

SMALL BUSINESS REGULATORY REVIEW BOARD

ORIENTATION MANUAL



SMALL BUSINESS REGULATORY REVIEW BOARD

**STATE OF HAWAII • DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

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*Click on link

PART I

ADMINISTRATIVE

INFORMATION

Board Member Terms

Purpose: The Small Business Regulatory Review Board (SBRRB), which is administratively attached to DBEDT, was established on July 1, 1998 with the passage of the Hawaii Small Business Regulatory Flexibility Act (RFA). Pursuant to the RFA, the purpose and responsibilities of the SBRRB include:

- 1) Commentary on small business impact statements to the rule-drafting departments,
- 2) Identification and commentary on business impact of existing administrative rules,
- 3) Recommendations to the Governor's Office, Departments or the Legislature regarding the need for an administrative rule or legislative change,
- 4) Recommendations to the Mayors or County Councils regarding County rules, and
- 5) Review of small business petitions and complaints on business impact.

Restrictions: Sec. 26-34, Hawaii Revised Statutes (HRS) / **Number of Seats:** 11

Contact / Email / Phone: 1) Dori Palcovich / dori.palcovich@hawaii.gov / 808 586-2594

2) Jet'aime Ariola / jetaime.k.ariola@hawaii.gov / 808 798-0737

Meeting Location/Duration/Frequency:

Meeting Location: Held remotely and in-person – Through 12/2024 - Leiopapa A Kamehameha Building State Office Tower 235 S. Beretania Steet, Conference Room 405, Honolulu, HI 96813. Beginning 1/2025, meetings will be held at 250 S. Hotel Street, Conference room 436, Honolulu, HI 96813.

Meeting Frequency: Monthly / Third Thursday of the month

Meeting Time: 10:00 AM

Meeting Duration: Approx. 2 - 4 hours

Chairperson: Jonathan Shick / Vice Chair: Mary Albitz / Second Vice Chair Sanford Morioka

Legal Authority: Chapter 201M, HRS / **201M-5(b)(8), HRS – “There shall be at least one representative from each county.”**

Membership:

Member Name	Initial Appointment Date	Second Appointment Date	Term Ends	Term #	Seat / Representing	Remarks
Gomes, Tessa	4/2022		6/30/2026	1	Senate / Oahu (C&CH)	1 st Term
Jennifer Salisbury	10/2024		6/30/2028	1	Senate	1 st Term
				1	Senate / Oahu (C&CH)	1 st Term
Morioka, Sanford	4/2022		6/30/2027	1	House / Oahu (C&CH)	2 nd Term
Lee, James Kimo	4/2019	11/6/2024	6/30/2028	2	House / Hawaii County	2 nd Term
Shick, Jonathan	4/2019	4/2022	6/30/2026	2	House / Oahu (C&CH)	2 nd Term
Yamanaka, Garth	4/2015	4/2019	6/30/2023 Holdover	3	Governor / Hawaii County	3 rd Term/To term out 6/30/2025
Cundiff, Robert	4/2015	7/01/2016/2020	6/30/2024 Holdover	2	Governor / Oahu (C&CH)	2 nd Term/To term out 6/2026
Mary Albitz	4/2018	6/2020	6/30/2024 Holdover	2	SBRRB / Maui County	2 nd Term/To term out 6/2026
Nikki Ige	7/2024		6/30/2026	1	SBRRB / Kauai County	1 st Term
DBEDT, Director	NA	NA	NA	s	DBEDT	Ex Officio Voting Member

Board Member Resumes

Experience

Island Art Party – December 2018 – Present, Owner

Responsible for the overall success of the business and primarily responsible for the marketing, private event sales, operations, inventory ordering, accounting and customer experience.

Hawaii Pacific Parks Association – October 2017 – January 2019,

Haleakala National Park - Sales Associate/Interpretation

Responsible for souvenir displays and sales, answering visitor questions, promoting safe enjoyment of the park, and assisting with year-end inventory counts

FocalPoint Business Coach July 2016 – Present, VP of Business Development

Responsible for keeping sales funnel full and promoting FocalPoint Business Coaching in the community. Responsible for scheduling workshops and trainings.

Kainos Home and Training Center August 2012 – July 2016

Production, Sales and Marketing Coordinator

Was responsible for bringing in contract assembly, mailings, production, small parts cleaning and shrink-wrapping jobs for our clients with developmental disabilities. Within 3 months we had 100% time on paid work through my departure in July of 2016. Also, responsible for general marketing of the agency in coordination with the development office. Results included numerous monetary and in-kind donations for various events put on by the agency.

