



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

MONDAY, FEBRUARY 13, 2022, AT 3:00 PM

HAWAI'I CONVENTION CENTER
PARKING FLOOR, BOARDROOM A
1801 KALĀKAUA AVENUE
HONOLULU, HI 96815

THIS WAS A HYBRID MEETING AND WAS ALSO
HELD VIA VIRTUAL APPLICATION ZOOM:
VIDEO / AUDIO CONFERENCE

Commission Members Present were:

Kalani Ka'anā'anā	-	Hawai'i Tourism Authority (HTA) Designee
Maenette Ah Nee-Benham	-	Governor's Designee
Snowbird Bento	-	Community Member At-Large Designee
Māpuana de Silva	-	Community Member At-Large Designee
Jarrett Keohokālole	-	Senate President's Designee
Jamie Lum	-	Department of Business, Economic Development & Tourism (DBEDT) Designee
Richard Onishi	-	House Speaker's Designee
Kehaulani Pu'u	-	City and County of Honolulu Designee

Guests:

Monte McComber	-	Commission Liaison to CPAC
Aaron Salā	-	Festival Director
Makanani Salā	-	Public Member
Jose Inigo Santos	-	Gravitas Pasifika
Mālia Sanders	-	Native Hawaiian Hospitality Association
Ka'iulani Spencer	-	Native Hawaiian Hospitality Association
Lynn Martin Graton	-	Public Member
F. Palani Sinenci	-	Public Member
Daniel Anthony	-	Public Member
Adam Lee	-	Public Member
Richard Kurin	-	Public Member

Mikki-tae Tapara	-	Public Member
Piripi Menary	-	Public Member
Eric Chang	-	Public Member

Staff:

Elise Amemiya	-	Department of the Attorney General
Ilihia Gionson	-	HTA
Maka Casson-Fisher	-	HTA
Micah ‘Ākau	-	HTA
Irina De La Torre	-	HTA
Timothy Tiu	-	DBEDT

Apologies:

Sylvia Hussey	-	Office of Hawaiian Affairs Designee
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CALL TO ORDER

Chair Kalani Ka‘anā‘anā welcomed all to the first hybrid (online/in-person) meeting today and called the meeting to order at 3:02 p.m. Festival Director Salā presented the *wehena* (opening) explaining what a greeting is exactly and how it was used as a way to ground us all. Mr. Salā performed a song called “Aloha Nō” with Ms. Bento dancing the *mele* (song).

Chair began roll call with the following commissioners present, Chair Ka‘anā‘anā, Ms. Ah Nee-Benham, Ms. Bento, and Ms. Lum attended in-person and Ms. de Silva, Mr. Keohokālole, Mr. Onishi, and Ms. Pu‘u attended via teleconference. Ms. Hussey was excused.

PUBLIC TESTIMONY ON AGENDA ITEMS

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

APPROVAL OF JANUARY 23, 2023 MEETING MINUTES

The January 23, 2023 minutes were distributed and reviewed by Commissioners. Chair Ka‘anā‘anā asked if there were any comments or changes to the minutes. Ms. Ah Nee-Benham identified two areas with amendments.

With these recommended corrections or amendments, he asked for a motion to be made and it was made by Ms. Benham and seconded by Ms. Lum. A roll call vote was requested and the following Commissioners approved the motion to approve the minutes of January 23, 2023 with amendments: Chair Ka‘anā‘anā, Ms. Benham, Ms. Bento, Ms. de Silva, Mr. Keohokalole, Mr. Onishi, Ms. Pu‘u, and Ms. Lum, approved the January 23, 2023 minutes are adopted.

Chair Ka‘anā‘anā asked Ms. Amemiya if the commission could take the agenda item “Presentation, Discussion and/or Action Regarding the Festival Director Report”, out of chronological order so that they could dismiss Mr. Salā before the Festival Provider discussion. Ms. Amemiya shared her approval.

