STATE OF HAWAI‘I
OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE BOARD OF TRUSTEES
DATE: Wednesday, May 11, 2022
TIME: 10:00 am
PLACE: Virtual Meeting
Viewable at www.oha.org/livestream OR
Listen by phone: (213) 338-8477,
Webinar ID: 851 6530 9352

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: 851 6530 9352 A physical meeting location open to the general public will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu HI 96817. All members of the public that wish to access the physical meeting location must pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.

AGENDA

I. Call to Order
II. Approval of Minutes
   A. April 28, 2022
III. Public Testimony* on Items Listed on the Agenda* (Please see page 2 on how to submit written testimony or provide oral testimony. Oral testimony by phone will not be accepted)
IV. Community Concerns and Celebrations** (Please see page 2 on how to submit written testimony or provide oral testimony. Oral testimony by phone will not be accepted)
V. New Business
   A. Action Item BOT#22-06: Resolution Honoring the Life of Former Office of Hawaiian Affairs Trustee At-Large, Roy Leonard Benham
   B. Consultation with Kumabe HR LLC to discuss the upcoming process and next steps in the performance appraisal of OHA’s Chief Executive Officer.
VI. Announcements
VII. 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.

†Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.
* 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_Uz6Cdfs0Qqj4xsIRW7g

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 close 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/

Trustee Carmen Hulu Lindsey
Chairperson, Board of Trustees

5/5/2022
II. Approval of Minutes

A. April 28, 2022
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: 849 3303 5630 A physical meeting location open to the general public will be available at 560 N. Nimitz Hwy., Suite 200, Honolulu HI 96817. All members of the public that wish to access the physical meeting location must pass a wellness check and provide proof of full vaccination or a negative COVID-19 test taken within 72 hours of entry.

Minutes of the Office of Hawaiian Affairs
Board of Trustees
MINUTES
April 28, 2022

ATTENDANCE:
Chairperson Carmen Hulu Lindsey
Trustee Leinaʻala Ahu Isa
Trustee Dan Ahuna
Trustee Kaleihiikina Akaka
Trustee Keliʻi Akina
Trustee Luana Alapa
Trustee Brendon Kaleiʻaina Lee
Trustee Mililani Trask
Trustee John Waiheʻe, IV

BOT STAFF:
Amber Kalua, Trustee Aide
Kanani Iaea, Trustee Aide
Lehua Itokazu, Board Secretary

GUEST:
Sherry Broder, External Counsel

ADMINISTRATION:
Sylvia Hussey, CEO
Casey Brown, COO
Ramona Hinck, CFO
Robert Klein, Board Counsel
Everett Ohta, Interim General Counsel
Nietzsche Ozawa, Interim Senior Legal Counsel
Kevin Chak-IT Support
Daniel Santos-IT Support
Call to Order

Chair Hulu Lindsey Calls the Board of Trustees Meeting to order for Thursday, April 28, 2022, at 10:01 a.m. Board Secretary, please do a roll call.

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<th>MEMBERS</th>
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<td>CHAIRPERSON</td>
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At the Call to Order, nine (9) 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 V.B.1-5 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, Aides-Kanani Iaea and Amber Kalua, and our Board Secretary-Lehua Itokazu. Also with us today is Robert Klein, our Board Counsel, and Sylvia Hussey, our CEO. I will now call on Sylvia, our Pouhana, to announce our Administration staff who is joining us today.

Sylvia Hussey, CEO Thank you Chair and good morning Trustees, we have our COO-Casey Brown, CFO-Ramona Hinck, Interim General Counsel-Everett Ohta, Interim Senior Legal Counsel-Nietsche Ozawa, as well as Sherry Broder-Counsel, Chief Advocate-Naʻu Kamaliʻi and as always we are supported by our IT staff, Arlene and Erin.

Approval of Minutes

A. April 7, 2022
B. April 14, 2022

Chair Hulu Lindsey We are now on the approval of minutes, item II. Can I get a motion to approve the minutes?
Trustee Akina Moves to approve all three minutes.

Trustee Ahu Isa Seconds the motion.

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<th>MINUTES:</th>
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MOTION: [X] UNANIMOUS [ ] PASSED [ ] DEFERRED [ ] FAILED

Motion passes with nine (9) YES votes, one (1) ABSTENTION and one (1) EXCUSED vote.

