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SUZANNE CASE
JONATHAN CHING, D.ARCH
HŌKŪLANI HOLT
CARMEN HULU LINDSEY
SAUMALU MATAAFA

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KŪKULU KE EA A KANALOA
KAHO'OLAWE ISLAND RESERVE COMMISSION

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PUBLIC MEETING MINUTES

Thursday, August 1, 2019

9:00 am

Department of Land and Natural Resources Board Room
Kalanimoku Building
1151 Punchbowl St, Room 130
Honolulu, Hawai'i

COMMISSION MEMBERS

PRESENT: Joshua Kaakua, E.D., Acting Chairperson; Suzanne Case; Jonathan Ching, D. Arch; Carmen Hulu Lindsey; Saumalu Mataafa

EXCUSED: Hōkūlani Holt

KIRC STAFF: Michael Nāho'opi'i, Executive Director (ED); Ka'ōnohi Lee, Administrative Officer (AO); Daniel Morris, Deputy Attorney General (DAG); Terri Gavagan, Commission Coordinator (CC); Paul Higashino (RPM)

GUESTS: Keoni Fairbanks; Eric Brundage (Zapata, Inc.); Leslie Gleim; J. Kalama Awau; Kawelu Higashino

I. CALL TO ORDER

The meeting was called to order at 9:08 am by Acting Chair Kaakua. Quorum was established with five Commissioners. Acting Chair Kaakua welcomed the new Commissioner representing Maui County, Saumalu Mataafa and requested that his introduction be on the record. "Mr. Mataafa works in the County of Maui's Department of Management. Before joining the KIRC, Saumalu was an analyst for the Maui County Council, specializing in housing-related topics. He also worked with the State Legislature where he helped draft policies to increase food sustainability, implement high-technology strategies, and manage infrastructure systems. Saumalu was born in Honolulu and raised in Lahaina. After graduating from Lahainaluna High School he went on to Embry-Riddle Aeronautical University in Daytona Beach, Florida, where he received his Bachelor's degree in Aeronautics and his Master's degree in Human Factors and Systems. Prior to moving back to Hawaii, he worked on systems with the Federal Aviation Administration and completed space bioscience projects at NASA, in Moffett Field, California. He is also an alumni of the McNair Fellowship Program and the Ka Ipu Kukui Fellowship Program."

Approved 11/22/19

II. APPROVAL OF MINUTES

A. Minutes of June 13, 2019 Regular Commission Meeting

There was a discussion about whether the minutes could be approved since only two of the Commissioners present at this meeting were at the June 13th meeting. CC Gavagan confirmed that the draft minutes were sent to former Commissioners McLean and Baker for comment but no comments were received. It was noted that the Commissioners present approved the minutes as written and that the minutes were circulated and no changes were received.

III. COMMUNITY AND PUBLIC COMMENTS

Members of the public introduced themselves. No other public comments were made.

IV. ACTION ITEMS

A. Fund, Select and Fill the Deputy Director Position Not to Exceed a Period of Six Months

ED Nāho‘opi‘i explained this item is a proposed plan in preparation for the retirement of AO Lee. The Administrative Officer oversees fiscal and personnel services, making it a broad and diverse position. The plan is to hire someone who has fiscal background and then train that person in personnel matters. Part of the plan is to fund the Deputy Director (DD) position which is currently authorized but unfunded for a period not to exceed six months and appoint AO Lee to that position so that the AO position would become vacant, allowing staff to recruit for that position. The goal was to hire the new AO and have approximately four months for AO Lee to train her replacement. ED Nāho‘opi‘i noted that the trust fund would need to cover salary and fringe benefits for the DD position since it was not one of the positions currently being funded by General Funds.

Commissioner Mataafa asked if there was an intent to keep the DD position open after the retirement of the current AO. Staff responded no.

MOTION: Commissioner Lindsey moved to 1) approve the use of Trust Fund to fund the Deputy Director, Position Number 117388, in the amount of \$75,000, 2) authorize the Executive Director to appoint Ms. Ka‘ōnohi Lee as the Deputy Director and fill the position for a period not to exceed six months. Commissioner Mataafa seconded the motion.

ACTION: The motion was approved by all Commissioners present.

