

BOARD OF TRUSTEES

Carmen. Hulu Lindsey, *Chairperson*

Leina'ala Ahu Isa, *Vice Chairperson*

Dan Ahuna, Trustee Kaua'i & Ni'ihau

Kalei Akaka, Trustee O'ahu

Keli'i Akina, Trustee At-Large

Luana Alapa, Trustee Moloka'i & Lāna'i

Brendon Kalei'aina Lee, Trustee At-Large

Mililani Trask, Trustee Hawai'i Island

John Waihe'e IV, Trustee At-Large



**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS**

MEETING OF THE BOARD OF TRUSTEES

ISLAND OF KAUA'I MEETING

DATE: Thursday, June 23, 2022

TIME: 9:30 am

PLACE: Kaua'i Community College

Fine Arts Auditorium

3-1901 Kaumuali'i Hwy.

Līhu'e, HI. 96766

Also Virtual Meeting

Viewable at www.oha.org/livestream

Listen by phone: (213) 338-8477, Webinar ID: 817 4296 0426

Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listened by phone: (213) 338-8477, Webinar ID: 817 4296 0426. All members of the public that wish to access the physical meeting location must wear a mask and follow all applicable COVID-19 requirements of the meeting venue.

AGENDA

- I. Call to Order
- II. Approval of Minutes
 1. June 2, 2022
- III. Public Testimony on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- IV. New Business
 1. River Heritage Foundation – Kamealoha Hanohano Pa-Smith and
Uhau'iole Community Restoration Hui – Nawai Aipa-Rivera
- V. Status of OHA Activities: Ka Pouhana/CEO's Kaua'i Island Community Report and Update on OHA's activities – Island Community Report: Kaua'i Executive Summary
- VI. Community Concerns and Celebrations** (Please see page 2 on how to submit written testimony or provide oral testimony online. Oral testimony by phone will **not** be accepted)
- VII. Announcements
- VIII. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Everett Ohta at telephone number 594-1988 or by email everetto@oha.org no later than three (3) business days prior to the date of the meeting. Meeting Materials will be available to the public 72 hours prior to the meeting and posted to OHA's website at: www.oha.org/bot

In the event that the livestream or the audiovisual connection is interrupted and cannot be restored, the meeting may continue as an audio-only meeting through the phone and Webinar ID listed at the beginning of this agenda. Meeting recordings are available upon request to BOTmeetings@oha.org until the written meeting minutes are posted to OHA's website

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OFFICE OF HAWAIIAN AFFAIRS

† **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.**

* **Public Testimony on Items Listed on the Agenda must be limited to matters listed on the meeting agenda.**

****Community Concerns and Celebrations is not limited to matters listed on the meeting agenda.**

Hawai'i Revised Statutes, Chapter 92, Public Agency Meetings and Records, prohibits Board members from discussing or taking action on matters not listed on the meeting agenda.

Testimony can be provided to the OHA Board of Trustees either as: (1) **written testimony emailed** at least 24 hours prior to the scheduled meeting, (2) **written testimony mailed** and received at least two business days prior to the scheduled meeting, or (3) live, oral testimony online or at the physical meeting location during the virtual meeting.

(1) Persons wishing to provide **written testimony** on items listed on the agenda should submit testimony via **email** to BOTmeetings@oha.org at least **24 hours prior** to the scheduled meeting or via **postal mail** to Office of Hawaiian Affairs, Attn: Meeting Testimony, 560 N. Nimitz Hwy., Suite 200, Honolulu, HI 96817 **to be received at least two business days prior** to the scheduled meeting. Any testimony received after these deadlines will be late testimony and will be distributed to the Board members after the scheduled meeting.

(2) Persons wishing to provide **oral testimony online** during the virtual meeting must first register at:

https://us06web.zoom.us/webinar/register/WN_5V5BDqysQeaLtv-xYiATNQ

You need to register if you would like to orally testify. Once you have completed your registration, a confirmation email will be sent to you with a link to join the virtual meeting, along with further instructions on how to provide oral testimony during the virtual meeting. The registration page will closed once the Public Testimony or Community Concerns agenda items have concluded.

To provide oral testimony online, you will need:

- (1) a computer or mobile device to connect to the virtual meeting;
- (2) internet access; and
- (3) a microphone to provide oral testimony.

Oral testimony online or at a physical meeting location will be limited to five (5) minutes.

Oral testimony by telephone/landline **will not** be accepted at this time.

Once your oral testimony is completed, you will be asked to disconnect from the meeting. If you do not sign off on your own, support staff will remove you from the Zoom meeting. You can continue to view the remainder of the meeting on the livestream or by telephone, as provided at the beginning of this agenda.

Please visit OHA's website for more detailed information on how to submit Public Testimony OR Community Concerns at: <https://www.oha.org/how-to-submit-testimony-for-oha-bot-meetings/>

A handwritten signature in cursive script that reads "Carmen Hulu Lindsey".

Trustee Carmen Hulu Lindsey
 Chairperson, Board of Trustees

6/16/2022

Date

Office of Hawaiian Affairs
Meeting of the Board of Trustees
June 23, 2022
9:30 A.M.

