



COMMITTEE ON BENEFICIARY ADVOCACY
AND EMPOWERMENT

John Waihe'e IV, Chairperson
Kalei Akaka, Vice Chairperson
Leina'ala Ahu Isa, At-Large
Dan Ahuna, Kauai/Ni'ihau
Keli'i Akina, At-Large
Brendon Kalei'aina Lee, At-Large
Carmen Hulu Lindsey, Maui
Robert K. Lindsey, Jr., Hawai'i Island
Colette Y. Machado, Moloka'i/Lāna'i

STATE OF HAWAII'
OFFICE OF HAWAIIAN AFFAIRS

COMMITTEE ON RESOURCE
MANAGEMENT

Dan Ahuna, Chairperson
Robert K. Lindsey, Jr., Vice Chairperson
Leina'ala Ahu Isa, At-Large
Kalei Akaka, O'ahu
Keli'i Akina, At-Large
Brendon Kalei'aina Lee, At-Large
Carmen Hulu Lindsey, Maui
Colette Y. Machado, Moloka'i/Lāna'i
John Waihe'e IV, At-Large

**JOINT MEETING OF THE COMMITTEE ON
BENEFICIARY ADVOCACY AND EMPOWERMENT AND
THE COMMITTEE ON RESOURCE MANAGEMENT**

DATE: Wednesday, April 24, 2019
TIME: 10:00 am
PLACE: OHA Board Room, Nā Lama Kukui
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Public Testimony*
- III. New Business[†]
 - A. Approval of Minutes – March 20, 2019
 - B. Action Item BAE-RM #19-03- Consideration of a Process for the Selection of a Successor Chief Executive Officer
- IV. Executive Session[‡]
 - A. Approval of Minutes – March 5, 2019
 - B. Consultation with Board Counsel Robert G. Klein, Esq. re: questions and issues regarding the Board's powers, duties, and liabilities with respect to OHA Contract #3060. Pursuant to HRS 92-5(a)(4).
- V. Announcements
- VI. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: rainag@oha.org no later than three (3) business days prior to the date of the meeting.

*Notice: Persons wishing to provide testimony are requested to submit 13 copies of their testimony to the Chief Executive Officer at 560 N. Nimitz, Suite 200, Honolulu, HI, 96817 or fax to 594-1868, or email BOTmeetings@oha.org 48 hours prior to the scheduled meeting.

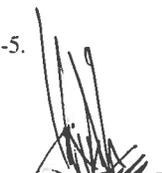
Persons wishing to testify orally may do so at the meeting, provided that oral testimony shall be limited to five minutes.

[†] Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

[‡] Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.

 4-15-19

Trustee Dan Ahuna Date
Chairperson, Committee on Resource Management

 _____
Trustee John Waihe'e, IV. Date
Chairperson, Committee on Beneficiary Advocacy & Empowerment

DRAFT

**STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. Nimitz Hwy, Suite 200
HONOLULU, HI 96817**

**Minutes of the Office of Hawaiian Affairs Committee on Resource Management
and Beneficiary Advocacy & Empowerment
March 20, 2019
10:00 am**

ATTENDANCE:

Trustee Robert Lindsey, Vice-Chair
Trustee Leina'ala Ahu Isa
Trustee Kalei Akaka
Trustee Keli'i Akina
Trustee Brendon Kalei'aina Lee
Trustee Carmen Hulu Lindsey

Trustee Colette Machado
Trustee John Waihe'e, Chairperson

EXCUSED:

Trustee Dan Ahuna, Chairperson

STAFF PRESENT:

Albert Tiberi
Raina Gushiken
Sylvia Hussey, COO
Edna Johnson
Jim Patterson
Karlen Oneha
Lee Miller
Lisa Victor
Mile Nishijima
Lady Garret
Maile Luuwai
Geanie Gomes
Lehua Itokazu
Carol Ho'omanawanui
Lopaka Baptiste
Claudine Calpito
Ron Porter
Paul Harleman
Melissa Wennihan
Kauikeaolani Wailehua

Alyssa Kau
Kama Hopkins
Zuri Aki
Lei Ann Durant
Priscilla Nakama

Guest and Community:

None

I. Call to Order

Vice Chair Lindsey Calls the Joint Workshop of the Committee on Resource Management and the Committee on Beneficiary Advocacy and Empowerment to order at 10:00am. Absence excuse received from Trustee Ahuna.

The roll call vote:

TRUSTEE		Present	Excused	Comments
LEI	AHU ISA	X		
KALEI	AKAKA	X		
KELI'I	AKINA	X		
BRENDON	LEE	X		
HULU	LINDSEY	X		
ROBERT	LINDSEY	X		
COLETTE	MACHADO	X		
JOHN	WAIHE'E	X		
CHAIR DAN	AHUNA		X	
TOTAL COUNT		8	1	

Acknowledges there are 8 trustees present and the meeting can continue. Also acknowledges that Trustee Waihee with also jointly chair this meeting.