Public Testimony & Community Concerns and Celebration

There were no sign-ups for testimony

New Business

V.A Committee on Resource Management
1. Action Item RM #22-06: Budget Management Policy Updates re: Carryover Provisions†(2nd reading)

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

Trustee Waihe‘e Thank you. Madame Chair I’d like to move to

Approve the addition of item 3.45.g. to section 3045 Budget Management of the Executive Policy Manual as follows (and at Attachment A in its entirety):
3.45.g. Multi-Year, Carryover. Multi-year budgets and/or carryover budget provisions (e.g., programs, projects), as a part of the budget evaluation activities described above, are to be presented to the Board for action including all projected impacts on related policies (e.g., spending, cash management) and other considerations (e.g., funding source).
Trustee Akaka Seconds the motion.

Trustee Lee Madame Chair, just for the record this is the second reading.

Chair Hulu Lindsey Yes, second reading, you are right. Roll call vote.

Trustee Waiheʻe Moves

Approve the addition of item 3.45.g. to section 3045 Budget Management of the Executive Policy Manual as follows (and at Attachment A in its entirety):

3.45.g. Multi-Year, Carryover. Multi-year budgets and/or carryover budget provisions (e.g., programs, projects), as a part of the budget evaluation activities described above, are to be presented to the Board for action including all projected impacts on related policies (e.g., spending, cash management) and other considerations (e.g., funding source).

Trustee Akaka Seconds the motion.

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TOTAL VOTE COUNT 9

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

Motion passes with nine (9) Yes votes, Zero (0) No votes and Zero (0) Abstention vote.

V. New Business

B. Committee on Beneficiary Advocacy and Empowerment

1. 2022 OHA State Legislative Bill Package Updates – SB2122/HB1474, SB2121/HB1473, coordinated advocacy - Matrix 1†✱, April 26, 2022
2. 2022 OHA State Legislature Bill Positions Related to Measures Naming OHA – Matrix 2†✱, April 26, 2022
3. 2022 OHA Legislature Bill Positions Related to Measures Affecting Native Hawaiians – Matrix 3†✱, April 26, 2022
4. 2022 OHA Legislature Bill Positions and Monitored Bills Related to Measures Affecting Native Hawaiians – Matrix 4†✱, April 26, 2022
5. 2022 OHA Legislature Resolution Positions and Monitored Resolutions Related to Measures Affecting Native Hawaiians – Matrix 5†✱, April 26, 2022
Chair Hulu Lindsey We are now on the next item, Trustee Akaka.

Trustee Akaka Chair Lindsey, Your Committee on Beneficiary Advocacy and Empowerment, having met on April 26, 2022 and after full and free discussion, recommends approval of the following motion to the Board of Trustees:

Motion 1:

Trustee Waiheʻe Seconds the motion.

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<th>Trustee Akaka Moves</th>
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Motion passes with eight (8) Yes votes, Zero (0) No votes and One (1) Abstention vote.

Chair Hulu Lindsey Mahalo. Sylvia, is there any need to go into executive session?

Sylvia Hussey, CEO Not that I’m aware of.


Adjournment

Trustee Akaka Moves to adjourn the meeting.

Trustee Waiheʻe Seconds the motion.

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**TOTAL VOTE COUNT**   | 9  |

Chairperson Carmen Hulu Lindsey Adjourns the Board of Trustees meeting at 10:10 a.m.

Respectfully submitted,

____________________
Lehua Itokazu
Board Secretary

As approved by the Board of Trustees on May 11, 2022.

____________________
Carmen Hulu Lindsey
Chairperson, Board of Trustees
V. New Business

A. Action Item BOT#22-06: Resolution Honoring the Life of Former Office of Hawaiian Affairs Trustee At-Large, Roy Leonard Benham
ACTION ITEM
Board of Trustees
May 11, 2022

BOT #22-06

Action Item Issue: Approval of “A Resolution of the Office of Hawaiian Affairs Honoring the Life and Contributions of former Office of Hawaiian Affairs Trustee At-Large, Roy Leonard Benham”

Prepared by:  

[Signature]

Trustee Brendon Kalei‘aina Lee
Trustee At-Large

Date: May 3, 2022

Reviewed by:  

[Signature]

Sylvia M. Hussey, Ed.D.
Ka Pōuhana, Chief Executive Officer

Date: May 4, 2022

Reviewed by:  

[Signature]

Trustee Carmen Hulu Lindsey
Chairperson, Board of Trustees

Date: May 5, 2022
I. Action

The OHA Board of Trustees approves “A Resolution of the Office of Hawaiian Affairs honoring the life and contributions of former Office of Hawaiian Affairs Trustee At-Large, Roy Leonard Benham” at Attachment A.