II. Approval of Minutes

1. June 2, 2022

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
(VIRTUAL MEETING - VIA ZOOM WEBINAR)**

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**Minutes of the Office of Hawaiian Affairs
Board of Trustees
MINUTES
June 2, 2022**

ATTENDANCE:

Chairperson Carmen Hulu Lindsey
Trustee Leina'ala Ahu Isa
Trustee Dan Ahuna
Trustee Kaleihikina Akaka
Trustee Luana Alapa
Trustee Brendon Kalei'āina Lee
Trustee Mililani Trask
Trustee John Waihe'e, IV

ADMINISTRATION:

Sylvia Hussey, CEO
Ramona Hinck, CFO
Robert Klein, Board Counsel
Everett Ohta, Interim General Counsel
Nietzsche Ozawa, Interim Senior Legal Counsel
Erin Nakama, IT Support
Arlene Aguinaldo, IT Support
Daniel Santos, IT Support

BOT STAFF:

Kanani Iaea, Trustee Aide
Kauai Wailehua, Trustee Aide
Evalani Canto, Trustee Aide
Nathan Takeuchi, Trustee Aide
Melissa Wennihan, Trustee Aide
Pohai Ryan, Trustee Aide
Lehua Itokazu, Board Secretary

GUEST:

Kim Miyashiro, KUMABE
Marie Kumabe, KUMABE
Kona Wong
Roslyn Cummings
Momi Martins
Peter Morimoto
Peleke Flores
Keoni DeFranco
Elizabeth
Llewelyn Kaohelaui'i
Kahakuako'i
Kiara Lorenzo
Mike Smith
Alfred Medeiros
Kaukaohu Wahilani
Rebecca McCarley

Call to Order

Chair Hulu Lindsey Calls the Board of Trustees Meeting to order for Thursday, June 2, 2022, at 10:02 a.m. Board Secretary, please do a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	LEINA‘ALA	AHU ISA	X	Left mtg at 12:20 pm
TRUSTEE	DAN	AHUNA	X	
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI‘I	AKINA		Excused
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRENDON KALEI‘ĀINA	LEE	X	
TRUSTEE	MILILANI	TRASK	X	
TRUSTEE	JOHN	WAIHE‘E	X	
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			8	

At the Call to Order, **eight (8)** Trustees are PRESENT, thereby constituting a quorum.

Chair Hulu Lindsey Due to COVID-19, the OHA Board of Trustees and its standing committees will hold virtual meetings until further notice. The virtual meeting can be viewed and observed via livestream on OHA’s website at www.oha.org/livestream

Before we begin, let me note that items IV.A. 1-3 and IV.B were received under the 72 hour deadline. Let me go over some quick announcements, please mute your mics when you are not speaking. We are recording today’s meeting for the sole purpose of producing written minutes, which will become the official record of this meeting.

Joining the Trustees today is my staff, Aide-Kanani Iaea and our Board Secretary-Lehua Itokazu. Also with us today is Robert Klein, our Board Counsel, and in place of Sylvia Hussey, our CEO, we have our Board Counsel, Everett Ohta.

Everett Ohta, Interim - General Counsel Thank you Chair Lindsey and good morning Trustees, I am representing all of Administration in the absence of Ka Pouhana Hussey who is attending and speaking at an off site event. Joining us for the BOT meeting this morning is our CFO-Ramona Hinck, Interim Senior Legal Counsel-Nietzsche Ozawa, as well as our supported IT staff, Arlene and Erin. Thank you Chair.

Public Testimony & Community Concerns and Celebration

Chair Hulu Lindsey Do we have any testifiers?

Board Secretary We have two people signed up and they are not presently on the call.

Chair Hulu Lindsey Okay, we will move on to item IV. and we will check back later in the meeting.

New Business

A. Committee on Resource Management

1. Action Item RM #22-08: Community Based, Micro Kokua Grants†

Chair Hulu Lindsey We are now on new business item IV.A. I will call on Trustee Waihe'e.

Trustee Waihe'e Thank you, Your Committee on Resource Management, having met on May 31, 2022, and after full and free discussion, recommends approval of the following three (3) actions to the Board of Trustees:

Action 1

re: ACTION ITEM RM #22-08

Approve a community based, micro Kokua grant in the amount of \$1,000, for the Moloka'i Youth Cadet Leadership Program, sponsored by the Moloka'i Community Service Council, from FY 2022, Program 3800, Object Code 56560 – Sponsorships, at Attachment A.

Trustee Ahu Isa Seconds the motion.

Chair Hulu Lindsey Roll call vote.

Trustee Waihe'e Moves						
Approve a community based, micro Kokua grant in the amount of \$1,000, for the Moloka'i Youth Cadet Leadership Program, sponsored by the Moloka'i Community Service Council, from FY 2022, Program 3800, Object Code 56560 – Sponsorships, at Attachment A.						
Trustee Ahu Isa Seconds the motion.						
	1	2	'AE (YES)	'A'OL E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA		X	X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA						X
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E	X		X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						

Motion passes with eight (8) Yes votes, Zero (0) No votes and One (1) Excused.