B. Authorize the Executive Director to fill the Anticipated Vacant Administrative Officer Position

ED Nāho‘opi‘i explained that with appointing AO Lee to the DD position staff would be able to recruit and fill the now vacant AO position. He noted that a Commissioner is required to sit on the selection board based on the KIRC’s Executive Policy Manual. The interview committee would consist of AO Lee, ED

Nāho‘opi‘i and one Commissioner. He noted that the actual hiring authority would have to be Acting Chair Kaakua since ED Nāho‘opi‘i would be on the interview committee. The DLNR Chair would have to provide the final signature since the AO position is funded by general funds. Most of the interviews would probably be conducted on Maui.

Commissioner Mataafa volunteered to be on the selection board. He asked about the salary range. Staff responded it was \$55,000 to \$70,000.

The Commission asked for the AO’s position description. ED Nāho‘opi‘i agreed to provide it to all the Commissioners.

Acting Chair Kaakua volunteered to be a back-up on the selection committee, especially if the interview needed to be conducted on O‘ahu.

MOTION: Commissioner Ching moved to authorize the Executive Director to fill the Administrative Officer position and assign Commissioner Mataafa to the interview and selection process. Commissioner Lindsey seconded the motion.

ACTION: The motion was approved by all Commissioners present.

C. Amend Previously Approved Motion Authorizing the Executive Director to Fill the Cultural Resource Project Coordinator Position and to Assign a Commissioner to the Interview Process

ED Nāho‘opi‘i explained that former Commissioner Baker had been assigned to the interview process to fill the Cultural Resource Project Coordinator (CRPC) position since it requires Commission oversight but the position is still unfilled. A Commissioner is needed to participate in the interview process. He stated that Commissioner Holt is willing to serve in the interview process.

MOTION: Commissioner Lindsey moved to assign Commissioner Holt to the interview process for the Cultural Resource Project Coordinator position. Commissioner Ching seconded the motion.

ACTION: The motion was approved by all Commissioners present.

V. ADMINISTRATIVE BUSINESS

A. Review Expenditures as of June 30, 2019

ED Nāho‘opi‘i explained that the approved budget for FY19 was \$1.124 million. It did appear that expended funds exceeded the budget because more money was received throughout the year but staff did not have a chance to amend the budget. An additional \$92,000 in general funds were received in FY19. This amount was not included in the budget because staff did not know if it was going to be released. ED Nāho‘opi‘i reported that the Governor did release \$100,000 since the previous Commission meeting. The money for the vacant positions were not included in the approved budget. Staff was able to transfer the funds for the vacant positions to operational costs. A total of \$184,000 was added to the budget.

There was an overrun of \$106,000 from the approved budget. Therefore, staff spent less than anticipated by \$59,000 in FY19. Staff did try to spend funds by purchasing vehicles and paying for rent in advance but was unable to do so. The result was that \$59,000 in General Funds lapsed and returned to the state.

ED Nāho‘opi‘i explained that some of the budget issues this past fiscal year were that KIRC funds were mixed with funds of two other DLNR divisions and that staff was trying to figure out how to use the state accounting system to work in conjunction with QuickBooks which KIRC staff used to track expenditures.

Commissioner Ching asked which system supersedes. Staff responded that the state system takes priority. Staff added that the numbers from both the KIRC system and the state’s system are close.

Commissioner Mataafa asked if the same situation was anticipated for FY20. Staff responded that the KIRC’s general funds were included with the rest of DLNR’s general funds for FY20 and additional funds were also anticipated from grants. These funds were not included in the approved budget for FY20 because the grants had not been awarded. If the grants were awarded staff would request to amend the approved budget.

Acting Chair Kaakua asked how closely staff followed the trust fund monies. AO Lee responded that staff monitored the monies very closely using QuickBooks.

Staff explained that the decision to use trust fund monies to fund the DD position was based on the need to train the new AO before the current AO retired at the end of the calendar year. Reactivating the DD position would allow for the needed training in fiscal and personnel policies and procedures. It would take some time to get the person on board and get that person trained prior to the retirement of AO Lee. Utilizing trust fund monies allowed no delay in filling the DD position, although the DD position needed to be reactivated through the Department of Human Resources Development (DHRD).

Commissioner Ching asked for the balance of the trust fund. Staff responded that it was approximately \$500,000.

Commissioner Ching asked if there was a plan to recoup the \$75,000 to be used for this purpose. ED Nāho‘opi‘i responded that all the deposits for the fees and donations go into the trust fund. AO Lee explained that on the expense report there was a fund development area and it showed \$148,000 + before the June deposit. The KIRC collects at least \$150,000 a year that goes into the trust fund so the \$75,000 to be expended has already been prepaid.

Acting Chair Kaakua suggested that the KIRC should try to grow the trust fund since it was a limited resource. The DD position was crucial to making staff successful so the Commission was making a commitment to ensure the training of the incoming AO.

