

## **HAWAIIAN HOMES COMMISSION**

Special Minutes of January 27th, 2023

Hale Pono`i, 91-5420 Kapolei Parkway, Kapolei, O`ahu, Hawai`i, and Interactive Conferencing  
Technology (ICT)

Pursuant to proper call, the meeting of the Hawaiian Homes Commission was held both in person and via  
Interactive conferencing technology, beginning at 10:00 a.m.

**PRESENT** Ikaika Anderson, Chairman  
Randy K. Awo, Maui Commissioner  
Makai Freitas, West Hawai`i Commissioner  
Zachary Z. Helm, Moloka`i Commissioner (ICT)  
Michael L. Kaleikini, East Hawai`i Commission  
Russell K. Ka`upu, O`ahu Commissioner  
Pauline N. Namu`o, O`ahu Commissioner (ICT)  
Dennis L. Neves, Kauai Commissioner  
Patricia A. Teruya, O`ahu Commissioner

**COUNSEL** Ryan Kanaka`ole, Deputy Attorney General

**STAFF** Katie L. Ducatt, Deputy to the Director Designate  
Leah Burrows-Nuuanu, Secretary to the Commission  
Lehua Kinilau-Cano, Legislative Analst/NAHASDA Manager  
Niniau Kawaihae, Special Assistant to the Chairman  
Paula Ailā, Acting Contact and Awards Division Administrator  
Stacelyn Eli, Beneficiary Outreach Specialist  
Michael Lowe, Information Specialist  
Jamilia Pacheco, Information Specialist

### **ORDER OF BUSINESS**

#### **CALL TO ORDER**

Chair Anderson called the meeting to order at 10:10 a.m. Nine (9) members were present at the roll call establishing a quorum. Commissioners Namuo and Helm attended via ICT.

Pursuant to Act 220, Commissioners are to identify who is in the room with them. Cameras must be kept on unless excusing yourself from the meeting. A quorum of Commissioners must be visible during the meeting. If there is anyone in the room with you, please identify them. The Board shall be visible and audible to members and the public. No other participants are required to be visible during the meeting. All votes shall be unanimous unless the Commission goes to roll call.

Commissioner Awo stated regarding the executive session item covering the WAM briefing. He asked if it was for the January 19th hearing. Chair Anderson stated it is.

Commissioner Teruya asked AG if the date should be added to the agenda. She wanted to clarify that it is for the 19th. DAG Kanaka`ole stated that would require a motion to amend the agenda. The substance of the discussion will not change, but if the Commission feels the need to clarify for the public, that is fine.

Commissioner Neves stated there are no packets for this meeting and hopes that there is information that the Commission can review for discussion. Commissioner Teruya asked if someone would provide a copy of the testimony the Department submitted to the WAM Committee.

Commissioner Awo asked for clarification because of the agendized public meeting with WAM on the 19<sup>th</sup>. The Commission may also question how the Commissioners vote when called upon for executive session. DAG Kanaka`ole stated that the questions are relevant to the decision to vote to go into the executive session.

Commissioner Neves asked for a point of order stating that since they have a date for the WAM meeting, there should be a motion for that amendment before they vote.

**MOTION/ACTION**

Moved by Commissioner Neves, seconded by Commissioner Awo, to amend the agenda to add January 19 <sup>th</sup> as the date of the Senate Ways and Means/Hawaiian Affairs hearing.						
Commissioner	1	2	`AE (YES)	A`OLE (NO)	KANALUA ABSTAIN	EXCUSED
Commissioner Awo		X	X			
Commissioner Freitas			X			
Commissioner Helm			X			
Commissioner Kaleikini			X			
Commissioner Ka`upu			X			
Commissioner Namu`o			X			
Commissioner Neves	X		X			
Commissioner Teruya			X			
Chairman Anderson			X			
TOTAL VOTE COUNT			9			
MOTION: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED Motion passed unanimously. Nine (9) Yes votes.						

**APPROVAL OF AMENDED AGENDA**

**MOTION/ACTION**

Moved by Commissioner Kaleikini, seconded by Commissioner Freitas, to approve the agenda. Motion carried unanimously.

**PUBLIC TESTIMONY ON AGENDIZED ITEMS**

Pursuant to section 92-3, Hawai`i Revised Statutes, and section 10-2-11(c), Hawai`i Administrative Rules, the Chair of the Commission has the authority to impose reasonable conditions to ensure an orderly and efficient meeting. Public testimony on any item relevant to this agenda may be taken at this time, or a testifier may wait to testify when the agenda item is called for discussion. Public testimony is 3 minutes.

