

**Admin Committee Meeting Check-in with FD Aaron Salā**

**Monday, December 20, 2021**

**3:00-3:30pm, Zoom**

**Committee Members: M. Benham, S. Bento, J. Ke‘ohokalole**

**Festival Director: A. Salā**

**Excused: K. Ka‘anā‘anā**

1. Reviewed the December 6th Commission Meeting discussion regarding the need of a fiscal agent & employer for FestPAC. It was suggested that FD Salā meet with Randy Tanaka to learn more about how IUCN was managed.
2. FD Salā brought committee members up-to-date on venues discussion with UH-System President D. Lassner. More to discuss with venue committee.
3. FD Salā brought committee members up-to-date on his discussions with R. Tanaka, Carlsmith Ball LLP, and other pertinent/connected organizations. He stated that before moving forward he will be meeting with Gary (new AG for commission).
4. Committee asked FD Salā to draft a presentation for the Jan. 10th Commission Meeting that will bring the full commission up-to-date on his efforts as well as present the commission with next step action items to set up an administrative structure. The Admin Committee will meet to discuss on Monday, January 3, 2022, 5pm via zoom.

**Admin Committee Meeting Check-in with FD Aaron Salā**

**Monday, January 3, 2022**

**5:00p-6:00pm, Zoom**

**Committee Members: M. Benham, S. Bento, K. Ka‘anā‘anā, J. Ke‘ohokalole**

**Festival Director: A. Salā**

1. FD Salā and Chair Ka‘anā‘anā discussed the role of an administrative provider that would include:
  - a. Fiduciary responsibilities to include the intake of funds
  - b. Insurance Coverage for the festival
  - c. Employ FestPAC staff
  - d. Retain legal services for the event
2. Committee discussed the need to procure (RFP) an Administrative Provider. This would take, at minimum, 6-months.
3. In light of the need to immediately establish a functioning administrative structure that can (at minimum) begin to intake funds and support the efforts of the Festival Director, committee discussed the need for an MOA with an “interim administrative provider”.
4. Committee will present a motion at 1/10 commission meeting to advance an MOA between HTA and DBEDT to support NaHHA as the interim administrative provider through June 2023. During this time the administration committee will develop RFP & search for a permanent FestPAC Administrative Provider.



HO'OU LU LĀHUI  
Regenerating Oceania  
13th Festival of Pacific Arts & Culture  
Hawai'i 2024

MINUTES OF THE COMMISSION ON THE 13<sup>TH</sup> FESTIVAL OF  
PACIFIC ARTS & CULTURE (FestPAC) MEETING

**MONDAY, DECEMBER 6, 2021 AT 2:30 PM**

VIA VIRTUAL APPLICATION ZOOM: VIDEO / AUDIO CONFERENCE

Commission Members Present:

|                          |   |  |
|--------------------------|---|--|
| Kalani Ka'anā'anā, Chair | - | Hawai'i Tourism Authority (HTA) Designee                         |
| Maenette Ah Nee-Benham   | - | Governor's Designee  |
| Sylvia Hussey            | - | Office of Hawaiian Affairs (OHA)                                 |
| Jamie Lum                | - | Department of Business, Economic Development and Tourism (DBEDT) |
| Richard Onishi           | - | House Speaker's Designee (Arrived 2:47pm)                        |
| Makanani Salā            | - | City and County of Honolulu Designee (Arrived 2:48 pm)           |
| Māpuana de Silva         | - | Community Member At-Large (Arrived 2:40 pm)                      |

Guests:

|                              |   |   |
|------------------------------|---|---|
| Hannah Braswell              | - | Public Member                           |
| Jackie Burke                 | - | Public Member                           |
| Mamiko Carroll               | - | Public Member                           |
| Maka Casson-Fisher           | - | Hawai'i Tourism Authority               |
| Keali'i Haverly              | - | Public Member                           |
| Dede Howa                    | - | Hawai'i Tourism Authority               |
| Lynn Martin Graton           | - | Public Member                           |
| Ngahiraka Mason              | - | Public Member                           |
| Monte McComber               | - | Public Member                           |
| Manulani Aluli Meyer         | - | Public Member                           |
| Diego Sanchez Garcia Peralta | - | Public Member                           |
| Aaron Salā                   | - | Festival Director                       |
| Mālia Sanders                | - | Native Hawaiian Hospitality Association |
| Kēhaulani Pu'u               | - | City Department of Parks & Recreation   |
| Kimberly Scott               | - | Public Member                           |
| Kanoe Takitani-Puahi         | - | Native Hawaiian Hospitality Association |
| Pris Texeira                 | - | Public Member                           |
| Luis Harry Thimason          | - | Public Member                           |
| Margot Vitarelli             | - | Public Member                           |
| Caroline Yacoe               | - | Public Member                           |

Staff:

|                 |   |                         |
|-----------------|---|-------------------------|
| Margaret Ahn    | - | Deputy Attorney General |
| Marlene Hiraoka | - | DBEDT                   |
| Timothy Tiu     | - | DBEDT                   |
| Scott Tome      | - | DBEDT                   |

Apologies:

|                     |   |                             |
|---------------------|---|-----------------------------|
| Snowbird Bento      | - | Community Member At-Large   |
| Jarrett Keohokālole | - | Senate President's Designee |

At 2:35 p.m., Chair Ka'anā'anā conducted roll call of Commissioners present: Chair, Ms. Ah Nee-Benham, Ms. Hussey, Ms. Lum. With Ms. Ahn's advice that the *wehena* may be conducted without quorum, Chair Ka'anā'anā invited Ms. Ah Nee-Benham to introduce Dr. Manulani Aluli Meyer to conduct the *wehena* (opening).