Trustee Waihe'e I would like to move to

Action 2

re: ACTION ITEM RM #22-09

Approve the fiscal biennium budget realignment #3 for the fiscal biennium periods 2021-2022 (FY22) and 2022-2023 (FY23) as summarized at Attachment #1; and

Carryforward to 2022-2023 (FY23) budget, an estimated amount of \$100,000 of uncommitted, unencumbered, unaccrued amounts related to reorganization costs; and

Carryforward from 2021-2022 (FY22) budget to 2022-2023 (FY23) budget any uncommitted, unencumbered, unaccrued, declined or unspent amounts in Appropriation 930, Program 3800 – Grants, Object Code 56510 Grants in Aid Program & Proviso Grants, 56530 Grants in Aid – Community Grants, 56540 Grants in Aid – Level II Grants, 56560 Grants in Aid – Sponsorships, and/or 56570 Grants in Aid – Disaster Aid.

Trustee Alapa Seconds the motion.

Chair Hulu Lindsey No discussion, roll call Vote.

Trustee Waihe'e Moves

Approve the fiscal biennium budget realignment #3 for the fiscal biennium periods 2021-2022 (FY22) and 2022-2023 (FY23) as summarized at Attachment #1; and

Carryforward to 2022-2023 (FY23) budget, an estimated amount of \$100,000 of uncommitted, unencumbered, unaccrued amounts related to reorganization costs; and

Carryforward from 2021-2022 (FY22) budget to 2022-2023 (FY23) budget any uncommitted, unencumbered, unaccrued, declined or unspent amounts in Appropriation 930, Program 3800 – Grants, Object Code 56510 Grants in Aid Program & Proviso Grants, 56530 Grants in Aid – Community Grants, 56540 Grants in Aid – Level II Grants, 56560 Grants in Aid – Sponsorships, and/or 56570 Grants in Aid – Disaster Aid.

Trustee Alapa Seconds the motion.

	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA						X
TRUSTEE LUANA ALAPA		X	X			

TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E	X		X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with eight (8) Yes votes, Zero (0) No votes and One (1) Excused.						

Chair Hulu Lindsey Trustee Waihe'e

Trustee Waihe'e Thank you for the third action I would like to move to

Action 3

re: ACTION ITEM RM #22-10

Approve the limited delegation of grant awarding authority, pursuant to section 10-17, Hawai'i Revised Statutes, to the Chief Executive Officer for:

- A. Program 3800 – Grants, Object Code – 56510 – Grants in Aid Program & Proviso Grants, Emergency Financial Assistance (“EFA”) Grants, up to \$2,000 per award, and an overall budgetary limit of \$830,000 in both FY22 and FY23, less any amounts in 3rd party grant agreements executed for the purposes of EFA;
- B. Program 3800 – Grants, Object Code – 56560 – Sponsorships, Rural Community-Based, Micro Kōkua Grants for event sponsorships (“Kōkua Grants”), up to \$1,000 per award, and an overall budgetary limit of \$30,000 in both FY22 and FY23; and subject to weekly reporting to the Board of Trustees by type of grant (EFA or Kōkua), recipient name, type of disbursement (e.g., rent, utilities, funeral, car repair, medical, event), payee, amount, and geographic location (e.g., Kaua'i, O'ahu, Maui, Molokai, Lāna'i, Hawai'i Island); not to exceed a \$1,000 award to any single organization, event, or whether by date or location.

Trustee Alapa Seconds the motion.

Chair Hulu Lindsey No discussion? Roll call Vote.

Trustee Waihe'e Moves

Approve the limited delegation of grant awarding authority, pursuant to section 10-17, Hawai'i Revised Statutes, to the Chief Executive Officer for:

- A. Program 3800 – Grants, Object Code – 56510 – Grants in Aid Program & Proviso Grants, Emergency Financial Assistance (“EFA”) Grants, up to \$2,000 per award, and an overall budgetary limit of \$830,000 in both FY22 and FY23, less any amounts in 3rd party grant agreements executed for the purposes of EFA;
- B. Program 3800 – Grants, Object Code – 56560 – Sponsorships, Rural Community-Based, Micro Kōkua Grants for event sponsorships (“Kōkua Grants”), up to \$1,000 per award, and an overall budgetary limit of \$30,000 in both FY22 and FY23; and subject to weekly reporting to the Board of Trustees by type of grant (EFA or Kōkua), recipient name, type of disbursement (e.g., rent, utilities, funeral, car repair, medical, event), payee, amount, and geographic location (e.g., Kaua‘i, O‘ahu, Maui, Molokai, Lāna‘i, Hawai‘i Island); not to exceed a \$1,000 award to any single organization, event, or whether by date or location.

Trustee Alapa Seconds the motion.

	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI‘I AKINA						X
TRUSTEE LUANA ALAPA		X	X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE‘E	X		X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			1

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

Motion passes with eight (8) Yes votes, Zero (0) No votes and One (1) Excused.

Chair Hulu Lindsey Thank you, we are moving onto IV.B., I will call on KUMABE Group at this time to do a power point for the Trustees.