**PT-1 Bumpy Kanahele**

B. Kanahele testified that he had been a beneficiary for 68 years on a Hawaiian homestead in Waimanalo. He followed Ikaika on his political journey and believed that Ikaika was the right

choice for DHHL. He will back Ikaika fully as long as he does the right thing; otherwise, he will be his worse enemy.

**PT-2 Brandon Makaawaawa**

B. Makaawaawa testified that he is a Waimanalo homesteader and the President of Na Poe Kokua who holds Bank of America accountable for their failed \$150 million commitment. He is in full support of Ikaika Anderson as Chair.

**PT-3 Scotty Reis Moniz**

S. Reis Moniz testified he is with the Friends of Waimanalo and is a native Hawaiian born and raised in Waimanalo. He supports Ikaika. The Friends of Waimanalo have accomplished fixing the Makapu`u Lighthouse and the road and fences going up to the lighthouse. They are grateful for the help of Ikaika and Commissioner Patty Teruya.

Chair Anderson reminded the testifiers that the agenda item is the Ways and Means Hearing. He will do his best to be liberal, but he reminded everyone.

**PT-4 Shirley Sweeney**

S. Sweeney stated she had been a Kapolei homestead beneficiary since 2001. She listened to both WAM meetings, which was embarrassing and painful to watch. DHHL was not prepared to justify or provide satisfactory answers to the current budget request relating to the expanding Act 279 funds. The hearing was continued so DHHL could prepare to give clear and specific answers to the questions, but on January 19th, there was more confusion. The Governor's Housing Director was the first speaker called to assist DHHL in clarifying the use of Act 279 funds. It was confusing because DHHL's senior staff were in attendance and could speak to implementing the HHC-approved Plan.

Chair Designate stated DHHL would deviate from the original Plan and recited a Five-Point Plan, which the Senate Committee member pointed out mirrored the points from another plan submitted to the Legislature. He said the original Plan was foundational but could not say how far it would deviate nor provide specific information on the timeline, project type, location, and costs.

S. Swinney read aloud excerpts from the StarAdvertiser's January 21st, 2023, post, which was listed at the bottom of her written testimony. From a beneficiary's perspective, DHHL's sudden maneuver to deviate from the original Plan without detail begs to be questioned. Its ambiguity and lack of satisfactory response to the Senate Committee raises the alarm and concern as it casts a dark cloud over DHHL's ability and timeliness to perform, putting Act 279 funds at risk.

Commissioner Teruya asked if she believed Act 279 was an Ige plan. S. Sweeney stated it is a matter of semantics. The Commission approved it while Ige was the Governor. It is a beneficiary Plan because it came before the Commission, representing the beneficiaries. She is very familiar with the Commission and Department's efforts and with the beneficiary consultation. The Commission did its best with the time it had to produce the Strategic Plan. She added that to her vertical means multi-level, more like a high rise, and not a single family. Beneficiaries are accustomed to single-family awards.

Chair Anderson stated from a land use policy standpoint that the term vertical, as he has used it, is anything above ground, meaning single-family, low-rise, mid-rise, and high-rise. Anything vertical from a land use policy is above ground. He apologized for the confusion and will be more definitive in the future.

Commissioner Awo asked for clarification regarding her mana`o of the Commission's Strategic Plan for Act 279. As she mentioned, the word "deviate" was used numerous times. He quoted a comment, "will build on the foundation set by the previous administration's Strategic Plan submitted last month." The Strategic Plan was the Commission plan, and even though it is semantics, it is an important distinction because the Commission has sole authority over policy in decisions. The Hawaiian Homes Commission serves one master, and that is its beneficiaries. It does not serve the Governor, Legislators, or the Department. But it does work in concert with the Department. He, too, was concerned about the Housing Director coming to the table to provide mana`o and agreeing to change things on palapala that the Commission didn't even receive. It raises concern and confusion.

Commissioner Neves agreed with Commissioner Awo and stated he was equally embarrassed as he served on the PIG. The Plan is the Commission's Plan, and he voted against the Chairman's Five-Point Plan.

S. Sweeney stated the embarrassment was that the staff was overlooked and their work was not satisfactorily acknowledged. She sensed that staff sat there with their hands tied and invisible gags on their mouths.