II. Public Testimony*

None

III. Approval of Minutes for March 5, 2019

Moved by Trustee Waihee and seconded by Trustee Akaka.
Roll Call Vote

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
KALEI	AKAKA		X	X			
KELI'I	AKINA			X			
BRENDON	LEE			X			
HULU	LINDSEY			X			
ROBERT	LINDSEY			X			

COLETTE	MACHADO			X			
JOHN	WAIHE'E	X		X			
CHAIR DAN	AHUNA						X
TOTAL VOTE COUNT				8			1

MOTION: [X] UNANIMOUS [] PASSED [] DEFERRED [] FAILED

Passed at 10:02 am.

IV. New Business

A. Workshop: Kulia Grants Guidelines

Sylvia Hussey (COO):

Introduces topic for workshop being Kulia Grants and introduces Maile Luuwai (grants manager).

Maile Luuwai:

Introduces grants dept, staff: Edna Johnson, Jason Poloma, Karlen Oneha.

States that she wants to focus on the Kulia Grants process, which is critical to building confidence in the way the Kulia Grants are awarded. This is important so that there is understanding between the administration and the trustees. Kulia Grant review and approval process. As a recap, this all began in the RM Committee in 2017 when trustees set aside half a million \$ for the Kulia Grant program. Then an ad hoc committee was formed in August 2017 on grants and sponsorships. On May 25 the Kulia Grants and sponsorship guidelines and processes were introduced. Then it came to the grants dept. and their job was to take the ad hoc guidelines and create and administer the Kulia Grants. When (Luuwai) was hired in July this was already ongoing and therefore, when she joined they were already behind schedule on their timelines for both Kulia and Community Grants. They went through the grants planning process by creating timelines, solicitations, and applications. One key change to the scoring system was that if an organization has a participation or client base of 50% or more of native Hawaiians then they would be given an additional 10 points in their application score card. This allows them to be aware of organizations that both are excellent orgs and have a Native Hawaiian focus.

They did 18 Statewide orientations. 2 in Kona, 2 in Waimea, 2 in Hilo, 2 on Kauai, 2 in Kaneohe, 2 in Kapolei, 1 on Lanai, 2 on Molokai, and a teleconference for all those who missed the on-location orientations. There were 23 organizations who joined the teleconference.

All the applications are submitted online and we help each organization if they need it to submit their applications online, and that's where Karlen Oneha comes in.

They received 81 applications. They did their first eligibility review that all organizations must fulfill if they are to be eligible. She then explains what some of these eligibility requirements are. After the first review, the staff helps those organizations who do not have eligibility to gain eligibility if they wish to. They are put in the second round of eligibility so that they can compete for the grant.

In the end 51 out the 81 submitted were deemed eligible. These 51 move through the grants staff. Then they move to the next stage which is the evaluation stage. She explains that previously OHA used a mix of internal and external individuals to review grant applications, but this time they only used external individuals to review who were Native Hawaiian. She goes on to pose the question that “who knows our community more than Native Hawaiians?”.

OHA grants staff only facilitate the process, they do not do the scoring in the evaluations. They worked off of a pool of people who were recommended to OHA and she is also open to more recommendations to create a larger pool.

They do conflict of interest forms, confidentiality forms, as well as a full training on the Kulia solicitation from back to front. There were three grant review teams: 1) Culture, Land, and Water, 2) Education, 3) Health, Housing, Income. Each team does individual training on their topics only. Then the reviewers are assigned applications on the online system. After they score the applications an initial matrix is developed for each team. Then they met again to discuss the scores and do edits following their discussion. Then a second matrix was developed. The following step after the second matrix was phase 2 evaluation by grants staff. The 51 applicants mentioned above were those that were still in eligibility after the second matrix. Then all teams were aggregated and put onto one matrix which trustees have in front of them on this day. This was made up of the top 5 scores in each team (strategic priority). This final matrix is what the ad hoc committee mandates that the administration needs to submit to the board.

The grants staff worked hard to make the \$500,000 allotted amount go to as many entities as possible, but it was mentioned that if Kulia grants were allotted \$1 million then nearly all of the entities that made the final matrix could have been funded.

The next step was to look through the entities and their budgets for their specified program to see if what they asked for was over the exact amount they needed to run their program.

Trustee Bob Lindsey:

Asks, whether \$500,000 is a reasonable figure for the Kulia Grants program. What would be a more reasonable number?

Maile Luuwai:

States that she cannot give an exact number today but it would be more than \$500,000. States that OHA could not fund a number of qualified applicants because there was not enough allotted money.

She recommends that if Kulia Grants is a statewide program then they should increase the amount.

Trustee Hulu Lindsey:

Asks, did she consider an allocation on an island basis. She added up all of the recommended awards and saw that Maui County has \$50,000 vs. Hawaii County which has \$446,000. That is a big disparity. She can understand if Oahu has a dramatic difference because of the population, but Kauai \$330,000, even Molokai has \$154,000 vs. Maui's \$50,000. She would like to know who from Maui applied and didn't succeed.