Dr. Meyer introduced an initiative that was created at University of Hawai'i West O'ahu (UHWO) called Niu Now. Dr. Meyer also reminded meeting attendees that it is *Makahiki* season – with hopes that the season of peace, gratitude and excellence will guide everyone. She emphasized that today is about *Lono* (Hawaiian god of peace, agriculture and abundance) and referenced “*Nānā I Ke Kumu*” a series of volumes of Hawaiian cultural practices that emphasizes resilience and *pono* (doing what is right), cultural landscaping and cultural agroforestry.

Niu Now is a movement that was founded by herself and Mr. Indrajit Gunasekara who is originally from Sri Lanka, a country that has maintained a relationship with *niu* for over 3,000 years. The movement focuses on coconuts as pivotal food resource and cultural rejuvenation tool to effectively transform Hawai'i. She shared slides that depicted the project and practitioners that she feels represents Hawai'i's history and future. She noted that 180 *niu* (coconut) seedlings were planted at Kūkaniloko, O'ahu. Coconut palms have been used ornamentally in film/arts, and coconuts have also, at times, been considered a liability. Niu Now is a movement that connects the islands of Hawai'i and the Pacific to coconuts that are rooted in community and *aloha 'āina* (caring for the land).

Dr. Meyer mentioned that Ms. Ah Nee-Benham asked her to conduct the *wehena* today because Niu Now was initially prepared to participate in FestPAC 2020, a community movement embedded in UHWO. When the 2020 Festival was cancelled, the group continued conducting webinars and other informational sessions virtually. She commented that coconuts are a food resource and can also be viewed as a cultural rejuvenation tool.

Dr. Meyer acknowledged and thanked Ms. Hussey and OHA for supporting their efforts at Kūkaniloko, O'ahu. A conference is scheduled to be held from May 12-14, 2022. She requested that coconuts be considered for FestPAC programming because it has a pivotal role in areas such as cultural weaving, vinegar, and food production where Sāmoans, Tongans and other Pacific Islanders would be able to relate to.

Chair thanked Dr. Meyer for the *wehena*.

### **CALL TO ORDER**

The meeting was called to order by Chair Kalani Ka'anā'anā at 2:48 p.m., who welcomed everyone present via ZOOM and Facebook Live.

At this time, Chair noted that Ms. de Silva, Vice-Chair Salā, and Mr. Onishi joined the meeting.

### **PUBLIC TESTIMONY ON AGENDA ITEMS**

Chair Ka'anā'anā invited members of the public to testify on the agenda items. Hearing none, he proceeded with the rest of the agenda items.

### **APPROVAL OF NOVEMBER 22, 2021 MEETING MINUTES**

The minutes were distributed and reviewed by Commissioners. Chair asked if there were any comments or changes to the minutes. Hearing none, he asked for a motion to be made and a motion to approve the minutes was made by Ms. Ah Nee-Benham and seconded by Ms. de Silva. A roll call vote was requested with the following Commissioners approving the motion to approve the minutes of November 22, 2021: Chair Ka'anā'anā, Vice-Chair Salā, Ms. Hussey, Mr. Onishi, Ms. de Silva, Ms. Lum, Ms. Ah Nee-Benham.

Motion was unanimously approved.

### **REPORT ON PERMITTED INTERACTIONS, PURSUANT TO ACT 103, SESSION LAWS OF HAWAI'I 2021**

Chair reported that there were no Permitted Interaction Group meetings held between the last Commission meeting and today's meeting.

### **ADMINISTRATIVE COMMITTEE REPORT & UPDATE**

No meeting was held by the Administrative Committee.

### **VENUES COMMITTEE REPORT & UPDATE**

No meeting was held by the Venues Committee.

### **FESTIVAL DIRECTOR REPORT & UPDATE**

Chair Ka'anā'anā turned over the next portion of the agenda to Festival Director (FD) Salā.