Jigsaw Java, Inc. Jan 2008 – December 2012

Founder and CEO; Created and built the concept of a shop that combines the ambience of Starbucks with the fun and enjoyment of a tranquil amusement park. The shop's focus was Jigsaw Puzzles and other puzzles and games that stimulated the brain; hosted events such as birthday and celebration parties; social, professional, and corporate meetings; team and skills building; and educational and developmental activities.

Ernst & Young, LLP and Global Tax Network, LLP 2001 – 2008, Tax Paraprofessional

Responsible for office administration supporting completion of Expatriate Tax Returns and Consulting Projects. Responsible for Community Involvement Activities.

Community Association for Rehabilitation (CAR, Non-Profit) 1998 – 2000, Manager of Supported Employment Program

Rehab Manager, Employment Program for Adults with Developmental Disabilities.

Responsible for locating employment, training, and support for Adults with Developmental Disabilities. Managed support staff, scheduling, billing and reports to the Department of Rehabilitation.

Education

Santa Clara University, BS, Sociology 1980 – 1984

Activities and Societies: Santa Clara Community Action Program (coordinator of Tutor Exchange Program 1983-84), Women's Rugby Club

Associations

Small Business Regulatory Review Board, State of Hawaii (2018-present)

Rotary Club of Upcountry (2016-present),

Rotary Club of Peninsula Sunrise (President 2011-12, Treasurer 2012-2016)

Rotary District 5000 and 5150 (Asst. Governor 2013-2015, 2019-2020, Secretary 2015-2016,

Youth Services Chair 2015-2016, RYLA Director 2015-2016, 2018-present)

Redwood City Downtown Business Group (Board Member 2010 through 2016)

BNI (Bus. Networking Int'l) (2008-2012, 2016-Present, Various Leadership positions)

Robert Cundiff, Biography

Robert Cundiff is a Principal with Lokama Group, a Business Management Consulting firm based in Hawaii, and is currently assisting in Business Development with Hawaiian Legacy Hardwoods (HLH) and the Hawaiian Legacy Reforestation Initiative (HLRI), along with providing support to the Agriculture and Logistics/Distribution Industries. He is past President of Rengo Packaging, Inc., a corrugated packaging manufacturer and diversified packaging provider to Businesses in Hawaii and the Pacific Rim. Former President of Hawaii Box & Packaging, Inc. prior to the acquisition by Rengo Co. Ltd.



Retired as General Manager of Weyerhaeuser, a national and international containerboard packaging and recycling business established in 1900, in 2008 with the closure of the Honolulu packaging plant. Weyerhaeuser's Honolulu facility provided Hawaii and the Pacific Rim with packaging solutions for more than 50 years, and Rob spent 26 years with Weyerhaeuser.

While with Rengo Packaging, Rob was instrumental in bringing corrugated manufacturing back to Hawaii with the construction of a 160,000 sq ft manufacturing facility in Kapolei, Hawaii in 2014.

Rob has a BA, Business and Economics, Magna Cum Laude, from Hawaii Loa College (now Hawaii Pacific University) and post Graduate certificate from Tokai University in Japan. While living in Japan, Rob conducted several basketball clinics with major universities, caddied for a Professional Golfer in the JPGA, worked with Honda Racing Company and played basketball in the premier Tokyo League with Pierce Arrow.

Rob was a scholar-athlete throughout college earning the Ward F. Mardfin Award for Excellence in Business and Economics, NAIA First Team All-District 29 and Honorable Mention to the NAIA All-American Basketball Team in his Senior year.

Active in many community organizations, he has served on the Boards of the Hawaii Employers Council (Chairman), Board of Water Supply (Mayoral appointment and City Council confirmation), Junior Achievement of Hawaii, 200 Club and Kailua Little League (President & Safety Officer). Rob currently serves on the Board of Parks & Recreation for the City & County of Honolulu (Mayoral Appointment and City Council Confirmation), the Small Business Regulatory Review Board (Governor Appointment and Senate Confirmation), Executive Committee Board member of Ahahui Koa Anuenuue (AKA), June Jones Foundation and the Polynesian Football Hall of Fame Advisory Board. In addition, Rob has been a volunteer Manager and Coach with youth basketball, baseball and soccer for over 10 years.

Rob has 3 children and resides in Hawaii, where he was born and raised.

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Rob has 3 children and resides in Hawaii, where he was born and raised.