PRESENTATION, DISCUSSION AND/OR ACTION REGARDING THE FESTIVAL

DIRECTOR REPORT

Mr. Salā began his report by highlighting the topics he would be talking about for the Council of Pacific Arts and Culture (CPAC) Meeting in mid-March 2023: Programming, Venues, Biosecurity, Ground Logistics, and Media & Broadcasting.

The CPAC Meeting will take place March 14-16, 2023 at East West Center (EWC) at the Imin Conference Center, and the Commission is invited to attend the March 14 meeting from 9 – 11 a.m. Chair reminds commissioners to not exceed four commissioners in attendance due to Sunshine Law stipulations.

Mr. Salā discussed the various programming they will be talking about including Ceremonies, Traditional Leaders' Summit, Festival Village, Meetings, Conferences & Symposia, Ecumenical Service, Youth Ambassador Program, and Expo & Festival Marketplace with the understanding that the Youth Ambassador Program is a new pillar that Mr. McComber has been focusing on to discuss what is happening on each hosting country and how to activate this program between festivals.

The following venue places are being considered for the Festival:

- UH Mānoa (UHM) – Opening & Closing Ceremonies, Festival Village & Primary Performance Venue
- Hawai'i Convention Center (HICC) – Meetings, Conferences & Symposia; Expo & Festival Marketplace
- 'Iolani Palace – Traditional Leaders' Summit
- Kawaiaha'o Church – Ecumenical Service
- Bishop Museum (BM) – Delegate Engagement; a network of Artisans who can see what Bishop Museum has in their collection (Weavers, Carvers, Artesian, etc.)
- Polynesian Cultural Center (PCC) – Delegate Engagement
- Royal Hawaiian Center (RHC) – Performance Venue

Mr. Salā advised a hold on Stan Sheriff Center as a secondary backup for the Ecumenical Service.

On the topic of Biosecurity, Mr. Salā shared his gratitude to Mr. Benton Keali'i Pang, Ph.D. for all of his support in Biosecurity. Mr. Pang has moved positions within Fish & Wildlife but is still assigned to support FestPAC. He and Mr. Salā are preparing a briefing next week to facilitate the process of customs and immigration. Mr. Salā is in touch with the SPC regarding the process used for The Pacific Games accreditation process as a means to follow that example.

Ground Logistics are set, and accommodations and meal plans (breakfast and dinner) are built into the current contract. Lunch is planned from 11 a.m. – 2 p.m. so attendees can eat depending on the timing by their head of delegation.

High-level quotes have returned for transportation and will be buttoned up as time gets closer.

There are several governmental briefings happening. Senate SB449 will be heard on February 14, 2023. Mr. Salā is preparing a briefing to the Governor on February 16, 2023 and a briefing

with the Congressional Delegation on February 22, 2023.

Festival Director acknowledged Dr. Richard Kurin with the Smithsonian Institution who has shared their interest to support FestPAC in several ways.

Ms. Bento comments that they cannot have a quorum for the CPAC meeting unless they decide to agendize the meeting. Chair Ka'anā'anā adds in that the CPAC meetings are not Commission meetings, CPAC meetings are closed meetings and that because commissioners are subject to the to the Sunshine Law it would make that meeting public. Festival Director comments that he's been meeting with SPC and will bring it up to them.

Mr. Onishi asks if SPC needs to put it in as a public meeting or if we as the FestPAC Commission would need to submit it as a public meeting. Elise advises the Chair that the Commission would need to put it on as a public meeting. The team will double-check what is the right protocol for the CPAC Meeting with Deputy Attorney General.

Chair Ka'anā'anā had a question for Mr. Salā and wants an update on the housing contract with UHM. He also questioned which meetings within the programming of the Festival are being hosted by SPC. FD Sala shares that SPC was hoping that these meetings be facilitated by UHM.