Commissioner Helm agreed with Commissioners Awo and Neves regarding the Ways and Means meeting. He was disappointed and disturbed that Chair Anderson spoke of his Five-Point Plan and that the Commission approved deviating. The word "deviate" never came up during the Commission's deliberation. If this were the case, he would not have voted for the Five-Point Plan because he understood that nothing would be changed with the Strategic Plan that the Commission approved. He does not think the Plan should be altered or deviated. The Commission needs to move the Strategic Plan forward.

#### **PT-5 Brandon Souza**

B. Souza testified on behalf of Representative Diamond Garcia that he fully supports and looks forward to working with DHHL on the upcoming projects in his district. If Representative Garcia's office can be of help, his doors are open.

#### **PT-6 Blossom Feiteira**

B. Feiteira testified in support of Ms. Sweeney's statements. She was also disappointed with Chair Anderson's presentation and incensed by the words from his and the Housing Director's mouths. The Commission supported the Five-Point Plan, understanding that there would be no deviation from the Strategic Plan, which the Chair agreed to. Yet at the WAM Hearing, he told the Committee that the Commission voted to support the deviations. That was a blatant lie. She was unsure why he willingly misrepresented the Commission to the WAM Committee. She was insulted that he disregarded and failed to acknowledge the staff in the room who worked on developing the Strategic Plan with the Commission. Instead of letting Mr. Matsunaga speak, the Housing Director sat at the DHHL table and spoke about the Governor's initiative for affordable housing and why the Strategic Plan needs to be changed to allow for the five specific projects that came in, all on O`ahu did not work. She quoted HHC Act Section 206, "the powers and duties of

the Governor and the Board of Land and Natural Resources, in respect to the lands of this State, shall not extend to the lands having the status of the Hawaiian Home Lands.”

B. Feiteira stated she is offended that others are being allowed to influence the decisions made on behalf of the Commission without their consent. So, why is the Governor’s Housing Director sitting at the table that belongs to the Hawaiian Homes Commission?

**PT-7 Kahaku Akoi**

K. Akoi testified that she is disappointed with DHHL and putting DHHL on notice, stating that DHHL is operating on the royal patterns of the native tenants of the alii families and konohiki, whose lands which DHHL’s office currently operates in Kapolei. She stated she would submit her affidavit.

**PT-8 Scotty Wong**

S. Wong, owner of Ohana Hui Ventures and COO for Friends of Waimanalo, testified that both organizations support the Commission’s Strategic Plan. Their goal is on the aina and to help Hawaiians. They want to work with the Commission and Ikaika Anderson, moving forward with solutions rather than complaints and negativity.

Commissioner Teruya called for a point of order and stated that testimony is on the WAM meeting and that the individuals should be speaking on the agenda item. Chair Anderson reminded the testifiers to speak on the agenda item.

**PT-9 DeMont Manaole**

D. Manaole testified he was concerned that the Department was unprepared to answer the questions by the Senators. He stated that he had only one week on the job, and the Senators were firing at him. It appears that the Senate wants to micro-manage the Department. He stated he did not know about the American Rescue Plan Act (ARPA) until Lehua mentioned it, and that federal law prohibits the Department from using too much of the money in that timeframe. The Legislature put an artificial time frame for a kanaka to use the \$600 million. The 3-year timeframe that the Department has is not sufficient, so the State either knew of ARPA and tried to set the Department up to show Hawaiians cannot manage money, or they did not know about ARPA. He stated that anytime there is a new leader, the new leader is given leeway to ride with the old program or to change the program.

**PT-10 Aiko Manaole**

A. Manaole testified that she is not Hawaiian but believes that Hawaiian affairs should be handled by Hawaiians only. If they do not like it here, the rest of the people should leave because that is how it is. She stated two things she hates, politicians and lawyers. She met Ikaika before the WAM meeting and stated they might not have been prepared, but a machine does not work unless the gears are touching. If everybody is going for the same thing to make sure Hawaiians are taken care of, then all the gears need to touch. It is time to stop judging people for the past and listening with our ears and start listening with our hearts.