Marie Kumabe, KUMABE Aloha Chair and Trustees, we’ve had a chance to meet with everyone and we just wanted to recap. We are here to ask the Board to approve the method, the process, the timeline, the surveys and the evaluation instrument for the performance appraisal for the CEO. Quick recap of our Trustee meeting results, we are moving forward by collecting data from our online survey pending approval.

Individual results will remain confidential but the Trustees have been individually interviewed and the focus has been similar to evaluations in the past. Integration has been completed with both the current job description, as well as the contract with the following broad categories and considered competencies: Trustee relations, leadership, engagement, advocacy, compliance, fiscal asset responsibility, and also community relations. With regards to Trustee input upon completion, we'll be looking at coming up with four to five or so measurable goals for the next year to provide a quantitative component. Moving forward after survey results, we'll take a look at the timeframe. Since there has been no formal evaluation, we recommend that the review timeframe be from the inception of the CEOs employment contract, November 2019 through May 1, 2022. Of course, we recommend that we share the final results, the culmative results post review.



Trustee Results	
1. How will the data be collected?	<ul style="list-style-type: none"> The data will be collected by online surveys with Trustee approval. Individual results will remain confidential. The Trustees have all been individually interviewed. The focus will be similar to evaluations in the past. Utilize a 1-5 scale including: 5) Outstanding, 4) Exceeds requirements, 3) Meets all requirements, 2) Meets some requirements, 1) Consistently does not meet requirements, 0) Not applicable or not observed.
2. What topics will be explored?	<ul style="list-style-type: none"> Integration with both the job description and the contract with the following broad categories: 1) Trustee Relations, 2) Leadership, 3) Engagement, 4) Advocacy, 5) Compliance, 6) Fiscal/Asset Responsibility, and 7) Community Relations.
3. Need Trustee Input	<ul style="list-style-type: none"> Identify 4-5 measurable goals for the next year to provide a quantitative component (after survey results). Review timeframe: Since there has been no formal evaluation, we recommended the review timeframe be from inception of the CEO's employment contract (November 2019 to May 1, 2022). Recommend we share all results with CEO (of partner surveys).
4. Who participates in the assessment?	<ul style="list-style-type: none"> Utilize survey results as a "voice" in the CEO evaluation process. CEO Self Direct Reports Employees
5. How will feedback be handled?	<ul style="list-style-type: none"> The results of the various surveys will be shared in aggregate and anonymously with the BOT to provide perspective. The results will be shared as an average rating per competency with comments included.

With regards to participation and the assessment, definitely, you know the voice of the CEO evaluation process would be the self-evaluation of the CEO. Her provided feedback, direct reports or leadership team, and the third category would be the employees as far as their engagement. With regards to how survey results are handled, results are shared in the aggregate with an anonymity with the Board of Trustees' individual perspectives, but put together is a culmative – nine votes regarding the CEOs final performance. The six competency ratings, Trustee relations engagement, etc. will have a numerical score so we'll service the quantitative component of the evaluation. Looking at the broad base mission of OHA, 360 degree evaluation model allows feedback to be incorporated to the final evaluation instrument. The Trustees have the responsibility to oversee the position, therefore, the ultimate vote or final evaluation for the CEO. The survey participants are providing feedback or input to the Trustees as they make their evaluation, therefore referred to as the voice. Quickly on the methods, it's a 10 step process, after step one is today's approval.

Evaluation Method

- In keeping with the broad-based mission of OHA and the many stakeholders in the success of OHA's mission, a 360-degree evaluation model would allow broad based feedback to be incorporated to the final evaluation instrument.
- The Trustees have the responsibility to oversee the CEO position and therefore have the ultimate responsibility during the review process (the vote).
- The survey participants (CEO-Self, Direct Reports, and Employees) will be able to provide input to the Trustees to provide perspective based on their interaction with the CEO (the voice).

Process Method

- Step 1: Approval for method, process, instrument, and timeline. Board of Trustees approves final survey for Trustees, CEO, Direct Reports, and Employees.
- Step 2: Surveys are sent out to constituent groups (CEO, Direct Reports, and Employees) on June 2nd. Reminder email sent on June 5th. Recommend surveys emailed from the Chair's office with email introduction from Kumuhonua HR explaining third-party confidential collection.
- Step 3: Surveys are due on June 8th from CEO, Direct Reports, and Employees.
- Step 4: Email survey results for Trustee review (from CEO, Direct Reports, and Employees) June 13th and present survey results on Thursday, June 16th.
- Step 5: Email survey link to Trustee's on June 16th.
- Step 6: Trustee surveys are due on June 27th.
- Step 7: Draft final instrument for Trustee review by July 8th for discussion and approval on Friday, July 15th.
- Step 8: Present final draft of CEO evaluation to BOT. Incorporate Trustee revisions and goals and obtain final approval on Friday, July 15th.
- Step 9: Performance review session, with Trustees, Consultants, and CEO on Tuesday, July 26th.
- Step 10: The CEO will provide her comments to the Chair's office by Monday, August 1st.

