



**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

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
Colette Y. Machado, Moloka'i/Lāna'i
Robert K. Lindsey, Jr., Hawai'i Island

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

DATE: Wednesday, May 29, 2019
TIME: 10:00 am
PLACE: OHA Board Room, Nā Lama Kukui
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817

AGENDA (Amended)

- I. Call to Order
- II. Public Testimony*
- III. New Business
 - A. Action Item BAE-RM #19-05: To approve the Scope of Work and Qualification and Requirements as defined in the proposed RFQ in selecting a professional executive search and consulting firm to assist the Joint BAE-RM Committees for the recruitment and selection of a Chief Executive Officer.
 - B. Action Item BAE-RM #19-06: To approve and authorize the disbursement of \$40,500 from the fiscal year 2020 Core operating budget (Object code 56530) and \$40,500 from the Fiscal Year 2021 Core Operating Budget (Object Code 56530) to fund Ahupua'a O Moloka'i.
- IV. Executive Session†
 - A. Consultation with Board Counsel Robert G. Klein, Esq., re: questions and issues pertaining to the board's duties, liabilities, privileges, and immunities regarding Action Item BAE-RM #19-05: to approve the Scope of Work and Qualifications and Requirements defined in the proposed RFQ in selecting a professional executive search and consulting firm to assist the Joint BAE-RM Committees for the recruitment and selection of a Chief Executive Officer, pursuant to HRS § 92-5(a)(2),(4).
 - B. Consultation with OHA attorney Everett Ohta, Esq. and Board Counsel Robert G. Klein, Esq, re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding H. B. 172 HD1 SD2 CD1 (2019), relating to the budget of the Office of Hawaiian Affairs, 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.

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



**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS**

Dan Ahuna

Trustee Dan Ahuna
Chairperson, Committee on Resource Management

05/23/19

Date

John Waihe'e IV

Trustee John Waihe'e IV
Chairperson, Committee on Beneficiary Advocacy
and Empowerment

05-23-2019

Date



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05/23/19

Date

John Waihe'e IV

Trustee John Waihe'e IV
Chairperson, Committee on Beneficiary Advocacy
and Empowerment

05-23-2019

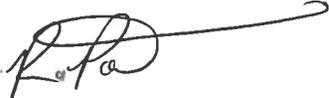
Date



Action Item
Joint Committee on Beneficiary Advocacy and Empowerment and Resource Management
May 29, 2019

BAE-RM #19-05

Action Item Issue: Consideration of Scope of Work and Qualification and Requirements as defined in the proposed RFQ in selecting a professional executive search and consulting firm to assist the Joint Committees on Beneficiary Advocacy and Empowerment (BAE) and Resource Management (RM) for the recruitment and selection of a Chief Executive Officer.

Prepared by:  _____ 05/24/19
Ron Porter Date
Trustee Aide, Trustee Dan Ahuna – Kaua'i & Ni'ihau

Reviewed by:  _____ 05/24/2019
John D. Waihe'e, IV Date
Chair, Committee on Beneficiary Advocacy and Empowerment

Reviewed by:  _____ 05-24-2019
Dan Ahuna Date
Chair, Committee on Resource Management

- I. Action:**
To approve the Scope of Work and Qualification and Requirements as defined in the proposed RFQ in selecting a professional executive search and consulting firm to assist the Committees on Beneficiary Advocacy and Empowerment (BAE) and Resource Management (RM) for the recruitment and selection of a Chief Executive Officer.
- II. Issue:**
Whether the Joint Committees on BAE and RM should authorize and approve the Scope of Work and Qualification and Requirements as defined in the proposed RFQ in selecting a professional executive search and consulting firm for assisting the committees for the recruitment and selection of a Chief Executive Officer (CEO).

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.

Action Item BAE-RM #19-03, approved by the Joint BAE-RM Committee on April 24, 2019 and approved by the Board of Trustees on May 2, 2019 attempted to harmonize the OHA BOT Bylaws and Executive Policies with HRS § 10-10 relating to the recruitment and selection of a CEO.