Commissioner Mataafa suggested that the financial goals should be included in the expense report. ED Nāho‘opi‘i responded that the target could be included.

Commissioner Ching complimented staff on the innovative handling of funding issues.

B. Executive Director’s Report

ED Nāho‘opi‘i reviewed the long range schedule and explained that there were also daily schedules when there were island accesses. He noted that the rain ceremony was being conducted in October in partnership with PKO in Honokanai‘a and that Makahiki would open in November during which the KIRC would also be hosting a volunteer group from the Association of Hawaiian Civic Clubs prior to their conference. A retreat for DLNR administrators was scheduled to be hosted on Kaho‘olawe. Commissioner Case added that she was looking forward to it.

ED Nāho‘opi‘i explained that the KIRC scheduled tried to follow the ‘Ohana schedule as much as practically possible but there needed to be enough gap time to give crew time to maintain the boat and prepare for accesses.

Acting Chair Kaakua asked if half dark and half open periods each month schedule was going to be the new norm. ED Nāho‘opi‘i responded that this schedule fits within the KIRC’s expense range. It is more cost-effective given current staffing levels. It is easier for staff to work within this schedule. The KIRC would need a \$3.5 to 4 million budget in order to increase the number of accesses. The KIRC staff would need to increase as well.

Commissioner Ching asked if there was a plan to acquire two more staff. ED Nāho‘opi‘i responded yes. Additionally, more staff would be needed once the center in Kīhei was built. ED Nāho‘opi‘i responded that staff would request approximately \$70,000-\$80,000 from the legislature to fund the positions.

Commissioner Lindsey asked if there was more money would there be more progressive restoration of the island. ED Nāho‘opi‘i responded yes. Commissioner Lindsey asked if the KIRC was eligible for Administration for Native Americans (ANA) grants. Staff responded that they did not think those grants were for government agencies. Staff would check.

Commissioner Lindsey asked if staff had looked into working with DLNR on Maui because they have a large nursery. RPM Higashino responded staff wanted to keep seeds from Kaho‘olawe away from seeds from other areas. Once the KIRC builds its nursery staff would probably grow plants that take a little more time to grow such as the Kanaloa plant and lama.

Commissioner Mataafa request a list of legislative goals for the next session. ED Nāho‘opi‘i responded staff would provide a legislative packet at the next meeting.

ED Nāho‘opi‘i reported that staff had not heard back from Boards and Commissions regarding the vacant PKO seat. Commissioner Lindsey continued to serve as a carryover in the OHA seat. Staff received the Governor’s Message appointing Saumalu Mataafa as an interim Commissioner representing Maui County. ED Nāho‘opi‘i did submit a letter to the governor requesting that Acting Chair Kaakua be appointed as KIRC Chair.

ED Nāho‘opi‘i reported that the Cultural Resources Project Coordinator (CRPC) was still vacant and that staff was still reevaluating the Safety Officer position.

Staff hosted Representative Takayama and two of his staff on island and the representative was very positive in his comments. Staff will host Representative Yamane on island later this month.

VI. PROJECT STATUS UPDATES

ED Nāho‘opi‘i referred the Commissioners to the project updates in the Commission packet as well as the grant status update.

VII. ANNOUNCEMENTS/FYI

ED Nāho‘opi‘i introduced Leslie Gleim who was an aerial photographer. She had worked with Dave Ulrich in the past. She was documenting climate change on O‘ahu and Hawai‘i Island and was interested in documenting man’s impact on Kaho‘olawe. She had submitted a Right of Entry (ROE) request but since the KIRC does not control the air space and they will not be landing on the island the request was not required. She requested to speak to the Commission because she was conscious of the cultural sensitivity of Kaho‘olawe and to answer any questions the Commission might have. ED Nāho‘opi‘i added that she was invited to go on a volunteer access to the island.

Commissioner Mataafa asked where her work was featured. Ms. Gleim responded that she was represented by a gallery in California and has some of her work on Instagram. She added that she does not post every photo she shoots. She also offered to share her images with the KIRC Archive.

VIII. NEXT MEETING AND FOLLOW-UPS

ED Nāho‘opi‘i suggested that the next meeting could be at the end of September or early October based on Commissioner Ching’s tentative schedule.

Follow-ups included looking at capacity and setting goals for trust fund such as increasing it. AO Lee also suggested that the financial plan be revisited.

IX. ADJOURNMENT

The meeting was adjourned at 10:19 am.