Chair reminds the Commission that if someone wanted to have an ancillary event during the Festival, that wouldn't be a problem and comments that the only meetings that end up in the Festival programming are ones that the Commission hosts and that it doesn't conflict with the official events (SPC-led or approved by the Commission).

Mr. Salā acknowledges these remarks; notes were taken and understood. The Chair shared that he has updates regarding the VISA and immigration process and can connect Mr. Salā with the appropriate contacts when he is ready.

Ms. De Silva commented that the Culture for Sustainable Development convening has not fallen under CPAC before and asked for clarity on that, and if the commission is required to sponsor both Culture for Sustainable Development and Pacific Philosophies convenings.

The Chair asks Mr. Salā if he needs any support for the meeting with the Governor. Mr. Salā asks Mr. Keohokālole if there's any feedback, Mr. Keohokālole responded with no.

Mr. Salā will defer to Mr. Keohokālole and Mr. Onishi regarding who should be in the room for that meeting. Mr. Salā advised that he has put together a presentation for FestPAC and has the goals of SPC as FestPAC evolves intertwining with the 2050 partnership. Ms. de Silva shares that she is available for those two days if Mr. Salā feels like her presence would be helpful.

The chair opened the floor to any questions from the public. Mr. Miki-tae Tapara from Aotearoa (New Zealand) asked what venues will CPAC be visiting in March. Mr. Salā responded that they will be visiting UHM, HICC, 'Iolani Palace, Kawaiahao Church, BM, PCC, RHC, and visiting Sand Island where the *Wa'a* (canoe arrival) Ceremony will take place.

Any location where attendees will be spending a significant amount of time will be visited.

Miki-tae Tapara had a follow-up question requesting to see the venues and have access to check out performing space, dimensions of the stage as well as technical information for the shows and exhibition areas.

Mr. Salā acknowledged the request and advised that there will be a dossier with the logistical information included during the CPAC visit.

Miki-tae Tapara shared that receiving the exhibition space information would be the most helpful as that will dictate their delegation size. He followed up with an additional question regarding the Festival website inquiring when the website will be live to which Mr. Salā reflected the question back to the commission.

Mr. Salā would hold a new press conference that would reestablish the festival, but we would circle back with him when we have buttoned up more information.

Chair Ka'anā'anā asked Ms. Amemiya if the commission could take the agenda item "Report on Permitted Interactions, Pursuant to Act 103, Session Laws of Hawai'i 2021" out of chronological order so that they could dismiss Mr. Salā. Ms. Amemiya shared her approval.

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

Chair Ka'anā'anā advised that the Administrative Committee (AC) and the Venues and Programming Committee (VC) did not meet nor did anyone else.

Chair Ka'anā'anā asked Ms. Amemiya if the commission could take the agenda item "Discussion on Honorary Chair Position for the Festival of Pacific Arts & Culture" out of chronological order. Ms. Amemiya shared her approval.

Chair Ka'anā'anā advised staff would be passing out the draft Request for Proposals (RFP) for the Festival Provider to Commissioners only while the Commission was in discussion on the next agenda item.

DISCUSSION ON HONORARY CHAIR POSITION FOR FESTIVAL OF PACIFIC ARTS & CULTURE

Chair Ka'anā'anā shared that it has been many moons since nominated someone for the Honorary Chair (HC). The chair shared that he would like First Lady Green to be considered for this position and opened up the topic for discussion. Ms. Bento asked what are the primary responsibilities of an HC to which the Chair stated that the role is clarified in the Festival Manual but generally the position is ceremonial and is an ambassador. This would provide First Lady Green (if she would be interested in the role) the opportunity to support the Festival as well as her being connected to the Governor. Ms. Benham asked if there have ever been multiple HCs or if it's always been singular. Chair Ka'anā'anā shared that it varies by Festival.

