

Minutes of the  
Oahu Metropolitan Planning Organization

**POLICY BOARD**

Monday, December 16, 2019  
Council Committee Meeting Room 205  
Honolulu Hale, 530 South King Street  
Honolulu, HI 96813

**Members Present:**

Councilmember Brandon Elefante, Chair	Senator Breene Harimoto, Vice Chair
Senator Karl Rhoads	HDOT Deputy Director Lynn Araki-Regan
Councilmember Joey Manahan	DTS Deputy Director Jon Nouchi
HART Director of Planning, Environmental Compliance & Sustainable Mobility Ryan Tam	DOH Primary Prevention Branch Manager Heidi Hansen-Smith
DPP Deputy Director Timothy Hiu	

**Member(s) Absent:**

Representative Ryan Yamane, Representative Henry Aquino, Councilmember Kymberly Marcos Pine, OP Director Mary Alice Evans, FHWA Division Administrator Ralph Rizzo

**Guests Present:**

Dion Mesta (Clmbr Elefante's Office)	Andy Yamaguchi (DPP)
Marian Yasuda (DTS)	Amy Ford-Wagner (FHWA)
Joe Magaldi (CAC Chair)	Duane Pang (City Corporation Counsel)
Shirley Templo (Clmbr Manahan's Office)	

**OahuMPO Staff Present:** Alvin Au, Taylor Ellis, Roni Schack, Joel Vincent, Kiana Otsuka, Tori Larson, Nicki Smith, Nicole Cernohorsky, and Randolph Sykes

**I. CALL TO ORDER**

Chair Elefante called the meeting to order at 1:01 p.m.

**II. ROLL CALL**

The Policy Board members introduced themselves.

**III. APPROVAL OF NOVEMBER 26, 2019 MEETING MINUTES**

Approval of the November 26, 2019 meeting minutes was moved by Senator Rhoads and seconded by Senator Harimoto. There were no further discussions, objections, or abstentions and Chair Elefante declared the minutes approved as presented.

#### **IV. Reports**

##### **A. Executive Director**

Executive Director Alvin Au provided an update on the recruitment for the Senior Transportation Planner, noted that the Transportation Planning Intern position has been filled, reminded members that elections for a new Policy Board Chair and Vice Chair will be held at the January 2020 Policy Board meeting, and noted that the Central Oahu Transportation Study Report is available for viewing on OahuMPO's website.

Since the Technical Advisory Committee (TAC) and the Citizen Advisory Committee (CAC) held no meetings in December there was no business to report. The TAC will hold their next meeting on January 10, 2020. The CAC will hold their next meeting on January 15, 2020.

The Executive Director's Report may be viewed at: [https://www.oahumpo.org/?wpfb\\_dl=1806](https://www.oahumpo.org/?wpfb_dl=1806).

##### **B. Technical Advisory Committee (TAC)**

TAC Chair Marian Yasuda advised the Policy Board the TAC had nothing to report.

##### **C. Citizens Advisory Committee (CAC)**

CAC Chair Joe Magaldi's had no report and wished everyone Bon Natalie.

#### **V. Old Business**

There was no Old Business.

#### **VI. New Business**

##### **A. Report of the Permitted Interaction Group (PIG) for the Evaluation of the OahuMPO Executive Director**

Chair Elefante verbally reported on the Permitted Interaction Group's findings, noting that this meeting is for information only pursuant to Section 92-2.5(b) Hawai'i Revised Statutes. Decision-making will occur at the Policy Board's January 2020 meeting. He expressed gratitude to the Policy Board for establishing this PIG, reported that the PIG met twice, discussed guidelines, and created forms for evaluating the Executive Director's performance. These forms were distributed to all voting and non-voting Policy Board members to complete. He noted the Federal Highway Administration (FHWA) opted out of evaluating the Executive Director because FHWA Administrator Ralph Rizzo had acted as a resource during the development of this PIG. Three reminders to submit their completed evaluation forms had been sent to Policy Board members by Chair Elefante. Eight of the fourteen Policy Board members did complete and submit their evaluation forms by the deadline.

Chair Elefante indicated that there had been discussion in the PIG on who is the proper legal counsel to consult on matters such as the subject of Permitted Interaction Groups and Sunshine Law since the Policy Board is a multi-faceted body composed of City, State, and Federal representatives. Dwyane Pang of the City's Corporation Counsel was in the room and stated he has reached out to the State Attorney General's office and plans to discuss the

situation with them. He noted potential options include the City's Corporation Counsel, the State Attorney General's Office, or private counsel.

There was discussion on whether there are other entities with similar member compositions as OahuMPO and if it were possible for the City Corporation Counsel and the State Attorney General's Office to come to an agreement to share legal counsel responsibility. It was further suggested that when the Chair is a City Policy Board member, City Corporation Counsel would act as the Policy Board's legal counsel and when the Chair is a State Policy Board member, the State Attorney General's office would act as the Policy Board's legal counsel. Mr. Pang noted that in such a situation, the OahuMPO agreement with the State and the OahuMPO rules or guidelines may need to be revised.

OahuMPO's Transportation Planner for Special Projects, Randolph Sykes, indicated that Board of Water Supply was the example entity studied during the development of HRS 279E which is the current statute that established OahuMPO in 2015. He noted that part of his process to develop OahuMPO's Strategic Plan includes reviewing the current OahuMPO foundational documents, partly because of the anticipated change that will place HART under DTS oversight. Mr. Sykes stated that HRS 279E specifies that OahuMPO be administratively attached to the Hawaii Department of Transportation and added that the suggested rotation of counsel to the Policy Board would require modification of the existing statute and other OahuMPO foundational documents.

Councilmember Manahan joined the meeting and was welcomed by Chair Elefante.

Chair Elefante reported that the evaluation of the Executive Director covers four areas: mission, finances, governance, and operations; that an average score will be computed for each of these areas from the evaluation forms submitted; and that an overall score will also be determined. In addition, future goals & objectives would be included in the evaluation.

Chair Elefante indicated that, at the next meeting, Policy Board members will go into Executive Session to discuss the Executive Director evaluation and its process. Subsequently, Executive Director Au will be given the opportunity to join the Executive Session for further discussion. He added that the PIG's report is not binding but is a recommendation to the Policy Board.

FHWA Transportation Planner, Amy Ford-Wagner clarified that performing an evaluation of the Executive Director is a recommendation in the Certification Review, not a requirement.

## **VII. Invitation to interested members of the public to be heard on matters not included on the agenda**

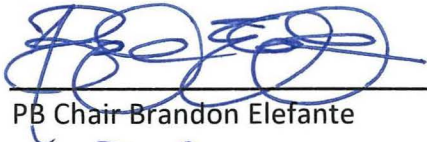
There were no comments.

**VIII. Announcements**

Chair Elefante wished everyone a Merry Christmas and a Happy New Year.

**IX. Adjournment**

Chair Elefante adjourned the meeting at 1:20 pm.



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PB Chair Brandon Elefante

01/28/2020

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Date



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PB Secretary Roni Schack

01/28/2020

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Date

The PowerPoint from this meeting may be viewed at [https://www.oahumpo.org/?wpfb\\_dl=1801](https://www.oahumpo.org/?wpfb_dl=1801).