### **PT-11 Germaine Meyers**

G. Meyers testified that the Chair Designate stated that the Commissioners agreed to deviate from the original Strategic Plan submitted to the Legislature in December. He did not answer the Senate about the specifics of the deviation, how much dollars the deviation represented, and what projects on the Strategic Plan would be impacted. He also stated that he was authorized to include in his deviation verticals, commonly used to describe buildings, high-rises, and not single-family dwellings on homestead lots. She quoted the report from the Federal Task Force, “the homesteading program was authorized to (1) lease not sell to eligible Hawaiians for 99-year periods at a rental of \$1 per year; (2) offer financial assistance to individual homesteaders through low-interest loans for agricultural development and home construction; (3) provide agricultural and other experts to aide the homesteaders in developing their farms and ranches.

She is unaware of the Hawaiian Homes Commission Act section or Administrative Rules allowing waitlisters to be awarded a unit in a vertical building at a rental at \$1 per year for 99 years. Rental units will not remove native Hawaiians from the waitlist. The HUD website defines a rental and a vertical unit as public housing established to provide decent and safe rental housing for eligible low-income families. The Chair Designate stated at the WAM meeting that beneficiaries were not part of the process. He met with homestead associations who told him they were not part of the process of Act 279 Strategic Plan. She highlighted that Act 279 addresses the waitlisters, not lessees. The homestead associations mainly consist of beneficiaries who already have leases. Even though she is a lessee, she participated in Act 279 because she has ohana and her classmates on the waitlist. She asked the Commissioner to stay on the course and not deviate from the Strategic Plan.

Commissioner Teruya asked if part of the priority plan was for kupuna housing in the 2018 Waianae Regional Plan and if beneficiaries wanted homes. G. Meyer agreed that kupuna housing was a part of the Plan and stated she does not feel any WAM members had ill intentions toward the Department or the Commission. She supports the projects in the Strategic Plan for the O`ahu projects; Kapolei, Maili, Ewa Beach, and Kaupea. The Department did its due diligence and provided the Legislature with the Strategic Plan by the deadline. The Legislature blessed us with the \$600 million.

### **PT-12 Penelope Faumoina**

P. Faumoina testified about the blood quantum. She stated the Department is the HHCA so that it can change law policies for the Hawaiians. As generations go, interracial marriages happen, and by the time it is 2050, the bloodline will be gone, and there will be no 50% Hawaiians, let alone 25% Hawaiians. The Commission should remove the blood quantum. Her bloodline comes from 100% Hawaiian; by the time it gets to her generation, she is 37.5%, so she does not qualify. She thinks you should be allowed to have a home as long as you can show proof of blood heritage.

### **PT-13 Mealissa Otis**

M. Otis testified about agriculture. Page 4 of the WAM submittal states that over 2700 residential, agricultural, and pastoral lots are in the pipeline to be developed over the next 5-7 years. To her, it sounds like ag displacement and land mis-apportionment. She is a kanaka ally and learning as much as she can. She will be in the meetings to learn and observe more.

#### **PT-14 Wendy Kaniaupio**

W. Kaniaupio testified about the 9-acre parcel in Kaupea. She stated that \$35 million was appropriated to purchase land to build homes. When Kaupea was first designed, the original Plan showed that there was supposed to be a park and a community center. It is 16 years later, and that still has not happened. In the current General Plan, 55 homes will be built on that property, leaving no green space or community center for the Kaupea residents. A parcel of the 9 acres should be designated for a park and recreation/community center. Kaupea should not be a part of the Villages of Kapolei Association but self-governed.

Commissioner Teruya stated she remembers there was a discussion for a park there and thinks it is in the Regional and Island Plan.

DAG Kanaka`ole stated that the item on the agenda concerns the WAM hearing and matters discussed at the WAM hearing. Your questions and Ms. Kaniaupio's questions would require DHHL staff follow-up. Staff can be directed to work with Ms. Kaniaupio, but that is not on the agenda for the Board's discussion today.

#### **PT-15 Senator Kurt Favella**

Senator Favella testified that at the WAM hearing, he asked about the letting go and termination of Cedric. He wants to know why Cedric was let go from this Commission for all his years of loyalty to the Hawaiian people, to this Commission, and the Hawaiian Homestead Act. Cedric went everywhere and was loved by all, and the community deserves to know the parameters of letting Cedric go.

If anyone watched the WAM hearing, Chair Dela Cruz is the most consistent person and asks questions of everyone the same way. In the first WAM hearing, the Chair-Designate had people that could have answered the questions for him, but for 3 hours, he never called on any of them, not one of them. For 3 hours Chair-Designee struggled to answer the questions of the WAM Chair and others on the committee.