Once upon approval, surveys will be immediately sent out today to the CEO direct reports and the employees. We will send a few reminder emails. Once again, we want to thank Lehua and the Chair's office who will actually forward the survey link so that the employees and team know that it's a validated survey and not, you know, crazy junk mail. We are asking the constituent groups to provide, to finalize, their survey on June 8th. Following that, the survey results will be sent to the Trustees for their review in their culminated

form, on June 13 for presentation and the June 16 Board of Trustees meeting. Subsequent to the feedback being shared, Trustees will have the opportunity to share and complete their own evaluation of the CEO performance. That survey will come to the Trustees on June 16th and we're asking if you could complete that by June 27th. Kim and I will be available for any questions, concerns, or problems during that one week to nine-day period. Following June 27th, we will draft, culminate all the nine trustees' surveys into the quantitative, as well as the qualitative portions of the survey. Again, capturing the views of all nine trustees as it pertains to the CEO performance evaluation. We will also put together recommended goals based on simulating the nine trustees' pieces of feedback. Final approval on July 15th at a Board of Trustees meeting with particular focus on approval of the of the instrument, as well as the recommended goals. Subsequent to that, we will actually meet on July 26th to provide the performance feedback to the CEO and, last but not least, the CEO will have one week to provide her comments and feedback back to the Chair's office to complete the process. Just a quick recap of the ratings, it's a one through five scale, including a not observable.

Performance Ratings and Criteria

- 5) Outstanding - Performance consistently exceeds all requirements of the objectives and results in contribution beyond job expectations
- 4) Exceeds Requirements —Performance consistently exceeds most requirements and meets all other requirements of the objectives
- 3) Meets All Requirements —Performance is consistently solid and reliable
- 2) Meets Some Requirements —Performance meets some, and is below other requirements of the objectives
- 1) Consistently Does Not Meet Requirements —Performance does not meet requirements of the objectives and significant improvement needs to be demonstrated in the short-term
- N/A

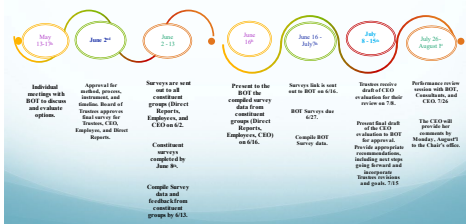
Survey Participants

	Trustee Relations	Leadership	Engagement	Advocacy	Compliance	Fiscal/Asset Responsibility	Community Relations
Trustees	X	X	X	X	X	X	X
CEO	X	X	X	X	X	X	X
Direct Reports/Leadership		X					
Employees			X				

- 1 – is consistently doesn't meet
- 2 – meeting some requirements
- 3 – is doing the job
- 4 – exceeding the requirements
- 5 – is outstanding performance and consistently meets all requirements of the objective, results, and contributions beyond job expectations

This is just a quick recap of what the competencies are measured by groups: The CEO of Trustees weigh in on all competencies, whereas the Direct Reports weigh in solely in the leadership piece and the employees are solely in the engagement area. This is the updated timeline which reflects the 10 steps and when they will be due. I want to point out that the trustees will receive the compiled survey data from the

Timeline & Deadlines



Common Rating Errors

- **HALO** – Individuals rate someone high in all areas because they are very impressive in one or two areas.
- **HORN** – Individuals rate someone very low in all areas because they need development in one or more areas.
- **Central Tendency** – All ratings are in the middle.
- **Leniency** – Everyone is rated very high in all areas
- **Strictness** – Everyone is rated very low in all areas.
- **Recency Bias** – Failure to take into account for the whole year
- **Contrast Effect** – Rating individuals against others in the position.

constituents on the 13th and a Board meeting will be held on the 16th of June to share it and answer questions, any trends; and then the surveys for the Board of Trustees will go live on the 16th with that coming back on

the 27th. Once you complete your survey, if you could just note or email us the date and time you completed it so we can make sure we're capturing everybody's information. Of course, culminating with the approval of the recommended instrument and goals on the 15th with the actual performance of the review assessment with Sylvia on the 26th of July. Once again, there will be an email message that will come from the Chair's Office again to the leadership and to the employee group noting that this is, an approval process and asking for their participation, etc. The survey is user friendly, again not applicable, so if they don't feel they've observed or have an opinion, it doesn't impact negatively the review. Engagement is the only process that would be going to the employee group and they do have a place to add free flow comments in each relevant section. I'm just going to take you to the last part after advocacy and compliance, and just a reminder, due to COVID, we're recommending that we don't survey the community, but the Trustees will still evaluate on performance as it pertains to community. Finally, the last piece of it is two recommendations for CEO development that would enhance job performance. This would be the things that we'd be looking for, focus on, in the following year, significant accomplishments under the CEOs leadership things that we're proud of, and finally, this is the area where you'll put in your recommendations for two critical goals you would like to see the CEO focus on and if possible, what measurable goals you recommend seeing. Any questions on the survey before we move on?

Trustee Ahu Isa I'm looking at your timeline and you have surveys due on the 8th from the constituent groups. *Inaudible*.

Marie Kumabe, KUMABE Like today, after you receive the survey compiled information, you will receive your survey link. You will have until the 27th of June to complete your survey. The 10 days will allow you time to go back and look at it in detail.