Maile Luuwai:

States that she will let Trustee Hulu Lindsey know. States she believes the amounts that Trustee Hulu Lindsey was adding up was the amounts requested, but states that they are aware of geographical distribution. The outcome is a combination of highest scoring orgs within each strategic category and then trying to make a geographical determination downward. That is something on the staff's radar that there is not full representation across the islands

But following a fair and equitable process, it could have been that Maui County did not apply or had sub-par applications. Admin said they would get the names of all 81 applicants categorized by island to the trustees so that they may see where the gap was for their island.

Upon closing of the grant review process, all applicants are given back their scores and the comments from the grant review so that they can learn how better to apply next time. They can use their failed attempt this time to make a better proposal next time.

Trustee Akina:

States, he is very impressed by the work done. Looks rigorous and well done. Asks, if an organization made it into the final matrix 23/51, just by eye-balling it would it be accurate to say that an amount of \$1.7 million be spent wisely?

Maile Luuwai:

Yes it would, and with further entity budget alignments it would go even further.

Trustee Akina:

Asks, So if you had to narrow it down to 2 organizations by category what general philosophy did you apply to discriminate them from other worthy applicants?

Maile Luuwai:

States, the scoring primarily by the external grant reviewers, which the staff did abide by.

There were lots of really good projects in this round of Kulia grants and she expects that in the coming rounds there will be even better applicants.

Trustee Bob Lindsey:

States, that the grants staff is doing exactly what the BOT wanted them to do in building an equitable process.

Maile Luuwai:

Also, the grants staff is going to great lengths to ensure that the BOT has all the information they need to make decisions and fulfill their fiduciary obligations. So that they have confidence in the staff and the process. This is also to build trust and confidence between OHA and its beneficiaries.

Trustee Akina:

Asks, why they chose to only have Native Hawaiian external reviewers. Questions the equanimity and integrity of the process as you don't have to be Native Hawaiian to vote in OHA elections. Also states that there could be some missed expertise by limiting the external reviewers to only Native Hawaiians.

Maile Luuwai:

States, the primary reason behind having only Native Hawaiian reviewers is that Native Hawaiians know the Native Hawaiian community better than our own community. We have to know if these applications are speaking to our community or are they just coming in because they want OHA money?

Trustee Akina:

He agrees that the reviewers need to be knowledgeable of Native Hawaiian issues and needs and that Native Hawaiians very often have that knowledge. But he is concerned that they completely exclude non-Native Hawaiians who may have already proven that they have the heart, the mind, and the soul for the concerns of Native Hawaiians.

Concludes it is just his comment for further reflection.

Maile Luuwai:

States, they will take that it in to consideration because grants is always evolving.

Trustee Ahu Isa:

Asks, what are the other requirements for potential reviewers and how does the grants team vet conflict of interest and biases.

Maile Luuwai:

States, they do conflicts checks through a conflict of interest statement, and also they give them organizations names to be thorough.

Trustee Hulu Lindsey:

States, that community grants should have gone first so that if any entity is no successful in the community grants they can then apply for the smaller Kulia grants.

Maile Luuwai:

She agrees and proposed that already and was voted down.

Trustee Lee:

Point of information, asks for further information regarding the intentionality of the Kulia grants, because it states in the ad hoc committee report that the Kulia grants are intended to support programs that could otherwise apply to the community grants program. So, his understanding of that is if you are eligible for a community grant, not received, but eligible, then you are not eligible for a Kulia Grant. He is seeking information from the chair and the ad hoc committee members on this.

Trustee Bob Lindsey:

States, he reads the recommendations by the ad hoc committee like (Trustee Lee) does.

Trustee Lee:

Asks, so if they are eligible to apply for community grants then they are not eligible for a Kulia grant?

Trustee Machado:

States, in the past before the ad hoc committee was formed that the larger organizations who could leverage funds from multiple sources were crowding out the smaller orgs who were in more of a start-up phase. Moreover, the community grants were driven largely by admin in administering these larger grants. Kulia grants were created to serve the smaller entities and the BOT has a more closer role in overseeing where these grants get awarded.

Trustee Hulu Lindsey:

States, her main concern is to have money allocated for those who are not successful on the bigger community grants to have another chance to come back to Kulia grants. We need to give them another chance.

Trustee Machado:

But there are outcomes that need to be met that are tied to the strategic priorities in this grant category.

Trustee Hulu Lindsey:

Maybe they are better suited for Kulia grants but they don't know it until they fail at the community grants and then apply for Kulia grants. That's why the community grants being first gives a second chance.

Maile Luuwai:

States, that an applications success or failure is in direct alignment with the application guidelines of each type of grant. So the applications would be very different given the very different intentions of the grants. If they qualify for both then they qualify for both, but it is not likely.