Ms. Benham asks Chair Ka'anā'anā if he could elaborate on the multiple reasons why he considered this nomination to which he responded that she has staff, time, and interest, which

is exactly what they're looking for with support. Ms. Lum commented that from a protocol standpoint and sister states, this nomination would serve the commission well. Mr. Keohokālōle shares that if the First Lady is interested, this makes sense, and agrees that this is a good idea. Mr. Onishi shares that his only concern is the role and that he has heard and knows of a situation where the HC feels like they need to dive deep into the event. He would like to ensure that the HC has a very clear understanding of the role.

Chair Ka'anā'anā recommends that he will draft roles and responsibilities for the HC for the commission to review and discuss.

Mr. Keohokālōle asks if this is going for a decision or a general question for consideration. Chair Ka'anā'anā shares that it would need to go for a decision but he can sense the hesitation and so he will provide a written document that would give time for the position description to be created and additional names to be considered for the March meeting.

Chair Ka'anā'anā shares that at the end of the day, the law leaves the planning and implementation to the Commission to create the guidelines and boundaries upfront.

Ms. Benham commented that she appreciated the conversation, and a short briefed listed of some of the responsibilities but given that they could list a handful of extraordinary people who could bring their gifts to this process, she would like the space for whoever is the HC to be given the opportunity to bring their gifts to this role as well.

Chair agrees and shares that as the HC, the First Lady who has the ceremonial experience, combined with experiences of our *kūpuna* (elders), *ōpio* (youth), and *keiki* (children) and through the many inter-generational connections and experiences gained through the Festival, we will all be witness of this, so that this story of FestPAC can live on.

DISCUSSION ON PROCUREMENT FOR FESTIVAL OF PACIFIC ARTS & CULTURE FESTIVAL PROVIDER

Chair confirms that every commissioner has received the draft to which all commissioners present respond "Yes".

Ms. Benham shares that it was the AC's responsibility to create the draft RFP for a Festival Provider whose sole responsibility as an entity would be to procure sub-contractors, execute the planning, programming, and management of the Festival, and to providing the fiscal services that are needed. Ms. Benham thanked Ms. Amemiya and Ms. Lum for all their support in creating the draft. Ms. Benham also wanted to thank Mr. Keohokālōle who shared insight on the scope of work. She notes that the Commission is looking for a 501c3 non-profit organization as the Festival Provider who can accept donations and provide donors with a letter of donation. Section 2.2.2. will provide the Commission with a comprehensive list of duties and responsibilities. The draft RFP asks for a lot of information to confirm how they would oversee the project, list of activities, etc.

Chair opened the floor for discussion and Mr. Onishi started by asking for clarification if the commission is looking for a Festival Provider versus a Festival Director and after reading it, he

is concerned that the Commission is going back to a previous where the commission had challenges managing the entity. When he looked at the scope of work and the services that needed to be provided and required, it seemed that they were asking for a Provider that was a 501c3 specifically to collect and process donations. When looking at Paragraph 2.2.2 it is mostly the Festival Director's responsibility to do. His question is it the Festival Director or the Festival Provider who will be reporting their updates, who is being held accountable? Through the Native Hawaiian Hospitality Association (NaHHA), the Festival Director was able to be directed by the Chair but Mr. Onishi is very hesitant in going this direction for accountability reasons. Mr. Onishi feels that the management of various Memorandum of Understanding (MOU) are not included in this scope (ex. BM, UHM, HICC etc.) and establishing a relationship with for housing, logistics, etc. to host the Festival. He would like to see these items specifically laid out. In looking at the requirements of the Festival Provider, he finds it to be challenging to find someone in Hawai'i that can meet the requirements needed in Paragraph 2.2.1.

Chair shares that on Page 4, our intent was to manage the Festival Provider with key staff for accountability and the fear is that the Commission does not have the authority to enter into a contract with any entity. The idea is a turnkey solution so that DBEDT staff does not need to procure for every element of the Festival.

Mr. Onishi responds that this model hadn't worked before and so why should they switch from what is working to this new draft RFP.

