

KAKA‘AKO MAKAI COMMUNITY PLANNING ADVISORY COUNCIL

CONSENT AGENDA

Steering Committee Recommendation

Identify one ex-officio position each on the Steering Committee in addition to the duly elected officers for representatives appointed by the Office of Hawaiian Affairs (OHA) and Kamehameha Schools (KS), with each representative officially appointed by OHA and KS respectively for the interim term and thereafter, and with the understanding that these ex-officio members would not hold two positions by also being officers of the CPAC.

At their meeting on January 23, the Steering Committee deliberated on questions concerning public perception of a conflict of interest and/or undue influence that had been brought forth regarding nominees for CPAC office who represent the Kaka‘ako Makai land development interests. The two nominees officially represent Kamehameha Schools (KS) and the Office of Hawaiian Affairs (OHA) at CPAC meetings. Key points considered were as follows:

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- Should both candidates be elected as officers representing the CPAC, this would result in half of those in officer roles publicly representing the CPAC also representing land development entities interested in economic gain from Kaka‘ako Makai.
- Historically the community stakeholders have been understandably sensitive to this, and the CPAC would not exist without those dedicated to preserving the Kaka‘ako Makai shoreline for public use and the resulting legislative action advising the establishment of this working group.
- This concern is not about people, but about policy and process, and the CPAC needs to maintain credibility with the public as well as the HCDA.
- While it may be clear to some that one voice could be separated from the other in an officer’s representation of the CPAC, the public may ultimately perceive this as representation by big development interests.
- The representatives of OHA and KS as CPAC participating members are beneficial for open communication and comprehensive discussions at CPAC meetings, and KS participation on the Steering Committee has been beneficial and is encouraged. But as officers publicly representing the face of CPAC they could create a perception of conflict of interest or undue influence.
- There is an OHA representative on the HCDA board, and according to the proposed OHA land settlement another OHA representative may be added, and election of the OHA nominee to the CPAC may invite a perception of undue influence or conflict of interest.
- It was suggested that OHA and KS representatives could be accommodated as recognized members of the larger Steering Committee in lieu of being officers of the CPAC, thus they would have due involvement as Kaka‘ako Makai land interests without a perception of undue influence.
- The KS representative, who is presently a member of the Steering Committee, consented to this proposal because this would assure his continued involvement on the Committee. The following day, OHA agreed and approved of the proposal.

It was concluded by consensus that the Steering Committee believed this to be a reasonable recommendation and fair solution for the purpose of being all-inclusive while avoiding the appearance of conflict of interest and/or perception of undue influence by elected officers.