II. Issue

Should the OHA Board of Trustees approve the attached resolution.

III. Discussion

Roy Leonard Benham was a mentor and leader in the Native Hawaiian community; served on numerous humanitarian, cultural and environmental boards; and leaves behind a legacy of contributions to the betterment of the native Hawaiian people of these islands. On Tuesday, February 11, 2020, Roy Leonard Benham joined his kūpuna, Ua hui aku ‘o ia i kona mau kūpuna i ka poli aloha o ka Makua. This resolution honors his life, memory and contributions.

IV. Recommendation

To approve “A Resolution of the Office of Hawaiian Affairs Honoring the Life and Contributions of former Office of Hawaiian Affairs Trustee At-Large, Roy Leonard Benham”.

V. Alternative Actions

A. To not approve Trustee’s recommended resolution.

B. To approve an amended version of Trustee’s recommended resolution.

VI. Funding

No funding is required.

VII. Timeframe

Immediate action is recommended.

VIII. Attachment

A. Resolution
“A Resolution of the Office of Hawaiian Affairs Honoring the Life and Contributions of former Office of Hawaiian Affairs Trustee At-Large, Roy Leonard Benham”

RESOLUTION HONORING THE LIFE OF FORMER OFFICE OF HAWAIIAN AFFAIRS TRUSTEE AT-LARGE, ROY LEONARD BENHAM

WHEREAS, on April 19th, 1923, Roy Leonard Benham was born to William and Rachel Benham of Kahuku, O‘ahu; and

WHEREAS, in 1935 Roy was accepted to the Kamehameha School for Boys as a boarder; and

WHEREAS, during Roy’s senior year at Kamehameha, he was appointed to the Big Six, a group of six cadet leaders that provided oversight of activities, behavior and conduct within the corps of cadets; and

WHEREAS, as a student at Kamehameha School for Boys Roy served on the staff of Ka Mo‘i, the school newspaper; and

WHEREAS, Roy was a graduate of the Kamehameha School for Boys Class of 1941; and

WHEREAS, after attending three colleges in three locales, Roy graduated from the University of California Berkeley in 1949; and

WHEREAS, upon returning to Hawai‘i Roy taught Art and was a class advisor at the Kamehameha School for Boys while continuing his education earning his teaching certificate from the University of Hawai‘i in 1955; and

WHEREAS, Roy utilized his teaching education to help educate keiki in the Department of Education Hawaiian Studies and Kūpuna Programs; and

WHEREAS, on January 26, 1952, Roy married Jacqueline Booth and go on to have two daughters, Sarah Kaniaulono and Christine Kalanikapu; and

WHEREAS, Roy was a proud tūtū kāne of Christopher Kalaniana‘ole Little, Makena Francis Kaniaulono Gove, and Olivia Jacqueline Ho‘oilinaaulono Gove; and

WHEREAS, Roy joined the Hawaiian Civic Club movement in 1977 by becoming a member of Prince Kūhiō Hawaiian Civic Club, of which he would serve as President in 1984 and again in 2006; and

WHEREAS, while living in California Roy established the first Hawaiian Civic Club outside of Hawai‘i, the Kalākaua Hawaiian Civic Club; and
WHEREAS, Roy was a loyal member of Mamaka ‘Aialo, a men’s club focused on preserving the preparation and eating of Hawaiian foods, for over 40 years; and

WHEREAS, Roy began the first garden at Lunalilo Home, provided fresh flower arrangements for the residents and would continue to volunteer there before becoming a resident; and

WHEREAS, Roy’s other community and civic endeavors include the Polynesian Voyaging Society, Bishop Museum Association, Kawaiaha’o Church, Friends of ʻIolani Palace, Kamehameha Schools Advisory Council, Na Pua a Pauahi, Kamehameha Schools Alumni Association serving as its President, Kapiʻolani Community College, Democratic Party of Hawai‘i, Japanese Chamber of Commerce and American Cancer Society; and

WHEREAS, Roy was elected to an at-large seat in the very first election for Trustees of the Office of Hawaiian Affairs in 1980; and

WHEREAS, Roy was renowned across the pae‘aina for his lei hala; and

WHEREAS, on February 11, 2020, Roy Leonard Benham joined his kūpuna, Ua hui aku ‘o ia i kona mau kūpuna i ka poli aloha o ka Makua;

NOW, THEREFORE, BE IT RESOLVED, that the OHA Board of Trustees honors the life of former Office of Hawaiian Affairs Trustee At-Large, Roy Leonard Benham; and