Trustee Lee:

Point of order, the report that was voted upon by the BOT specifically says this funding opportunity is not intended to support programs that could otherwise apply through community grant programs. If this body voted that of you are eligible for community grants you are not intended to get Kulia grants. It is not up to the grants dept. to decide to overturn the ruling of this table. This body said that if you are eligible for a community grant, which means you applied for one, you are not eligible for Kulia grants.

Trustee Hulu Lindsey:

States, it does not say that. It states that they are not intended, which does not mean

they don't have a chance. It was never made clear that organizations would be restricted. Just cause that was the intention, it doesn't mean that everyone else is going to be left out if they don't succeed in community grants and they do in Kulia grants.

Trustee Bob Lindsey:

States, Trustee Lee is correct in his interpretation of the Kulia grants intentionality. To find a way to accommodate the small organizations (start-up). The example that was brought to the table at the ad hoc committee was how smaller community level health orgs cannot compete with Queens Health System, and OHA has given smaller grants to Queens before instead of the smaller health clinics. Asks Trustee Lee if that answers his question.

Trustee Lee:

States, actually that doesn't answer his question because to trustee Hulu Lindsey's question, if a small organization applies for a community grant.

Trustee Bob Lindsey:

Right, Trustee Hulu Lindsey is saying that smaller organizations should get two bites at the apple. My position is that as policy makers we make decisions and we depend on administration to operationalize those decisions. They are trying to do their best to resolve what is challenge to us.

Trustee Lee:

States, he's sorry but that doesn't answer his point of seeking information. He hears the chair and the chair of the ad hoc committee saying that the intention was so that large orgs don't apply. But he also acknowledges Trustee Hulu Lindsey's point that if a small org applies for a community grant they should have a second chance at a smaller amount through Kulia grants. This report seems to be in conflict. So as a trustee who is a part of this decision making process he is seeking information from the chair. Was it intended that Kulia grants not be for large orgs? Or was it the intent of Kulia grants to be only for those who are not eligible for community grants? Those are very different.

Trustee Lindsey:

States, the struggle is how can we accommodate the small guys and the big guys? And it is still a struggle that is at the table today. So it is something we need to continue addressing.

Trustee Machado:

There is a statement on the May 24th memo, "in response to some of these concerns

administration identified funds and created a new grant category Kulia grants for smaller start-up orgs to have opportunities to compete and receive OHA grant monies outside of the two year award cycle for community grants.”

So Trustee Lee is correct. The intent of the ad hoc committee was to assure that smaller start-up orgs had a place to turn to at OHA for funding. The ad hoc committee worked very hard to ensure that the smaller start-up orgs were also a high priority at OHA. She disagrees with Trustee Hulu Lindsey that Kulia Grants can be used as a second chance fund.

Maile Luuwai:

The way they vet organizations are done at the solicitation level in the beginning of the process. The intent and goal will be reflected in the solicitation and will only allow those eligible to filter through. It is very difficult as it stands now to differentiate from big orgs and small orgs. This needs to be addressed.

Trustee Machado:

One of the reasons Kulia grants was established was to have funds available in between two year larger grants cycles.

Sylvia Hussey:

To clarify, the Kulia grants being discussed are for FY 2019, the community grants going out for the 24-month period is for 2021, so the trustees do have an opportunity for Kulia 2020 to come in after so it looks out of sequence but its because we are doing the Kulia for FY 2019, community grants for 2021, and there is an opportunity for Kulia 2020 to be enacted to pick up for those who didn't make it in the community grants. So the mechanism is there for the trustees to be able to affect Kulia with the intent that it was meant to serve.

Maile Luuwai:

So, we are late to table here, so if the trustees want to do another Kulia coming up this fall then it transitions behind the community grants and we have another open door for Kulia grants for solicitations to go out, for funding to begin July 1, 2020. Kulia is new, so there are lessons to be learned. Grants is always improving so there will be time in the future to bring in the \$1.7 to \$2 million perhaps.

Trustee Machado:

States, it would be hard to increase with our PLT monies because our budget is already really tight.

Trustee Akina:

States, there needs to be some more policy work concerning the intentionality of Kulia grants. In the 2018 State audit report it was stated that the purposes of our Kulia grants need to be clarified at the policy level. Of particular concern was the role the fiscal reserve played in funding the Kulia initiatives. Many of the issues can be solved by policy work.

Maile Luuwai:

States, the staff need guidance if the trustees wish to use Kulia grants in a different manner going forward.

Trustee Machado:

Asks Maile Luuwai if what was brought to the table the staff's recommendation for dispersment of funds for the Kulia grants. And states that the recommendation shows they are asking for 10 grants that equal to about half a million dollars.