Action Item BAE-RM #19-03 approved funds to contract with a professional search firm to aid in the recruitment and selection of a CEO.

This action item (BAE-RM #19-05) will finalize the language on the RFQ that pertains to trustee responsibilities, in particular the Scope of Work section and the Qualification and Requirements section.

IV. Discussion:

Following the approval of Action Item BAE-RM #19-03 by the board, the next step is to solicit a RFQ. The Scope of Work and Qualifications and Requirements of the RFQ will need to be approved by the Joint BAE-RM Committee. These currently read as follows:

SCOPE OF WORK

The Successful Offeror shall provide and perform the services required in a satisfactory and proper manner as determined by the OHA. The services shall include, but may not be limited to, the following:

1. Solicit input from the Board of Trustees or a sub-committee thereof, through meetings and/or interviews to understand the role, responsibilities, qualifications and appropriate experience needed for the position.
2. Act as an unbiased party providing a fair recruitment process.
3. Assist to ensure the position's description, salary and responsibilities are relevant and current in terms of the market.
4. Assist to develop an accurate and attractive job description. See Attachment 1 – CEO job description.
5. Provide a recruitment strategy specifically designed to attract a diverse pool of highly qualified and competitive candidates, including women, men, and members of underrepresented groups, and timetable for completion of the work in consultation with the BOT.

6. Conduct outreach recruiting through a number of different channels including advertising in nationally-recognized publications likely to attract qualified candidates, proactively reaching out to candidates in the marketplace that may not be actively seeking the position not just locally but on a national or global level.
7. Screen potential applicant's qualifications against those required in the job description, identify those meeting minimum qualifications and follow up with telephone interviews to clarify each applicant's credentials.
8. Prepare a written summary of five (5) candidates with the most promising qualifications for the position within two (2) to four (4) weeks from execution of contract.
9. Conduct in-depth reference checks (minimum 3), background checks and verify specific credentials for each potential candidate such as educational background, and conduct criminal, financial, media and civil litigation checks. Through these reference checks, ascertain the candidate's strength in personal dimensions identified by the job description as well as the contractor's interview with stakeholders.
10. In the event politically sensitive or potentially embarrassing issues arise from the candidate's background, conduct in-depth interviews with the principle parties to clarify the issues and clearly present to the OHA a picture of the event.
11. Select qualified candidates for presentation to the BOT.
12. Facilitate scheduling of interviews with prospective candidates and participate in a process with the OHA for interviews and coordinate candidates' participation in interviews.
13. Debrief with the OHA following interviews and identify additional candidates if necessary.
14. Notify non-selected candidates as soon as the offer letter has been signed by the chosen candidate.
15. In the event that the selected candidate leave employment with the OHA before a period of one year, an additional recruitment and selection process will be conducted at no cost to the OHA.
16. Attend BOT meetings as required by the BOT.

QUALIFICATION AND REQUIREMENTS

The Successful Offeror's qualifications and requirements shall include, but may not be limited to, the following:

1. The Successful Offeror shall have at least ten (10) years' knowledge, experience and expertise in searching for executive management staff.
2. The Successful Offeror shall have at least ten (10) years' experience in working with indigenous entities or organizations or entities that serve indigenous people; preferably experience in working with Native Hawaiian organizations/entities or organizations/entities that serve Native Hawaiians.
3. The Successful Offeror shall have at least ten (10) years' experience in identifying potential contacts and conducting personal outreach recruiting through a number of different channels.
4. The Successful Offeror shall 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 two (2) to four (4) weeks of their retainment.
5. The Successful Offeror shall have at least ten (10) years' experience working with government agencies.
6. The Successful Offeror shall have at least ten (10) years' experience targeting Hawaiian audiences.
7. The Successful Offeror shall provide references or proof of successful placements for the past ten (10) years.
8. The Successful Offeror shall comply with all State, Federal, and County requirements and shall obtain all necessary permits, licenses, goods, services, and materials as required to complete this Scope of Work.