Trustee Ahu Isa It seems the way this is structured our *inaudible* is contingent on the results we get back from you on her from the constituent groups, why can't we take the evaluation survey? We're dragging it on from the 16th and then goes all the way from the 16th to the 27th for nine of us to do an evaluation. Our fiscal year starts July 1 with the State. My question is why is it so long? We only have nine Trustees.

Marie Kumabe, KUMABE On timing, first as a Trustee, you are not obligated to even look at the feedback, it is just to provide you actual information. You do not have to open the link if you prefer not to. At the end of the day, that's the idea of voice, its perception, but it is actually your nine voice votes that are her evaluation, so we give the 10-day period. We would love to do it earlier. If you could do it in one day that would be great. We understand some people have to travel, some like to think about things, we try to give enough time so that the Trustees can thoughtfully look at it and put it together. We just want people to have enough people time for thoughtful reflection.

Trustee Trask I have some comments, first, opposite of what Trustee Ahu Isa is saying. She is saying we have a long period of time, but we are really only getting input from nine people. I am looking at in another way. When this matter first came up, I pointed out that there was no process included for the beneficiaries. When I look at this kind of a timeframe when doing a survey, I see an opportunity to include the beneficiaries; put an announcement in the paper, click here and go to the survey. If the survey you are designing is different, inform for beneficiaries versus Trustees, then make a new one. When we have two and half to three months, I do not understand why we are only talking to nine people. I would like to know how the beneficiaries who have interfaced with our CEO, what their input is. I have a similar problem with regards of getting the survey results, but its protecting anonymity. I don't really need to have anonymity protected. I'm on board with nine Trustees, I've only been here for two months. My colleagues, who have

been here for years have a problem, I would like to know about it and know what their mana'o is. I think it is significant.

Marie Kumabe, KUMABE Let me just clarify Trustee Trask because so the anonymity is more geared toward the employee and the leadership team because obviously, they work for the CEO and best practices and research show employee groups are more comfortable providing feedback if it remains anonymous. Regarding you folks as peers', you guys are welcome to discuss this, it's not anonymous. You can talk about it amongst each other, you can do whatever you normally do, that's not a problem. We only know whose survey is what, if we had to, and that's why we asked for you folks to remember your date and time because it is set up to be anonymous but it's not secretive. All of the information that comes in the surveys is incorporated into the final performance review and you folks, as a group, will be able to see that and discuss it amongst yourselves before it's approved and given to the CEO. Sorry for the confusion.

Trustee Trask I understand why anonymity is important for employees. I'm a Trustee and there are nine of us, I have a fiduciary obligation and I and other trustees are carrying liability, that is why I make the request.

Chair Hulu Lindsey Trustee Trask, to your point, we as Trustees will be able to go into executive session and have free discussions about this survey and without anybody present but our legal counsel.

Trustee Trask I understand that Chair but I am saying is that when I look at the data that is gathered from my colleagues, I would like to know what their concerns are and who they are coming from so that when we did an executive session, I can say Trustee Akaka, you have this concern, what happened here? She's been here for years, I've been here for two months.

Chair Hulu Lindsey I will entertain a motion for the action.

Trustee Lee Point of order, do we want to take this matter up now? Trustee Ahu Isa wanted to discuss this more in executive session, do we want to wait until we get out of executive session?

Trustee Ahu Isa moves to recuse into Executive Session.

Trustee Alapa Seconds the motion.

The Board recuses into Executive Session at 10:39 a.m.

Motion to recuse into executive session pursuant to HRS Section§92-5						
	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA	X		X			
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI‘I AKINA						X

TRUSTEE LUANA ALAPA		X	X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK			X			
TRUSTEE JOHN WAIHE'E			X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED						
Motion passes with a eight (8) YES votes and Zero (1) EXCUSED vote.						

Board returns to open session at 11:05 a.m.

Chair Hulu Lindsey Asks for a motion.

Trustee Akaka I would like to move to

MOTION:

To approve the method, process, timeline, survey, and evaluation instrument for the performance appraisal of the CEO as recommended by Kumabe HR LLC in their presentation at the Board of Trustees Meeting on June 2, 2022:

- **Use the 360-degree evaluation model as the method and process to evaluate the performance of the CEO;**
- **Use the drafted survey recommended by Kumabe HR LLC to generate comments from participants identified in the presentation;**
- **Use the recommended evaluation instrument drafted by Kumabe HR LLC to compile results from Trustees to evaluate the CEO;**
- **Establish the performance evaluation period as outlined in the presentation to include May 13, 2022 to July 15, 2022 with a flexible closing date depending on the final performance approval; and**
- **Follow the timeline outlined in the presentation to complete the performance appraisal of the CEO by August 1, 2022.**

Trustee Waihe'e Seconds the motion.

Trustee Akaka Moves

To approve the method, process, timeline, survey, and evaluation instrument for the performance appraisal of the CEO as recommended by Kumabe HR LLC in their presentation at the Board of Trustees Meeting on June 2, 2022:

- Use the 360-degree evaluation model as the method and process to evaluate the performance of the CEO;
- Use the drafted survey recommended by Kumabe HR LLC to generate comments from participants identified in the presentation;
- Use the recommended evaluation instrument drafted by Kumabe HR LLC to compile results from Trustees to evaluate the CEO;
- Establish the performance evaluation period as outlined in the presentation to include May 13, 2022 to July 15, 2022 with a flexible closing date depending on the final performance approval; and
- Follow the timeline outlined in the presentation to complete the performance appraisal of the CEO by August 1, 2022.