The committee continued the hearing, and he was unprepared for the second hearing. No one tried to disrespect or attack the Chair-Designate, but he lied to the WAM committee five times. He told Senator Dela Cruz five times that he was diverting and not keeping in step with the Commission's Plan. The Department is not getting a \$600 million check but has to spend \$170 million by June. The Department had the original Plan in December 2022, and 600 homes were allocated for Ewa Beach. But he stated no, he is going with his Five-Point Plan. A WAM committee member read an email from the SCHHA and was out of his Plan. The Chair-Designee said he was not part of that. The committee knows Robin Danner's Plan, as she sent the email to all the members of the WAM committee. All the Chair-Designee had to do was stand on his own, and maybe he would have gotten respect from some at the Capital, but he did not.

The Chair-Designate put Nani Medeiros, Housing Director, on the panel when it should have been someone from the DHHL Commission or the Department sitting next to him. Nani does not know the Hawaiian people. Remember that the devil was also an angel, and just because you have Hawaiian does not mean you have a passion for the people. The DHHL Commission and Department did their job, and he wanted to know how their hard work played out. The Chair-Designate returned to the WAM committee and told the WAM committee that the Commissioners agreed to deviate from the Plan. If Chair-Designate stuck to the Plan and the Budget Plan, it would have been great, but he said he has a Five-Point plan, and four of the five

are pretty much similar to what the Commission approved. Senator Favella stated he has a lot of issues with what happened, but just for this hearing, he did not appreciate that the WAM committee was lied to. Everyone can watch the two videos. The conclusion is the Governor's Chief of Staff and the Housing Director does not know the difference between the Governor's message and a bill. They are confused, which is why the Chair-Designee is confused.

Chair Anderson stated that he did go to Senator Favella's office with his Deputy on December 12 & 13, in person, to request a meeting with him. He also followed up with a call to Senator Favella's cell phone to request a meeting. He left a message on the Senator's phone last week Friday. He stated he remains open to talking.

Commissioner Teruya asked if they had a Beneficiary Consultation in Ewa regarding the tsunami surplus NOAA property. Senator Favella stated they had a meeting. Part of Act 279 included the former Tsunami site, but we need to look further than Act 279 for construction money to move the project forward.

Commissioner Awo stated he did not vote for the Five-Point Plan. The stipulation was the Chair would not deviate and would not change Act 279 as approved by the Commission. What caught his attention was a comment that "our vision that this Commission has voted to accept will maximize and enhance the existing plan by offering vertical construction." That is not what the Commission agreed to. Twenty-nine minutes into the hearing, Senator Dela Cruz asked, "do you believe, at some point, everything the Commission voted for should be developed?" The Chief Housing Officer stated, "everything? No!"

Commissioner Neves stated the Plan has room to move but not to change the Plan. Four items in the Plan are specific, but it is not on the Chair-Designee's list.

Commissioner Helm stated truth matters, and with Act 279, time is critical.

#### **PT-16 Kapua Medeiros**

K. Medeiros testified that she does not trust politicians because of their actions, and many speak a good speech, but not many carry out what they say they will do. In watching the WAM hearings, she stated Chair Anderson was not qualified to take that seat and should never have applied to take that seat.

#### **PT-17 Iwalani MacBrayer**

I. MacBrayer testified for the record that she is in support of the people on the waitlist. She stated they need a plan that takes all beneficiaries, not only certain beneficiaries. She stated the \$600 million was appropriated from a May 6th, 2022, article by Pro-Publica. She read, "lawmakers appropriate \$600 million to fix housing programs for native Hawaiians," and stated that is why she is here. The SCHHA's voice is the beneficiaries,' too. She supports getting people off the list and building the correct homes for all people. She hopes that he can take their recommendations on their plans and listen to every voice of beneficiaries because they all count.

I. McBrayer stated they had an SCHHA plan, not a Robin Danner Plan. Chair Anderson asked who worked on that Plan. She stated it consisted of outer island people from all the islands. He asked how long it took and how many people worked on that. I. McBrayer stated it took 6-months and thousands of hours. At least five of the executive team were working on it, but over 500 of them, if you count everybody that came.



Commissioner Teruya stated that nobody called it a Robin Danner. Chair Anderson stated he did not recall anyone on the Commission saying so.

Commissioner Awo asked if she mentioned ADUs as part of the implementation of Act 279. I. McBrayer confirmed. He stated an ADU attaches itself to an existing dwelling that belongs to a lessee, so it wouldn't address the waitlist. There is the lessee who has a voice in these matters, and the primary stakeholders are the wait listers. One of the cornerstones of Act 279 is waitlist reduction.