The Board of Trustees directly oversee the position of Chief Executive Officer (CEO), therefore it is of direct relevance that the Scope of Work and Qualification and Requirements stipulated in the RFQ meet the expectations of the Board of Trustees.

V. Recommended Action:

To approve the Scope of Work and Qualification and Requirements as defined in the proposed RFQ in selecting a professional executive search and consulting firm to assist the Joint Committees on Beneficiary Advocacy and Empowerment (BAE) and Resource Management (RM) for the recruitment and selection of a Chief Executive Officer.

VI. Alternative Action:

A. Do not approve the Scope of Work and Qualification and Requirements as defined in the proposed RFQ in selecting a professional executive search and consulting firm to assist the Committees on Resource Management (RM) and Beneficiary Advocacy and Empowerment (BAE) for the recruitment and selection of a Chief Executive Officer

VII. Time Frame:

Immediate action is recommended.

VIII. Attachment:

Chief Executive Officer (CEO) Job Description



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Chairperson, Committee on Resource Management

05/23/19

Date

John Waihe'e IV

Trustee John Waihe'e IV
Chairperson, Committee on Beneficiary Advocacy
and Empowerment

05-23-2019

Date

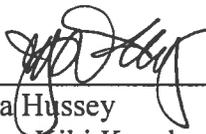
OFFICE OF HAWAIIAN AFFAIRS
Action Item

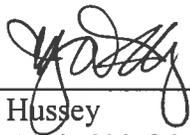
Joint Committees on Resource Management
and Beneficiary Advocacy and Empowerment
May 29, 2019

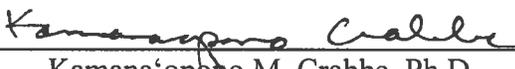
BAE/RM #19-06

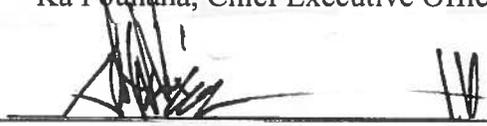
Action Item Issue: **Fiscal Biennium 2020-2021 Community Grant Recommendation:
Ahupua'a O Moloka'i**

Reviewed by:  5/23/2019
Maile/Lu'uwai Date
Pou Kāko'o Kāko'o Kaiāulu, Grants Manager

Reviewed by:  5/23/2019
Sylvia Hussey Date
Ka Pou Kihi Kanaloa-Wai, Chief Financial Officer (Interim)

Reviewed by:  5/23/2019
Sylvia Hussey Date
Ka Pou Nui, Chief Operating Officer

Reviewed by:  5/23/19
Kamana'opono M. Crabbe, Ph.D. Date
Ka Puhana, Chief Executive Officer

Reviewed by: 
John D. Waihee, IV. Date
Luna Ho'omalua Kōmike BAE, BAE Chairperson

Reviewed by:  5/24/19
Dan Ahuna Date
Luna Ho'omalua Kōmike RM, RM Chairperson

I. Action Item:

To approve and authorize the disbursement of \$40,500 from the Fiscal Year 2020 Core Operating Budget (Object Code 56530) and \$40,500 from the Fiscal Year 2021 Core Operating Budget (Object Code 56530) to fund Ahupua‘a O Moloka‘i; a Fiscal Biennium 2020-2021 Community Grant recommendation.

II. Issues:

Whether or not the Board of Trustees (BOT) should approve and authorize the disbursement of \$40,500 from the Fiscal Year 2020 Core Operating Budget (Object Code 56530) and \$40,500 from the Fiscal Year 2021 Core Operating Budget (Object Code 56530) to fund Ahupua‘a O Moloka‘i; a Fiscal Biennium 2020-2021 Community Grant recommendation.