Ms. Amemiya explains that right now, we have no Festival Provider as Mr. Salā is working in a volunteer capacity as his contract has ended with NaHHA. Mr. Onishi shares that he understands that. Chair is asking is Mr. Onishi's recommending to just hire a staff person instead? Mr. Onishi says no, his proposal would be to procure a Festival Director that would be able to enter MOU and other required necessities with the approval of the Commission and with the understanding that the Commission would have someone that was accountable.

The Chair shares that he isn't sure how to procure for an individual because it feels more like a hiring thing as opposed to a procurement. If they figured out how to procure for an individual, how would they operate?

Mr. Keohokālole asked who would do the procurements for the execution processes for the Festival? Would it be under the Director of DBEDT's direction? Mr. Onishi is of thought that it should be to hire for a Festival Director position. Ms. Benham clarified that this draft RFP is for a Festival Provider (an organization) and they would hire a Festival Director who will work within that organization and infrastructure.

Chair Ka'anā'anā adds that the missing link here is explaining that with NaHHA, the Festival Director role was a sub-contractor of theirs within their current scope of work and their contract had specific language for them to support the Festival. The chair further shared that NaHHA reported to HTA and that's how the Commission received all their updates. That is how the Festival Director role has been able to support the Commission through HTA.

Ms. Amemiya makes a note that technically this commission is administratively attached to

DBEDT, but the draft RFP and intent for the discussion is for DBEDT to contract the Festival Provider and the Commission to oversee the accountability.

Chair Ka'anā'anā says that we can always amend the draft RFP for the line of reporting and can call it out as part of that.

Ms. Amemiya shares that she feels like the problem in the solicitation of the donation, it's not clear if a donation to the state would be tax deductible but a donation to a 501c3 non-profit would be. Outwardly once these donations are accepted, they become state funds and would need to use procurement to expend for items or services.

Ms. Benham asks if they shifted it to a more intentional way of reporting, would that suffice? Mr. Onishi says he doesn't think it's only the reporting that is an issue, because the commission is directing the executing and asking the Festival Director to do work. Ms. Benham agrees but shares that the Festival Director's hands are tied since he cannot enter into any contracts, MOUs, at this time and that there are only two contracts that are signed (HICC and UHM) because the Festival Director doesn't have the authority to do it at this time and her concern is trying to get an entity who to be given this responsibility and quickly. Mr. Onishi says that previously the issue is the way the procurement was done, and the other issue is we didn't have any money to do a procurement and now that there is money through donations, his concern is a proposal coming in that potentially going to be tens of millions of dollars for everything, but we don't have the money for that, how do we sign the contract?

Chair Ka'anā'anā chimes in that the intent of this entity under this procurement is to act on our behalf as the Commission and direction to solicit donations, hire employees, and free the Commission from having to handle it a different way.

Mr. Onishi states that but again, it's a proposal for the whole thing, right? DBEDT can only sign the contract for what they have funds for, and I don't believe we have the funds.

Chair Ka'anā'anā states that Mr. Salā is going to send us the check from the donor for \$250,000 but essentially there is \$200,000 for their services as the provider is able to collect money.

Mr. Onishi asked What then happens to the festival during the lulls and will they have the funds to hire a Festival Director?

Ms. Benham says that some of the funds would be used to hire a Festival Director and staff and points out in compensation, that there is a portion that references that the current funds are not enough for the entire Festival and the Festival Provider would be responsible to solicit and fundraise for the Festival.

Mr. Onishi states that he has had his say and leaves it at that. Ms. Benham said the good thing about these types of debates is that it creates a more vigilante Commission when they go through this process. The Commission is unique and uncharted territory to navigate and the alternative would be a very slow process.

Chair Ka'anā'anā shares that the path of least resistance is the path that they're currently going on by procuring a Festival Provider who would hire a Festival Director who would then report to the Commission.

Ms. Bento asked about the scope of work and after reading it, her question is if there is a non-profit that's local that can handle this kind of work. Her guess is no and she doesn't want to see this festival go elsewhere since Hawai'i doesn't have any festivals like this.