Maile Luuwai:

The first sheet is the Kulia grant recommendations. It is known that 2 organizations that have applied for Kulia grants have also applied for community grants but she has not looked at their community grants applications yet. They could be totally different than what they applied for here. In response to Trustee Lee, any one of these orgs are eligible to apply for community grants. The difference is they would have to come up with that 20% match funds and it would be a 2-year grant. So, community grants does not exclude any of the orgs that have applied for Kulia grants because we don't have those restrictions in place. If you have any questions on the recommendations and if not she can explain the options.

Trustee Waihee:

Asks, when you say any org will qualify for a community grant, they all comply with the strategic results?

Maile Luuwai:

Any one of these orgs would be eligible to apply for our community grants. And their applications would be different. These applications would not flow into community grants.

Trustee Lee:

Seeks clarification from Ka Pounui (Sylvia Hussey), these Kulia grants are for FY 2018, what FY is the community grants coming up from?

Sylvia Hussey:

These Kulia grants are for FY 2019, and the community grants are for the biennium 2021.

Trustee Lee:

So, the community grants are from a separate budgeted time period. So the two don't cross. So if they are awarded this, they can still take it and get the community grant.

Sylvia Hussey:

So you can still have another round of the Kulia grants after the community grants.

Trustee Lee:

So we are giving options, so if they turn it down in hopes of getting a community grant, if that is a separate budget cycle, they can take this Kulia grant and still take the community grants because it is a separate budget cycle.

Maile Luuwai:

States, we have a policy that orgs cannot have two OHA competitive grants at the same time. So, we have to execute these contract for the Kulia grants in order to expend these funds and the requisitions by June 30 this year. Community grants contracts will be done by July-August. So, if they are gonna be given a Kulia grant and a community grant then they will have two grants going through the same cycle period. This is for May to May of next year and Community grants are gonna start July-August of this year to 2021.

Trustee Lee:

The way the policy has been applied to cycle doesn't cycle FY it cycles Calendar Year.

Maile Luuwai:

Fiscal Year.

Trustee Lee:

Apologizes if he's missing something, but the community grants cycle is a different FY than the Kulia grant FY. So even in the calendar year they are awarded the same time they are operating in separate FY. So, he does not see how the policy overlaps.

Maile Luuwai:

So even if they are operating in two different time frames, they will have two grants at the same time.

Trustee Lee:

States, that seems to be a conflict of the information that the trustees have been given. They will be operating with OHA monies in the same calendar year. Are we applying the policy to a calendar year of a FY? Although they will be operating in the same calendar year they will be operating with the money in two different FY. If it is based on FY then he does not see any conflict, but if it is based on calendar year then he understands there to be a conflict. Hence, he was seeking further information.

Trustee Bob Lindsey:

Your conflict is noted.

Trustee Machado:

Asks, Maile of the 81 applicants, 10 are being recommended to be awarded money.

Trustee Hulu Lindsey:

The \$500,000 was a trial run, to see what they could get with that amount of money, and this is what we got, 81 applicants.

Maile Luuwai:

81 applications, 51 eligible, and with the funding amount you have 23 in the running, and with \$500,000 you have 10 recommended, based on strategic priority and scores.

Trustee Hulu Lindsey:

If the BOT approves this today when does this take affect?

Maile Luuwai:

If BOT approves it today, she will write-up a legislative action item, and bring the action item to the BOT before June 30.

Trustee Hulu Lindsey:

States, that the Kulia grants are from this FY and the community grants are in the next fiscal year.

Trustee Lee:

States, that the information coming from the grants dept is that grantees cannot get both the upcoming Kulia and community grants because they will be operating at the same time, so the question is does the policy apply to calendar year or fiscal year.

Trustee Hulu Lindsey:

The reason Maile is saying that is that it doesn't matter what year the money is coming from, if the money is being used in the same FY then it not allowed.

Maile Luuwai:

That is a trustee decision. To reconcile this is a trustee decision.

Trustee Machado:

Wanted to bring the conversation back to moving this process along.

Sylvia Hussey:

The sequencing of Kulia and community grants is a policy and funding decision by the BOT that the grants dept. will implement.

Maile Luuwai:

States, she thinks Kulia grants is exciting. It is a good opportunity for a lot of these organizations who don't have the capacity to match 20%.

Sylvia Hussey:

States, disasters and needs don't just appear in certain timeframes, so this allows OHA to award on a rolling year-round basis. Allows for more dynamic awarding with a process and a structure that we need to maintain. So, she believes that they need to move this and policy of sequencing and the purpose of intent is a larger strategic conversation.

Trustee Ahu Isa:

States that she would like to clarify that she has spoken to a beneficiary applicant who expressed her positive impression of the application process and that she doesn't have compete with the larger orgs.

Trustee Hulu Lindsey:

States, that is a good point, and asks about the smaller orgs who apply for community grants and don't get it. The point is that there are small orgs who apply for community grants and are not successful, and at least they have the Kulia grants to apply for. She then brings up the point, that's why community grants should go first. States, that like the current Kulia grants, there are always a large number of applicants who are turned away from the community grants. So, they should have the opportunity to seek a smaller 1 year grant if they are not successful with the larger 2-year grant.