FD Salā reported that he hopes to meet with the UH Mānoa Executive team soon regarding the Festival Village. He also would like to schedule meetings with commissioners individually. The FD reported that he also met with key partners – Mr. Jonathan Johnson of the State Foundation of Culture and the Arts; Ms. Mary Hattori of the East-West Center's Pacific Islands Development Program; representatives of the Bishop Museum and Polynesian Cultural Center. The FD also discussed matters related to operational actions specifically pertaining to fundraising and friend-raising and the need to identify a fiscal agent for the 2024 Festival. He would like to solidify operational actions to build MOUs with partners at OHA, the East-West Center and other organizations. As soon as the Festival Village venue has been confirmed, he will need to operationalize and recruit staff; however, he expressed the need for some guidance in these areas.

Chair invited Commissioners for comments or questions.

Ms. Benham asked the FD to elaborate further on his idea of a fiscal agent. FD Salā mentioned that he and the Chair met a few weeks ago to discuss these matters. He understands that there is a trust fund at DBEDT, however, it would be more beneficial to funders if their contributions were made to a 501(c)(3). He suggested creating a new non-profit for this purpose. He noted that his contract is with NaHHA through funding support from the HTA. He believes that creating a new non-profit organization would enable funds and agreements to remain separate for Festival organization purposes. He also suggested NaHHA becoming the fiscal agent, however, he would like to have further discussions with appropriate individuals and return with his recommendations to the Commission. However, he would appreciate the Commission providing guidance.

Ms. Ahn commented that she would be interested in seeing a written document that would describe how funds would be accounted for. Chair commented that funders would not be able to take tax breaks if funds are contributed to a State agency trust fund. He suggested consideration to establish a non-profit entity that would have a sunset date in line with the Commission's life.

Ms. Ahn commented that there would be a procurement issue if a State agency contracted with the fiscal agent. DBEDT does not have the authority to establish a 501(c)(3). Chair stated that the HTA does not have the authority to create a non-profit organization. Ms. Ahn indicated that she would discuss this matter further with the Chair and HTA's Deputy AG.

Mr. Onishi asked Ms. Ahn whether the Commission would have the capacity to authorize the establishment of a 501(c)(3). Ms. Ahn stated that because the Commission is part of the State, that scenario would not be possible. She reiterated again that there needs to be documentation regarding how funds will be accounted for.

Ms. Lum commented that regarding DBEDT's trust account, if donors are looking for tax write-offs, that would not be possible if funds are directed to DBEDT. When funds are added to State coffers, even if it is a trust account, procurement rules would apply. She suggested that the FD contact Mr. Randy Tanaka who chaired the World Conservation Congress regarding how that event managed private contributions. Vice-Chair Salā gave an example that Honolulu City Lights is run by a non-profit organization.

The FD indicated that he met with Mr. Tanaka and learned that the University of Hawai'i (UH) Foundation and the Research Corporation of the UH were used in the case of the World Conservation Congress. He asked whether a non-profit could be formed via a Request For Proposal (RFP) process.

Chair commented that today's discussion was intended to begin conversations regarding these operational considerations. He asked the FD to continue conducting due diligence and report back to the Commission during the January Commission meeting.

Mr. Onishi commented that the Commission consider establishing a working relationship with Native Hawaiian Hospitality Association (NaHHA) as a fiscal agent. Chair stated that the HTA

is required to follow all procurement rules. He also mentioned that the HTA's contract with NaHHA ends in June 2022. Without additional funding, it limits NaHHA's ability to assist the Commission far into the future.

Mr. Onishi pointed out that the FD brought up a second issue related to staffing. He suggested that the FD develop a proposed budget for staffing, the fund developer's position and other positions required for project execution purposes. The Commission should review functionality of the operation/budget and make budgetary adjustments as needed.

The FD stated that he will put together a budget and work with Commissioners. He indicated that he would use the Festival Handbook as a guide. Once the Festival Village has been confirmed, he will develop a budget. Chair advised that the FD's draft would go through the Administrative Committee (AC) first before being presented to the Commission.

Ms. Ah Nee-Benham commented that the FD will conduct due diligence to identify entities for fundraising, setting up an office, and identifying the extent of administrative support staff needed. Chair stated that developing a budget is fine, however, at this time, there are no funds available.

#### **PUBLIC TESTIMONY ON AGENDA ITEMS**

Chair Ka'anā'anā invited the public to again offer comments. Hearing none, he moved into announcements.

#### **ANNOUNCEMENTS**

Chair indicated that in 2022, Commission meetings will begin at 3:00 p.m. instead of 2:30 p.m. He asked Ms. Sanders to distribute the 2022 calendar of meetings and noted that adjustments to dates can be made as needed. Related to Act 220, Session Laws of Hawai'i, there are some Sunshine Law changes for Commission meetings. Staff will need to identify a physical location for members of the public to observe virtual meetings.

#### **NEXT MEETING – DECEMBER 20, 2021**

The next FestPAC Commission meeting is confirmed for Monday, December 20, 2021, at 2:30 pm. Chair commented that given the holiday season, there may be a need to cancel the December 20, 2021 meeting.

#### **ADJOURNMENT**

Chair Ka'anā'anā adjourned meeting at 3:13 p.m.

Respectfully Submitted,

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Kalani Ka'anā'anā  
Chair

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12/10/2021  
Date