Commissioner Teruya asked me. MacBrayer if she supports Act 279, Phases 1, 2, and 3 in Kapolei for homes. I. McBrayer stated yes.

**PT-18 Shirley DeRego (online)**

S. DeRego testified that she has been a mortgage lender for 25 years, has worked with the DHHL loans servicing department, and pointed out that the bulk of the \$600 million in the Strategic Plan would be for infrastructure for lots. She asked if the Commission knows every island has an FHA loan limit. When a lessee comes to the lender for a construction loan, the loan limit is cut in half by DHHL, and a loan guarantee by DHHL is only available for half the limit. She asked if the Department is considering increasing the loan guarantee for construction loans. She hoped the Department would inform the Senate WAM committee about the FHA limits on every island. Chair Anderson stated he would work with staff to get the answers to the questions she posed. Kaua'i, Maui, and Moloka'i have the highest FHA limits. Chair Anderson stated the Department would reach out to her.

**RECESS**

**12:45 p.m.**

**RECONVENED**

**12:53 p.m.**

**PT-19 Blanch McMillen (online)**

B. McMillen testified in support of Ikaika Anderson.

**PT-20 Shelby Billionaire**

S. Billionaire testified he does not expect to get home as he would be 28,000 plus 1. He would like the Department to simplify its Plan.

**PT-21 Homelani Schadael**

H. Schaedel testified she watched and listened to the WAM hearing, and it was painful to watch Chair Anderson flounder like a fish out of water. He had Administrators from every division alongside him and in the audience, yet the Governor's Director of Housing was at the table. Why is the Director of Housing there? It sent a signal of the lack of confidence he had in the staff. It was as if the staff was ignored. Chair Anderson could not answer the questions on his own.

She stated she was going to keep her testimony to five points. Last week's Commission meeting was lengthy discussions on Items C-1 and C-2. (1) She recalled that Chair Anderson stated that he respected the work of the Commissioners and those who came before and that he would not change anything. Why would he? (2) Everything in Chair Anderson's Five-Point Plan was already in the Plan except for the meetings. (3) When she listened to Chair Dela Cruz's question

about the Commission's vote in the conversation. He misled the Commission and lied to the Committee. (4) It was clear to her that when the Governor's Office talks about or speaks on behalf of or for beneficiaries, Chair Anderson is a puppet whose strings are manipulated by the Governor's office.

H. Schaedel stated her kuleana is to protect the Trust and to advocate for the beneficiaries, especially those on the waitlist. She knows Chair Anderson has reached out to respectable, reputable people for advice, and they gave him advice, but he ignored it. He ignored the staff who tried to advise him. The Chairman leads the Department, the Commission, and the beneficiaries, not the Governor's office. The Department needs a steersman, not a puppet. She does not doubt that Chair Anderson wants to help the Hawaiian people, but he must stand alone and trust the staff. She stated that the Chair-Designate had endangered the Department and the funds. She begged on behalf of the beneficiaries that Chair Anderson stand on his own two feet.

Commissioner Awo stated that he agreed with everything Aunty Home said. He stated as a result of what he witnessed, the funding is in danger. The decisions the Commission makes has spiritual and emotional impact on the lives of the people the Department and Commission serves. He stated this administration lacks integrity. Commissioner Neves agreed with H. Schaedel's testimony.

H. Schaedel offered her mana`o to Chair Anderson to look, listen, learn, and be kinaole and pono.

#### **PT-22 Samson Souza**

S. Souza testified about the blood quantum of 50% of Hawaiians dying on the list. He talked about the Department charging water and sewer. He does not like the style of building houses and infrastructure because it is not affordable.

Chair Anderson stated the Commission has come to the end of the Public Testimony portion of the agenda.

Commissioner Kaleikini stated, for the record, regarding the WAM hearing of the 19<sup>th</sup>, that from his perspective, he felt the pain and the disappointment in the responses, and the Department did not have good answers for the Senators. He is 100% supportive of the Strategic Plan submitted in December. He stated that the Strategic Plan submitted in December and approved by the Commission is the number one Plan he supports and will continue to support moving forward. There is flexibility in that Plan.