Trustee Machado:

This is a helpful conversation to have that shows us that Kulia grants may need to be revised a little more so that it is not confused with community grants, and the level of funding.

Maile Luuwai:

When they went out to do the orientations there were lots of orgs that were very excited about the Kulia grants.

Trustee Waihee:

His understanding is that if you apply for a community grant you cannot use that same application to apply for a Kulia grant.

Maile Luuwai:

So if you apply for a community grant and are awarded a community grant you cannot apply for a Kulia grant. And even if you didn't get the community grant, the application for Kulia grants would be very different because the grant is very different.

Trustee Ahu Isa:

Since this is a joint BAE-RM workshop, she would like to say that when she was that the hearing that day for the PLT, she was approached by the chairs of the committees, and this is exactly what they are looking for. \$15 million to \$35 million, the needs of the people are increasing, and this is perfect.

Sylvia Hussey:

We have already published our 15' and 16' awarding of all the grants. Our Annual report already has the 16' and 17' awarding so that list is easy to provide.

Trustee Bob Lindsey:

What is really obvious is that OHA needs to look at revenue generation, because the needs of our people are many.

Trustee Machado:

States, that they should give some indication for the staff on how they would like to proceed to complete the full approval process for the Kulia grants.

Maile Luuwai:

So the purpose to come before the BOT this day was to go over the recommendations and the options if some of the potential awardees should decline the award. She was looking for the joint committee to look what has been brought to the table and allow them to move forward so they do not have to come back to the table again before the action item vote.

Trustee Hulu Lindsey:

Are the 2 entities you are talking about on this list of 10?

Maile Luuwai:

Yes, so there are 2 orgs that applied for both Kulia and community grants. What staff wanted to do was once the BOT makes its decision on awardees and we go back to the orgs and ask if they would like to decline the Kulia award in favor of their chances for a community grant or whether they would like to rescind their application for community grants. This is where the option laid out would come into play if any of the recommended orgs decide to decline this round of Kulia grants.

Trustee Hulu Lindsey:

Clarifies that we did not agendize to move a motion this day. Her personal feeling is that the process has been extensive and well done and she is in total support of it. She would like to recommend that the entire board accept the recommendations put on the table and do the action item for BOT approval. She also states that moving forward there should be greater emphasis on island based awards being more fairly distributed. Also, they would like to know the entities that applied, not just the project names.

Trustee Machado:

Expressed, this was a good discussion and it helps them know what to anticipate when they want to fund Kulia grants again.

Trustee Bob Lindsey:

Wants to thank admin for bringing this to the joint BAE-RM committee this day. Directs staff to take today as an approval for the recommendations put forth and come back with an action item to be moved.

V. Announcements

BAE meeting at 1:30pm on this day, and acknowledges Albert Tiberi for his years of service at OHA in Corp Counsel.

VI. Adjournment

Moved by Trustee Hulu Lindsey, second by Trustee Waihee to adjourn at 11:27am.

TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEI	AHU ISA			X			
KALEI	AKAKA			X			
KELI'I	AKINA			X			
BRENDON	LEE			X			
HULU	LINDSEY	X		X			
ROBERT	LINDSEY			X			
COLETTE	MACHADO			X			
JOHN	WAIHE'E		X	X			
CHAIR DAN	AHUNA						X
TOTAL VOTE COUNT				8			1

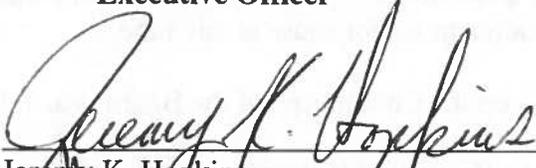
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Action Item
Joint Committees on Beneficiary Advocacy and Empowerment
and Resource Management
April 24, 2019

BAE-RM #19-03

Action Item Issue: Consideration of a Process for the Selection of a Successor Chief Executive Officer

Prepared by:  _____ 4/16/19
Jeremy K. Hopkins Date
Trustee Aide/ Trustee R. Lindsey - Hawaii

Reviewed by:  _____ 4-16-19
John D. Waihe'e, IV Date
Chair, Committee on Beneficiary Advocacy and Empowerment

Reviewed by:  _____ 4-15-19
Dan Ahuna Date
Chair, Committee on Resource Management

- I. Action:**
To authorize and approve the use of a professional executive search and consulting firm to assist the Committees on BAE and RM for the recruitment and selection of a Chief Executive Officer and to authorize and approve a budget reallocation to move \$50,000 from OHA's FY 19 Core Operating Budget, program code 1100-Board of Trustees, object code 57280-Trustee Allowance, to object code 57110 –Services on a Fee Basis.
- II. Issue:**
Whether or not the Committees on BAE and RM should authorize and approve the use of a professional executive search and consulting firm to assist the committees for the recruitment and selection of a Chief Executive Officer (CEO) and to authorize and approve a budget reallocation to move \$50,000 from OHA's FY 19 Core Operating Budget, program code 1100-Board of Trustees, object code 57280-Trustee Allowance, to object code 57110 –Services on a Fee Basis.

