginning at 1:30 p.m.

PRESENT William J. Aila Jr., Chairman
Randy K. Awo, Maui Commissioner (via videoconference)
Zachary Z. Helm, Moloka'i Commissioner (via videoconference)
David B. Ka'apu, West Hawai'i Commissioner (via videoconference)
Michael L. Kaleikini, East Hawai'i Commissioner (via videoconference)
Russell K. Kaupu, O'ahu Commissioner (via videoconference)
Pauline N. Namu'o, O'ahu Commissioner (via videoconference)(1:39 p.m.)
Dennis L. Neves, Kauai Commissioner (via videoconference)
Patricia A. Teruya, O'ahu Commissioner (via videoconference)

COUNSEL Ryan Kanaka'ole, Deputy AG (via videoconference)
Craig Iha, Deputy AG (via videoconference)

STAFF Tyler I. Gomes, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Cedric Duarte, Information & Community Relations Officer
Michael Low, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Chair Aila called the meeting to order at 1:35 p.m. Eight (8) members were present via videoconference at roll call.

Pursuant to the Governor's 17th Proclamation, related to COVID-19 Emergency, Hawai'i Revised Statutes ("HRS") Chapter 92 regarding public agency meetings and records is currently suspended through February 14, 2021, to the extent necessary to enable boards to conduct business without holding meetings open to the public and to allow state agencies the ability to effectively and efficiently provide emergency relief and engage in emergency management functions.

APPROVAL OF AGENDA

MOTION

Moved by Commissioner Awo, seconded by Commissioner Helm, to approve the agenda.

PUBLIC TESTIMONY ON AGENDIZED ITEMS (via weblink only)

Testimony on agendized items was submitted in writing via the Department of Hawaiian Home Lands website at www.dhhl.hawaii.gov/hhc/hhc-contact.

Chair Aila stated there were 62 public testimonies received by the Friday deadline. There were six late testimonies and two petitions forwarded by Senator Favella. All testimonies were uploaded to the Commission's cloud folder.

Note: Testimonies are attached.

Commissioner Awo stated that he requested a special meeting because the Governor said he does not support gambling in Hawai'i the day after the Commission voted. Given Governor Ige's recent public statements that he is opposed to gambling in Hawai'i, and therefore not likely to make it part of his Legislative Packet, he requested a special meeting to provide Commissioners an opportunity to renew discussions and further decision-making by examining and evaluating essential information not disclosed prior to voting on Item C-1.

He felt the Department had a fiduciary duty to disclose that kind of vital information before the Commission voted. He added that his request was not intended to divide the Commission. Whether it was yes or no, every Commissioner who voted acted in good faith to support our beneficiary communities based on what they believe to be correct. All available information should be provided to the Commission as part of its deliberation. Since that was not provided, he asked for a special meeting. He wanted to offer context for his request.

Commissioner Teruya asked if meeting minutes are prepared for the Commission's executive sessions. Deputy AG Kanaka'ole stated the Commission Secretary prepares minutes for each session. The minutes may be protected depending on the discussion and other factors like whether it is part of active litigation.

Commissioner Teruya asked if the Legislature can ask for executive session minutes of this discussion. Deputy AG Kanaka'ole stated the discussion would probably be covered under attorney-client privilege because it is active. There is likely to be continuing deliberation at the Legislature on the policy issue. They could make the request, but it is likely not to be released at this time.

Commissioner Helm thanked Commissioner Awo for his comments.

MOTION/ACTION

Moved by Commissioner Awo, seconded by Commissioner Helm to convene in an executive session pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issue pertaining to the Commission's powers, duties, privileges, immunities, and liabilities. Motion carried unanimously.

Note: Participants of the executive session portion of the meeting was limited to Commissioners, Deputy AG R. Kanakaole, and Commission Secretary L. Burrows-Nuuanu.

EXECUTIVE SESSION IN

1:45 PM

The Commission anticipates convening an executive meeting pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities on these matters.

EXECUTIVE SESSION OUT

4:13 PM

ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING

The next meeting will be held on January 19 & 20, 2021, TBA

MOTION/ACTION

Moved by Commissioner Namu'o, seconded by Commissioner Teruya, to adjourn the meeting.
Motion carried unanimously.

ADJOURNMENT

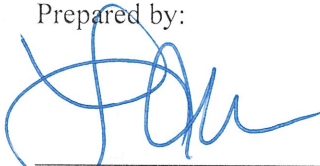
4:15 PM

Respectfully submitted:



William J. Aila Jr., Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission

APPROVED BY:

The Hawaiian Homes Commission at its regular monthly meeting on:

February 17, 2021

Attachments:

- 1) Public Testimonies (68)
- 2) Petitions (2)