Commissioner Awo stated that he continues not to support the Five-Point Plan. The Commissioners had good intentions when they approved the Five-Point Plan. One of the conditions was not to deviate from or change the Strategic Plan they approved. In the WAM hearing, at least in five situations, deviations came up from Chair Anderson and the Senators. Each time Chair Anderson was asked if the Commission agreed to deviate, Chair Anderson said yes and other things that were not true.

Commissioner Freitas stated taking into account the situation of the polarizing issues, the number of emotions involved, and the Commission's task. He knows there will be many ideas from people because they are also passionate about the beneficiaries. He stated he did vote for the Five-Point Plan. However, moving forward and considering everything and the political turbulence, he thinks the Commission needs to honor and support the Plan that the Commission passed. He holds his integrity near and dear to his heart, and looking at the job as Commissioners,

not everything will be agreed upon, but the Commissioners need to walk out of the door united as one.

Upholding the Trust is the Commission's number one fiduciary duty, and servicing the beneficiaries is also up there. Implementing something that is the intent of the Act that many worked hard on to get the Department in the position it is at today, getting Hawaiians off of the waitlist, is the true intent in its simplistic form. He wanted it on the record and to mahalo the beneficiary council involved in this process and everybody else on that Committee that got us through that. Thank you, guys, very much.

Commissioner Teruya stated regarding the WAM hearing, seeing the Housing Director coming up to help answer the Senators' questions was painful. Deviating from the Plan was not a discussion that the Commission had, and she stated at the WAM hearing when she was called on that the Commission did not deviate. The Commission supported the Strategic Plan that it adopted. She wanted it on record that she knew what she was saying, and she did hear Chair Anderson say deviation three times. She is not sure where the Commission is going from here. She speaks for the four O'ahu projects and the two Moloka'i projects that were planning, designing, and construction funding should be in Act 279.

Commissioner Helm stated the beneficiaries are the ones going to have the most pain. The Commission needs to meet the time frame. For the record, the truth matters. Regarding the Moloka'i scattered lots and Naiwa, he understands that Act 279 will cover the cost of planning and design but not for construction. He asked where the Department would get the funding for the two projects on Molokai.

Commissioner Namu'o stated she was on the Permitted Interactive Group that created the Plan. She supported the Plan because a lot of work was put into it, and beneficiaries were consulted. They were supportive, there was community involvement, and the staff worked hard to ensure the components of it would work as we moved along to allow flexibility. She wanted to clarify that she also supports the Five-Point Plan and thinks it is included somewhat in the \$600 million that the Legislature has allotted to the Department. She thinks that the Commission/Department needs to move on to the Strategic Plan first so that it does not jeopardize the overall funding. She thinks the Commission needs to work with Chair Anderson to move things forward for the beneficiaries.

Commissioner Neves clarified two areas in the Plan. Page 25 is about the rental assistance program's preliminary considerations. Page 21 is about individual homeownership programs' preliminary considerations.

Chair Anderson stated at the beginning of his comments that he did specifically state that the Commission plan would serve as a foundation because this Commission voted on it. He was also quoted in the newspaper as having said in the January Commission meeting that he did not believe that we should blow up that Plan, nor that he wanted to blow up that Plan. He believes it needs to serve as a foundation. In that regard, as a commitment to the Commission Plan submitted last month to the Legislature, serving as a foundation, he signed two documents related to projects in that Plan just recently. One was an agreement with the Kamehameha Schools for two well sites for the La'i 'Opua Village II on Hawai'i island. The other document allowed the Hanapepe Residential lots on Kaua'i to go forward. One was for \$17.8 million, and another for \$4 million, which came directly from the Plan. For him, the existing Plan served as a foundation. Additionally, to date, the Department has encumbered more than \$14.7 million in Act 279 funds projects, which the Commission worked diligently on.

Chair Anderson stated that the Plan submitted in December would be the foundation. The Senate Committee asked him if he would be permitted to deviate. He stated that if he did, he only had a license to look at the Five Points in his Plan as he could not go further.

He stated Commissioner Neves did say that the Commission is open and that the Plan is flexible. Likewise, that is what he felt when talking with the Senate. The only flexibility he could offer was what was talked about in the Five Points. He did receive mana`o from folks like Ms. McBrayer, who wants the Commission to look at certain other points.

Chair Anderson stated his commitment is evidenced in the two documents he signed. The Plan would continue to serve as the foundation, and he is sure there will be other documents regarding moving forward with projects that Act 279 monies will go to. He stated he commits to hearing all beneficiaries' voices, regardless of which group or organization they belong to. If any beneficiaries want to share mana`o with him, he stressed that his door is open and more than happy to talk story.