BE IT FURTHER RESOLVED, that the OHA Board of Trustees sends it heartfelt appreciation to Roy Leonard Benham’s ʻohana for sharing his wisdom, time, and energy with the OHA Board of Trustees, Administration, staff, Native Hawaiian beneficiaries, and all the people of Hawai‘i; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be transmitted to the ʻohana of Roy Leonard Benham, Senator Brian Schatz, Senator Mazie K. Hirono, Congressman Ed Case, Congressman Kai‘ali‘i Kahele, Hawai‘i State Governor David Ige, and Lieutenant Governor Josh Greene

ADOPTED, this __________ day of ______ 2022, island of O‘ahu, State of Hawai‘i, by the Board of Trustees of the Office of Hawaiian Affairs in its regular meeting assembled.
V. New Business

B. Consultation with Kumabe HR LLC to discuss the upcoming process and next steps in the performance appraisal of OHA’s Chief Executive Officer.
Aloha!

- KumabeHR provides executive level HR expertise to Hawaii organizations spanning the non-profit, government, and private sectors.

- KumabeHR seeks to partner with our client organizations to provide state of the art Human Resource solutions from a menu of human resource applications that suit the directives of the leadership.

- Marie Kumabe currently serves as the Faculty Director for the Executive Masters of Human Resource Management program at the UH-Manoa Shidler College of Business. (She has been affiliated with the University of Hawaii for over 20 years in the area of business.)

- Over 30 years of experience in Human Resources at the executive level in the state of Hawaii.
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A fair, comprehensive and transparent CEO evaluation process

Clear guidelines describing the CEO’s evaluation process are becoming the accepted measure of good governance.

Quantitative & Qualitative Portions

CEO Self Evaluation
Objectives for Performance Review Process

“*It is an indisputable law in organizations that words are words, explanations are explanations, promises are promises... but only performance is reality.*”
- Harold S. Geneen

- Executive performance review process can be framed to be an extremely positive event for the organization.
- Values, such as transparency, vision and executive leadership collaboration can be reaffirmed.
- Participation in the process can further cement various constituency support for the direction of the institution.
- The process can quantify goals for the year going forward and celebrate the successes of the past.
Method and Process

1. **How will the data be collected?**
   - Will it be quantitative or qualitative data or both? Will surveys and/or interviews be used?
   - 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).

2. **What topics will be explored?**
   - Will topics such as leadership, communication and operating performance be assessed as well as performance on goals?

3. **The importance of the Board and their “buy in”?**
   - It is important to get agreement on the goals and criteria for assessment and the Board’s role in the process

4. **Who conducts the assessment?**
   - Many organizations engage a third party to assist with the CEO performance assessment
   - An outside assessor can bring external expertise and can be perceived as objective

5. **How will feedback be handled?**
   - This is the single most important component of the entire assessment process
   - Who will share the feedback with whom? Under what conditions? In what settings? How will feedback be turned into action?
   - Consensus versus Integrated Feedback
   - Training for the evaluation process
Timeline & Deadlines

**May 13-17th**
Individual meetings with BOT to discuss and evaluate options.

**May 26th**
Approval for method, process, instrument, and timeline. Board of Trustees approves final survey for Trustees, CEO, staff, and OHA Leadership.

**May 26-28th**
Meeting with Dr. Hussey to communicate the method, process, instrument and timeline.

**May 31 – June 15th**
Surveys are sent out to all constituent groups (Direct Reports, Employees, and CEO).

**June 23rd**
Constituent surveys completed.

**June 24 – July 1st**
Surveys link is sent out to BOT on 6/24.

**July 19th**
Trustees receive draft of CEO evaluation for their review on 7/12.

**August 4th**
Performance review session with BOT, Consultants, and CEO.

**June 4th**
Provide feedback and recommendations to the BOT and CEO on the results.

**July 19th**
The CEO will provide her comments by Monday, August 12, 2022, to the Chair’s office.

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Key Decisions

How to involve various stakeholders:

- Board of Trustees
- CEO
- OHA Leadership
- OHA Staff

Quantitative
- Objective or measurable goals

Qualitative
- Leadership and more subjective measures

Vote or Voice
- Role, if any in the process
Next Steps

- BOT to approve timeline.
- Individual meetings with BOT to discuss and evaluate options.
- Recommendations to BOT on 5/26 to make final recommendations on the method and process for the CEO evaluation, including a proposed final timeline.
Mahalo!

Any Questions?