

HAWAIIAN HOMES COMMISSION SPECIAL MEETING

Minutes of March 23, 2021 via Interactive Conferencing Technology (ICT) Zoom
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 teleconference, moderated by Chairman William Aila Jr., from Hale Pono'i, 91-5420 Kapolei Parkway, Kapolei, O'ahu, Hawai'i, beginning at 9:30 a.m.

PRESENT William J. Aila Jr., Chairman
Randy K. Awo, Maui Commissioner (via ICT) (9:38 a.m.)
Zachary Z. Helm, Moloka'i Commissioner (via ICT)
David B. Ka'apu, West Hawai'i Commissioner (via ICT)
Michael L. Kaleikini, East Hawai'i Commissioner (via ICT)
Russell K. Kaupu, O'ahu Commissioner (via ICT) (9:37 a.m.)
Pauline N. Namu'o, O'ahu Commissioner
Dennis L. Neves, Kauai Commissioner (via ICT)

EXCUSED Patricia A. Teruya, O'ahu Commissioner

COUNSEL Ryan Kanaka'ole, Deputy AG (via ICT)

STAFF Tyler I. Gomes, Deputy to the Chairman
Leah Burrows-Nuuanu, Secretary to the Commission
Andrew Choy, Acting Planning Manager
Kahana Albinio, Acting Land Management Division Administrator
Juan Garcia, Homestead Services Division Administrator
Cedric Duarte, Information & Community Relations Officer
Stewart Matsunaga, Acting Land Development Division Administrator
Paula Aila, Acting Contact and Awards Division Administrator
Jamilia Epping, Information Specialist
Michael Lowe, Information Specialist

ORDER OF BUSINESS

CALL TO ORDER

Chair Aila called the meeting to order at 9:32 a.m. six (6) members were present via videoconference at roll call.

Pursuant to the Governor's 18th Proclamation, related to COVID-19 Emergency, Hawai'i Revised Statutes ("HRS") Chapter 92 regarding public agency meetings and records are currently suspended through April 15, 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/ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the agenda. Motion carried unanimously.

PUBLIC TESTIMONY ON AGENDIZED ITEMS

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 no public testimonies submitted.

MOTION/ACTION

Moved by Commissioner Helm, seconded by Commissioner Neves 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.

EXECUTIVE SESSION IN 9:35 AM

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.

1. Discussion of options in *Richard Nelson, III, et al. v. Hawaiian Homes Commission, Civ. No. 07-1-1663*

EXECUTIVE SESSION OUT 10:10 AM

ITEMS FOR DECISION MAKING

- ITEM A. To approve the directives given to Counsel in its March 23, 2021, Executive Session and to ratify any actions taken by the Chairman since the March 2021 Hawaiian Homes Commission Meeting as it pertains to Richard Nelson, III, et al., v. Hawaiian Homes Commission, Civ. No. 07-1-1663**

RECOMMENDED MOTION/ACTION

Chair Aila presented the recommended motion to ratify the directives given to Counsel in its March 23, 2021, executive session and to approve any actions taken by the Chairman since the March 2021 Hawaiian Homes Commission Meeting as it pertains to Richard Nelson, III, et al., v. Hawaiian Homes Commission, Civ. No. 07-1-1663

MOTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the motion as stated. Motion unanimously passed.

DISCUSSION

None.

ACTION

Moved by Commissioner Neves, seconded by Commissioner Helm, to approve the motion as stated. Motion unanimously passed.						
Commissioner	1	2	'AE (YES)	A'OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo			X			
Commissioner Helm		X	X			
Commissioner Ka'apu			X			
Commissioner Kaleikini			X			
Commissioner Ka'upu			X			
Commissioner Namu'o			X			
Commissioner Neves	X		X			
Commissioner Teruya						X
Chairman Aila			X			
TOTAL VOTE COUNT			8			1
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously- six (8) Yes votes.						

ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING

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

MOTION/ACTION

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

ADJOURNMENT

10:14 AM

Respectfully submitted:



William J. Aila Jr., Chairman
Hawaiian Homes Commission

Prepared by:



Leah Burrows-Nuuanu, Commission Secretary
Hawaiian Homes Commission