Trustee Waihe'e Seconds the motion.

	1	2	‘AE (YES)	‘A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA					X	
TRUSTEE DAN AHUNA			X			
TRUSTEE KALEI AKAKA	X		X			
TRUSTEE KELI‘I AKINA						X
TRUSTEE LUANA ALAPA			X			
TRUSTEE BRENDON LEE			X			
TRUSTEE MILILANI TRASK				X		
TRUSTEE JOHN WAIHE‘E		X	X			
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			6	1	1	1

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

Motion passes with six (6) Yes votes, One (1) No vote, One (1) Abstention vote, and One (1) Excused.

Public Testimony & Community Concerns and Celebration

Chair Hulu Lindsey Calls upon beneficiaries that signed up to speak for public testimony and community concerns and celebrations.

Everyone who signed up to speak, spoke on the iwi issues happening on Kaua‘i in Kolea. Each person expressed their opposition to the development and more so to the recent explosive methods being used.

Kona Wong spoke on the iwi issues kupuna that were recently exposed near the county baseyard on Opelu Road in Hanalei, Kauaʻi. A machine entered onto site 3 and found a human skull. KPD and SHPD have visited the site, but families from the area have been left out.

Roslyn Cummings Ms. Cummings has been working on iwi kupuna issues, including a 2015 intervening in a legal case. She had concerns over burials found in Moloaʻa.

Momilani Martins spoke on the iwi kupuna issues happening on Kauaʻi

Peter Morimoto Attorney for Save Koloa and Friends of Mahaʻulepu. His clients have videos of blasting occurring on property. Wants OHA to reach out to authorities to stop destruction and work on development site.

Peleke Flores Expressed that he is just listening to the meeting.

Keoni DeFranco Lives in Waimanalo, but has spent time on Kauaʻi. Described two open gravesites in Koloa, with landowner discussing building houses over burials. Explosions occurring today.

Elizabeth Gary Pinkston and Meridian Pacific had grading and grubbing permits approved off of draft reports. Their construction activities are affecting Hapa Trail and creating holes in the ground

Llewelyn Kaohelaui Identified himself as the Kauaʻi Aha Moku Po ʻo. He reported on the dynamiting of burial caves associated with development in Poʻipu.

Kahakuakoi K. Lateral heir of Koloa lands, concerned about impacts to iwi kupuna from development

Kiara Lorenzo Reported on Koloa explosions that were having impact on iwi kupuna.

Mike Smith Not from Hawaiʻi, but visited Kauaʻi and reported explosions from dynamite affecting iwi kupuna.

Alfred Medeiros Walked into development to confront developers and take pictures. He will deliver the photos and videos to OHA's offices. He witnessed a former cave that was demolished and will defend these sites from further impacts.

Kaukaohu Wahilani From Waiʻanae, travelled to Kauaʻi to support effort to protect iwi kupuna. He witnessed destruction first hand and wants iwi kupuna further protected.

Rebecca McCarly Called in to listen and is concerned about the iwi kupuna.

Rupert Rowe Identified himself as Po ʻo of Kaeioulouma Heiau. He has been involved in Koloa issues since 2008. He was concerned about impact to iwi kupuna and natural environment from the development and the lack of a drainage plan for the development.

Announcements

Chair Hulu Lindsey Our next Board meeting will be at Waimea Valley, June 9th at 10 am and our site visit will start at 9:00 am.

Adjournment

Trustee Akaka Moves to adjourn the meeting.

Trustee Waihe'e Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA						Leaves mtg at 12:20 pm
DAN	AHUNA			X			
KALEIHIKINA	AKAKA	X		X			
KELI'I	AKINA						X
LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
MILILANI	TRASK			X			
JOHN	WAIHE'E		X	X			
CHAIR CARMEN HULU	LINDSEY			X			
TOTAL VOTE COUNT				7			1

Chairperson Carmen Hulu Lindsey Adjourns the Board of Trustees meeting at 12:24 p.m.

Respectfully submitted,

Lehua Itokazu
Board Secretary

As approved by the Board of Trustees on June 23, 2022.

Carmen Hulu Lindsey
Chairperson, Board of Trustees

Attachments:

1. Excuse Memo – Trustee K. Akina
2. PowerPoint – CEO Evaluation, KUMABE

All attachments will be included with the final approved minutes.

Office of Hawaiian Affairs
Meeting of the Board of Trustees
June 23, 2022
9:30 A.M.

IV. New Business

- 1. River Heritage Foundation – Kamealoha Hanohano Pa-Smith and Uhau‘iole Community Restoration Hui – Nawai Aipa-Rivera**

Any material for this agenda item will be given to you at the Kaua‘i Island Board of Trustees Meeting.

Office of Hawaiian Affairs
Meeting of the Board of Trustees
June 23, 2022
9:30 A.M.