III. Background:

The current CEO contract will expire on June 30, 2019 requiring the recruitment of a CEO. The recruitment process should be initiated immediately to ensure an efficient transition with minimal disruption to the organization.

The Hawai'i Revised Statutes (HRS) § 10-10 is as follows:

The board by a majority vote, shall appoint an administrator who shall serve without regard to the provisions of chapter 76 for a term to be determined by the board. The board, by a two-thirds vote of all members to which it is entitled, may remove the administrator for cause at any time.

The OHA BOT Bylaws Article VIII on the Committees of the Board is as follows:

(A) (1) (n) The Committee on Resource Management shall, in consultation with the Chair of the Committee on Beneficiary Advocacy and Empowerment carry out the recruitment and selection of the Administrator.

The OHA BOT CEO Recruitment Policy is as follows:

Chief Executive Officer Recruitment and Selection

3.10.9. The BOT appoints the CEO following a search process for identifying and hiring a CEO. At its first regularly scheduled meeting or special meeting after it learns that the CEO position is vacant or will soon be vacant, the BOT will establish the time period, budget, and arrangements for the hiring process of a new CEO. While the hiring process may involve the use of non-board members or search firms, such arrangements will assure the participation of some Trustees in all aspects of the recruitment and interview process. The full BOT shall participate in the final selection of the CEO from a group of candidates determined to be qualified for the position through an open and fair hiring process. The BOT will immediately commence employment contract negotiation upon selection of the best-qualified candidate.

The BOT Operations Manual figures 45 and 46 offers two recruitment alternatives to include in house recruitment utilizing the OHA Human Resources Department or external recruitment using a professional search firm (see Attachment A – Figure 45. Administrator recruitment and selection and Attachment B – Figure 46. Recruitment Process using a Professional Search Firm). The main difference between these two approaches is whether the OHA HR Department or a professional executive search and consulting firm completes the part of the process that includes advertising for the CEO position, screening the applications, conducting reference checks, and making recommendations to the BOT on the top candidates. All other functions in the process would remain the responsibility of the Trustees to include interviewing and final selection of the CEO.

This action item attempts to harmonize the OHA BOT Bylaws and Executive Policies with HRS § 10-10 relating to the recruitment and selection of a CEO.

IV. Discussion:

OHA has very competent and capable Human Resources staff, but they may have limited experience in recruiting at the executive management level. Usually, there is limited need for executive recruitment and the current CEO was hired eight years ago. Executive level recruitment is a highly specialized area and using a professional executive search and consulting firm will provide the needed expertise, and will save time, money and staff resources. A professional executive search and consulting firm should be utilized for the recruitment of a CEO for the following reasons:

- Professional executive search and consulting firms have knowledge, experience and expertise in searching for executive management staff.
- The recruiting process is faster through a professional executive search and consulting firm that is continually tapped into the talent marketplace. For every day that a key opening remains unfilled, other employees must fill the gap taking away time from their own duties and responsibilities.
- Professional executive search and consulting firms usually have an extensive network of contacts, are able to work discretely and maintain a database or list of qualified candidates and can usually provide an immediate list of the best candidates available within 2 to 4 weeks of their retainment.
- Search and consulting firms act as an unbiased party providing a fair recruitment process.
- They can help to ensure the position description, salary, and responsibilities are relevant and current in terms of the market.
- Search and consulting firms have the ability to conduct extensive background searches and verify specific credentials for each potential candidate they find. Firms are able to approach these candidates to vet their interest in the position, interview them, evaluate them and form candidate profiles.
- They are able to narrow down the potential candidate list after undertaking candidate interviews and present a more defined list to OHA. This will allow the Trustees to choose their selected candidates and conduct their own interviews to choose the appropriately fitted individual for the position without wasting valuable time and expense.

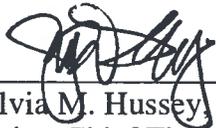
The cost of using a professional executive search and consulting firm will be around 25%-30% of the CEO annual salary or approximately \$37,500-\$45,000 at the current salary level. To compare this to the cost of keeping the function in-house you would need to include advertisement costs along with a large amount of HR staff time needed to conduct

outreach, review and screen the applications, conduct reference checks, and make recommendations to the Trustees. This would shift a large amount of HR staff time away from normal daily operations and would not produce the same results that could be achieved through a professional executive search and consulting firm.

The use of a professional executive search and consulting firm will require OHA to undergo an appropriate procurement process to comply with state procurement laws found in HRS § 103D.

V. Certification of Funding Availability:

The funds required for this Action Item are currently available from OHA's FY 19 Core Operating Budget, program code 1100-Board of Trustees, object code 57280-Trustee Allowance and need to be reallocated to object code 57110 – Services on a Fee Basis.