Commissioner Neves went back to look at the other points and stated the Commission did not give the Chairman the authority to go beyond these other points. He will continue to vote no because there is a Strategic Plan, and the Commission needs to stick to it. Four of the other five items were already in the Plan. There should have been specifics so there would be no problem with what was presented to the WAM committee.

Chair Anderson invited the beneficiaries to submit their mana`o to the Commission if they would like the Commission to consider anything else. He told the Committee that the existing Plan would serve as a foundation. If the Commission were going to consider anything else, like putting kanaka in homes, it would be to build upon and maximize the existing Plan. He agreed that only this Commission could change the plan.

Commissioner Teruya asked if opening up for other considerations delays implementation. The Commission took a position on the extension. But the extension is not concrete because the Legislature needs to grant an extension first.

Commissioner Freitas stated because of lack of time. We need to attack this like we will not get the extension. We need to attack this head-on with an absolute sense of urgency. The best and most efficient way to stay close and on point with the intent of the Act and maximize efficiency. The best way is to follow the Plan that has been approved already.

Chair Anderson stated he had signed documents that would encumber more than \$22 million for projects in the Plan. He stated "we" agree with all the Commissioners regarding the passed plan.

Commissioner Awo agreed that Act 279 and the Commission's approved plan is the fastest and most responsible way to encumber, deploy and meet the Legislative mandate. He and the beneficiaries have concerns due to witnessing the January 19<sup>th</sup> WAM hearing. He asked the Chair to consider the impact of that hearing on the beneficiaries.

Commissioner Awo asked the executive session to cover a public hearing that occurred with WAM on January 19th, 2023, and the Commission was an observer and not a participant. What will adjudicatory concern be brought before Attorney General and the Commission?

Chair Anderson stated the Commission could ask the Attorney General questions concerning loan grants. There was also a point made about a particular employee.

Commissioner Ka`upu stated it came up today that there were new hires, and there is a concern about privacy. Perhaps in an executive session, it could be discussed if possible and deemed to be in the scope of the agenda.

MOTION

Moved by Commissioner Ka`upu, seconded by Commissioner Awo, to convene in an executive session 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. Motion carried unanimously.

**EXECUTIVE SESSION IN**

**1:58 p.m.**

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. Motion carried unanimously.

1. Discussion on DHHL Informational Briefing before the Senate Committees on Ways and Means and Hawaiian Affairs

**EXECUTIVE SESSION OUT**

**3:00 p.m.**

**ANNOUNCEMENTS AND ADJOURNMENT**

**NEXT MEETING**

The next HHC meeting – February 21 & 22, 2023, (Tuesday & Wednesday) Hale Pono`i, Department of Hawaiian Home Lands, Kapolei, O`ahu.

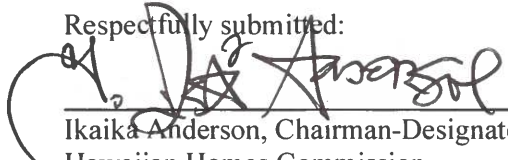
MOTION/ACTION

Moved by Commissioner Teruya, seconded by Commissioner Freitas, to adjourn the meeting. Motion carried unanimously.

**ADJOURNMENT**

**3:00 p.m.**

Respectfully submitted:


  
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Ikaika Anderson, Chairman-Designate  
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 22, 2023



Ikaika Anderson, Chairman Designate  
Hawaiian Homes Commission

# **Public Testimony**

**From:** [dhhl.icro1@hawaii.gov](mailto:dhhl.icro1@hawaii.gov)  
**To:** [Burrows-Nuuanu, Leatrice W](#)  
**Subject:** New submission from Submit J-Agenda Testimony  
**Date:** Thursday, January 26, 2023 4:38:37 PM

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**Name**

Scotty Reis-Moniz

**Email**

[scottyreismoniz@gmail.com](mailto:scottyreismoniz@gmail.com)

**Message**

My name is Scotty Reis-Moniz, Friends of Waimānalo nonprofit organization, We are in strong favor of Ikaika Anderson as our new Chairman of our DHHL.  
Our focus is Hawaiian workforce development Farming , construction/Housing , fuel & dry ice putting our people back to work with high quality certifications & skills in our new “GREEN COLLAR” jobs growing people.