III. Discussion:

On May 22, 2019 the Joint Committees on Resource Management and Beneficiary Advocacy and Empowerment approved of BAE/RM Action Item #19-04 Fiscal Biennium 2020-2021 Community Grant Recommendations.

Community Grant Land Strategic Priority applicant Waipa Foundation was recommended in the Action Item, but Waipa Foundation rescinded its application after the Action Item was finalized. Ahupua‘a O Moloka‘i was the next highest scoring applicant in the Community Grant Land Strategic Priority category. Ahupua‘a O Moloka‘i was not included in BAE/RM Action Item #19-04.

This action seeks BOT consideration for approval to fund Ahupua‘a O Moloka‘i under the Community Grants Program.

An individual recommendation summary for Ahupua‘a O Moloka‘i is attached as **Attachment A – Individual Recommendation Summary Sheet.**

IV. Funding Source:

Preliminary funding for this recommendation was authorized on September 27, 2018 via BOT approval of RM #18-09 - OHA’s Preliminary Fiscal Biennium 2020/2021 General Funds and Community Grants Budgets for FB 2019-2020 and 2020-2021.

V. Recommended Action:

To approve and authorize the disbursement of \$40,500 from the Fiscal Year 2020 Core Operating Budget (Object Code 56530) and \$40,500 from the Fiscal Year 2021 Core Operating Budget (Object Code 56530) to fund Ahupua‘a O Moloka‘i; a Fiscal Biennium 2020-2021 Community Grant recommendation.

VI. Alternatives to Recommended Action:

- A. Approve and authorize all funding.
- B. Approve and authorize partial funding.
- C. Do not approve any funding.

VII. Timeframe:

Immediate action is recommended to effect notification of awards and commencement of grantee contracting.

VIII. Attachment:

- A. Individual Recommendation Summary Sheet

Ahupua‘a O Moloka‘i

PROJECT DESCRIPTION

The purpose of this project is to provide direct support and education to Native Hawaiians of Moloka‘i to grow significant native crops (of both land and sea) to further economic sustainability—while requiring ahupua‘a stewardship through restoration efforts and service learning.

BENEFIT TO HAWAIIANS

- 25
- Moloka‘i

FUNDING RECOMMENDATION

FY 2020:	\$40,500
FY 2021:	\$40,500
Total:	\$81,000

BOARD MEMBERS

Kilia Waiomina Iona Purdy-Avelino, President; Doreen Kealailiahi “Pinky” Gaspar, Vice President; Shona Mae Kehaulani Pineda, Treasurer; Marlene Kamuela “Kammy” Purdy, Secretary; Benjamin Cockett, II, At-Large Director; Ochie Bush, At-Large Director; Kapua Lauifi, Program Director

PROJECT INFORMATION

- Ahupua‘a o Moloka‘i began in the early 1990s and received its non-profit Federal recognition in 2007. Since then, it has advocated for the advancement of our Hawaiian Homestead communities and its people. We are the unifying organization that connects all our individual Hawaiian Homestead communities of Moloka‘i.
- Ahupua‘a o Moloka‘i started the first phase of its Hānai a Ulu program this year with \$84,300 in funds from the Department of Hawaiian Home Land’s Peer to Peer grant. This program was intended to move our homesteaders one step forward based on their farm/agricultural readiness, through 5 areas/subprograms: Seed Savers, Start-up Subsistence Gardening, Training and Certifications, Plant Nurseries, and Farm to Market. The program to be funded with the OHA Grant is the Start-up Subsistence Garden and will support Native Hawaiians growing significant crops on a small scale.
- There is a need to increase activity on our homesteads on Moloka‘i in the area of agriculture as it was intended by Prince Kūhiō Kalaniana‘ole. Many Moloka‘i Native Hawaiians struggle economically. By lowering the bar to enter into farming through providing direct education, supplies, and support, this program will provide homesteaders the tools to produce crops.