Sylvia M. Hussey Ed.D.

Acting Chief Financial Officer/Chief Operating Officer

VI. Recommended Action:

To authorize and approve the use of a professional executive search and consulting firm to assist the Committees on BAE and RM for the recruitment and selection of a Chief Executive Officer and to authorize and approve a budget reallocation to move \$50,000 from OHA's FY 19 Core Operating Budget, program code 1100-Board of Trustees, object code 57280-Trustee Allowance, to object code 57110 –Services on a Fee Basis.

VII. Alternative Action:

A. Do not approve the use of a professional executive search and consulting firm to assist the Committees on BAE and RM for the recruitment and selection of a Chief Executive Officer.

B. Approve the use of the OHA Human Resources Department to assist the Committees on BAE and RM for the recruitment and selection of a chief Executive officer.

VIII. Time Frame:

Immediate action is recommended.

IX. Attachments:

Attachment A – BOT Operations Manual - Figure 45. Administrator recruitment and selection.

Attachment B – BOT Operations Manual - Figure 46. Recruitment Process using a Professional Search Firm.

XI. Personnel

45. Administrator recruitment and selection

45.a. The Board of Trustees appoints the Administrator following a search process for identifying and hiring an Administrator. While the hiring process may involve the use of non-board members or search firms, such arrangements will assure the participation of some Board members in all aspects of the recruitment and interview process. The entire Board shall participate in the final selection of the Administrator from a group of candidates determined to be qualified for the position through an open and fair hiring process. The BOT will immediately commence employment contract negotiation upon selection of the best qualified candidate. The recruitment of the Administrator may be conducted with assistance from a professional recruitment firm or in-house with assistance from the OHA Human Resources Department. Both of these processes are outlined below.

Figure 45. In-House Recruitment Process using the OHA HR Department

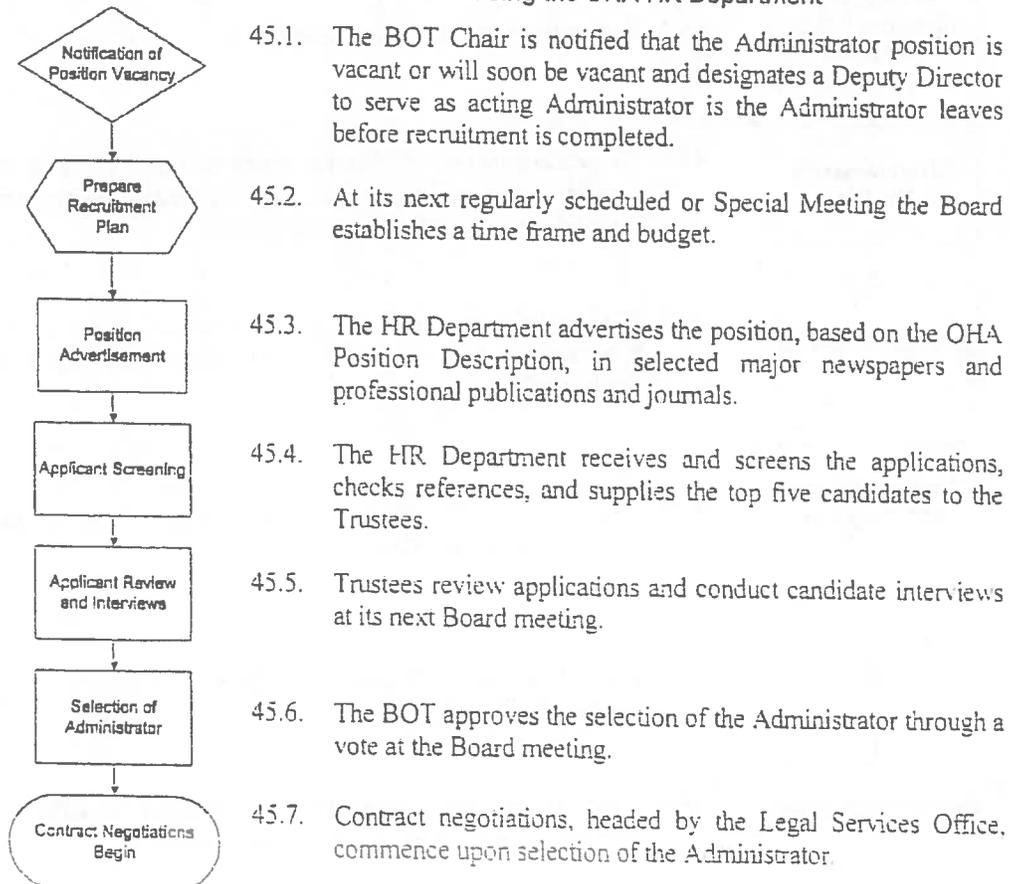


Figure 46. Recruitment Process Using a Professional Search Firm