**V. Status of OHA Activities: Ka Pouhana/CEO's Kaua'i Island
Community Report and Update on OHA's activities**

Island Community Report: Kauaʻi

Executive Summary



Current Native Hawaiian Conditions on Kauaʻi



Educational Pathways Data

- 27% of Kauaʻi DOE students are Native Hawaiian (2,627 / 9,658) and 92% of the two Kauaʻi Hawaiian Focused Charter students are Native Hawaiian.
- Of the total number of Kauaʻi Island Class of 2021 public high school graduates (662), 33% (217) were Native Hawaiian.



Health Outcomes Data

- As of June 6th, the COVID-19 positivity rate (7-day moving average) is 26.5% (220 daily average tests), there are 9 new hospitalizations (220 total), and have been 30 total deaths in Kauaʻi County
- 78% of Kauaʻi County residents received at least one (1) dose of a COVID-19 vaccine (55,896), 72% received at least two (2) doses (51,875), and 48% received more than two (2) doses (33,867).



Quality Housing Data

- The Native Hawaiian homeownership rate in Kauaʻi was 66%, compared to 62% for the total Kauai population and 56% of the statewide Native Hawaiian population.
- The Department of Hawaiian Homelands has 743 leases on Kauaʻi, 7% of the 9,957 leases statewide.
- DHHL lands on Kauaʻi comprise a total of 20,575 acres, 10% of the total 203,981 acre DHHL land holdings.
- 4,315 Native Hawaiians are waitlisted for Residential (1,707), Agricultural (2,280), and Pastoral (328) lots.



Economic Stability Data

- 22% of Native Hawaiians on Kauaʻi have some college but no degree, 13% have an associate's degree, 7% have a bachelor's degree, and 5% have a graduate or professional degree.
- Native Hawaiian Median Household Income in Kauaʻi County was \$67,230, compared to \$65,101 for all races – Native Hawaiian Median Household Income was 103% of all races countywide.
- The COVID-19 pandemic had significant negative effect on Native Hawaiian household finances. Many Native Hawaiian survey respondents on Kauaʻi reported being worse off during than before the pandemic, including an increase from 2% to 15% of Native Hawaiians who were not making ends meet.

Current Issues on Kauaʻi

Kauanoʻe o Koloa Project: On April 19 and 20, 2022, OHA Compliance Program was in receipt of several beneficiary complaints regarding the County permitting of work for the subject project, allegations of disturbed heiau, and reports of destruction of Kauaʻi cave spider habitat. The alleged heiau disturbance was subsequently reported to the State Historic Preservation Division (SHPD) and the Division of Conservation and Resources Enforcement (DOCARE) as a possible HRS 6E-11 violation. OHA Compliance Program further put out a request to the County for any permit approvals related to the project and evidence of some kind of Ka Paʻakai Analysis in fulfillment of Article XII, Section 7, constitutional obligations. See Full Report, page 19

Polihale State Park Mismanagement: Stakeholders have proposed a plan to address the state's mismanagement of increasing public abuse of the Polihale State Park, which has resulted in harm to the park's cultural resources, including burials and heiau. See Full Report, page 13

Missile Defense Agency (MDA) Re-Opening of Public Scoping to now include Pacific Missile Range Facility (PMRF): PMRF is one of two sites currently being considered as a possible site for a homeland defense radar. Advanced planning studies and an EIS narrowed the siting prospects from four to two, which triggers a re-opening of public scoping and commenting. This re-opening of the public scoping and commenting is considered pre-consultation and precedes the release of the EIS. OHA Compliance Program will continue to monitor this project, track community input and then review and provide OHA's formal comments on the EIS when it is available. See Full Report, page 14

Waiʻoli Valley Taro Hui: The partnership between OHA and University of Hawaiʻi's Ka Huli Ao Center for Excellence in Native Hawaiian Law continues to assist area taro farmers with securing necessary permits and approvals to ensure that they can legally continue to use Waiʻoli Stream's water after the 2018 flooding damaged the area's loʻi kalo system. See Full Report, page 16

Hanapēpē Early Cultural Impact Assessment (CIA) Outreach for Port Allen Airport Security Fence: The environmental review process and associated CIA were initiated for a project intended to replace the existing Port Allen Airport fence, which is located near the Hanapepe Salt Ponds, an important cultural resource that has been the subject of several BOT Kaua'i community meetings. OHA Administration will continue monitor the project and review the Environmental Assessment and CIA when they are ready for review. See Full Report, page 15

Current Grantees Serving Kaua'i

Kanu O Ka 'Āina Learning 'Ohana • Hawaiian Community Assets • Council for Native Hawaiian Advancement • Hawaii Community Lending • Kukulu Kumuhana O Anahola • The Hawaiian Church of Hawai'i Nei • Supporting the Language of Kauai, Inc. • Hawaiian Islands Land Trust • Alu Like, Inc. • Hanalei River Heritage Foundation • Āina Ho'okupu o Kilauea • Kupu • Homestead Community Development Corporation • Papa Ola Lokahi • University of Hawai'i at Manoa

Current Kaua'i Lending

- 22 active Native Hawaiian Revolving Loan Fund/Consumer Micro Loan Program loans, \$1,340,126 total amount lent