Chair Ka'anā'anā asks for specific edits and brought up (letter B/K in 2.2.1) for revision. Ms. Benham shares that they are open to critiques.

Mr. Keohokālole in reference to Ms. Bento's question thanks her for her feedback and fair concerns that he had as well as he has a hard time seeing a large-scale provider outside of Hawai'i being able to do the rest of the scope.

Ms. de Silva shares that she wasn't able to wrap her head around the draft RFP since receiving it as it is not within her expertise, but all of the concerns are really valid, and she is worried because they are really behind. She understands that government bureaucracy is a thing but wants people to consider if there's any reason to break up the draft RFP into smaller pieces as we are in uncharted territory and there is no time to take a chance and no luxury of time, which Chair Ka'anā'anā agrees. Ms. de Silva also shares that she's worried they won't be able to direct it as it is their responsibility.

Chair Ka'anā'anā suggests that maybe it makes sense to include full-time employees in the scope. Mr. Keohokālole said that it is less likely as they probably wouldn't be able to since they wouldn't be able to secure employees until January 2024. Chair Ka'anā'anā agrees and thinks that would be the only other way he could see a different procurement happening.

Ms. Benham shares that there is a sense of urgency and that she doesn't think they can wait for the draft RFP.

Chair Ka'anā'anā calls a quick recess at 4:43 p.m.

Chair Ka'anā'anā calls the meeting back to order at 4:51 p.m. thanking the commission for such a robust discussion. He would like to propose a motion this evening on authorizing a procurement for a Festival Provider, Ms. de Silva seconded and opened up the discussion.

Chair shared that any edits to the draft RFP can be made, page four letter R – asking that the final report be turned in before August 2023. The other edit is and the total amount for the available funds as there are key responsibilities a portion of the funds need to go to hosting (CPAC Meeting hosting and a CPAC Meeting trip to New Caledonia). Chair would like to amend his motion that the commission can continue to make edits and provide feedback before issuing the draft RFP, and the total value for this project to not exceed the amount for hosting CPAC and Commissioner de Silva and one other representative to travel to the CPAC meeting in New Caledonia on official business. Ms. de Silva seconded the chair's amendment.

Ms. Benham is clarifying what is the deadline? As they are looking to issue the final RFP on February 20. Chair then asked for all comments to be turned in by 4:30 p.m. on Friday, February 17, 2023.

Ms. Lum says that a time less than 30 days can be requested by the head of procurement if the Chair deems it necessary. The chair is asking if any Commissioner would like to send this in for request, which Ms. Lum is sharing that DBEDT doesn't often have a pre-proposal conference but can. Mr. Keohokālole says that he believes they should do the procurement as much by the book as possible, which Chair agrees and strikes the adjustment to less than 30 days.

Chair Ka'anā'anā moves forward with the vote and votes aye, all commissioners vote aye. The motion carries and thanks people for allowing the procurement process to move forward.

PRESENTATION, DISCUSSION AND/OR ACTION REGARDING ADMINISTRATIVE COMMITTEE UPDATE

Chair Ka'anā'anā defers this agenda item as most of the update came within agenda item number 5.

PRESENTATION, DISCUSSION AND/OR ACTION REGARDING VENUE COMMITTEE UPDATE

Chair Ka'anā'anā defers this agenda item as the VC meeting did not meet.

PUBLIC TESTIMONY ON AGENDA ITEMS

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

ANNOUNCEMENTS

Ms. Bento has the responsibility for the *wehena* at the next meeting.


NEXT MEETING MARCH 20, 2023

The next FestPAC Commission meeting will be held, via Zoom, on March 31, 2023.

ADJOURNMENT

Chair Ka'anā'anā adjourned the meeting at 5:02 p.m.

Respectfully Submitted,



Kalani Ka'anā'anā
Chair

3/31/2023
Date