TESSA GOMES

• wedding and event planner •

ABOUT ME

I love a good challenge, and believe that if I can bring a useful skill to the table, why wouldn't I? I'm a hard worker, successful business owner, and above all else - a mother and a wife. My family is my highest priority, always.

EDUCATION

- University of Hawaii at Manoa, Management & Marketing, Economics
- Kapiolani Community College Culinary Arts
- Punahou School,

EXPERIENCE

2021 Fred and Kate Events

Owner, Principal Designer

- Owns and manages a wedding and event planning company on Oahu since 2014
- Client management, vendor management, and logistics
- Troubleshooting, problem solving, managing wedding crisis

2019 Gourmet Events Hawaii

General Manager

- Responsible for day to day employee relationships, sales goals, budget, etc.
- Long term goals and strategic planning for GE and its sister company
- Oversaw and managed up to 900 events per year

2004 The Wedding Cafe

General Manager

- Managed The Wedding Café as it grew from 1 business to 3 businesses.
- Responsible for recruiting, hiring and training staff to fit the brand

Other previous jobs include: Front Service Manager at the Hilton Hawaiian Village, Manager at Canada 3000 Airlines, Rich International, and Aloha Airlines.

SKILLS

- Extensive recruitment and training experience
- Current Vice President for Holy Nativity School Board of Directors
- Current Secretary for Oahu Wedding Association Board of Directors
- Former PTO President at Holy Nativity School
- FUN FACTS: I love wedding cake, I'm an extroverted introvert, and I can do ice carvings!

WORK EXPERIENCE

Community Impact Director

August 2024 - Present

Kauai Federal Credit Union – Lihue, HI

- Responsible for building, implementing and executing the Credit Union's community impact strategy
- Manage strategic political, public and private resources/partnerships
- Oversee the Credit Union's Community Development Financial Institution strategy

Executive Director

February 2023 – June 2024

Grove Farm Company Foundation, Inc. – Lihue, HI

- Cultivate and foster positive relationships with stakeholders, funders, and the community
- Oversee the effective allocation of donations to support the Foundation's mission and programs
- Create public/private partnerships for the development of educational programs for local students
- Ensure the Foundation's adherence with all legal requirements

Project Manager

January 2019 – February 2023

Grove Farm Company, Inc. – Lihue, HI

- Led risk management and financial analyses for subsidiary companies and housing development projects
- Successfully secured grant funding for two new positions supporting agriculture
- Initiated and established the Grove Farm Farmers Market to provide support to farmers, producers, and small business owners impacted by the pandemic
- Oversaw cybersecurity measures and implemented IT systems that created operational efficiencies

Vice President of Loans

July 2016 – January 2019

Gather Federal Credit Union – Lihue, HI

- Responsible for the strategic direction and creation of personal and business loan products and programs
- Managed a team of 20+ loan and collections staff
- Monitored loan performance and profitability for a \$290 million loan portfolio

Vice President of Risk Management / Internal Auditor

September 2012 – July 2016

Kauai Community Federal Credit Union – Lihue, HI

- Conducted annual risk assessments and compliance/risk-based audits for savings and loan products/services
- Served as the management liaison for the Supervisory Committee, NCUA Examiners, and External Auditors
- Investigated all fraud related activities involving the credit union

Senior Information Technology Risk & Assurance Consultant – Advisory Services

July 2008 – May 2012

Ernst & Young, LLP – Los Angeles, CA and Honolulu, HI

- Managed engagement teams performing testing and reviews of Financial, HR, and IT applications
- Performed custom data analytics to identify potential fraud/irregular activities
- Assisted with multiple on-campus recruiting events for Brigham Young University and UCLA

VOLUNTEER EXPERIENCE

Board Member, Executive Committee Member & Agriculture Committee Chair

April 2021 – Present

Kauai Chamber of Commerce

- Coordinate and lead meetings focused on addressing agriculture sector challenges
- Promote collaborative relationships among local government, small businesses, and the community

Treasurer

April 2023 - Present

Kauai Pop Warner Football League

- Manage financial operations for youth football and cheer that serves over 400 keiki
- Assist with ensuring compliance with National Pop Warner requirements

EDUCATION

Bachelor of Science Information Systems

September 2004 - August 2008

Brigham Young University – Provo

- Brigham Young University – Full Tuition Academic and Leadership Scholarship 2004-2008

SKILLS & INTERESTS

9

- Fitness enthusiast; travel adventurer; foodie; and part-time bellman

JAMES KIMO LEE

233 Akala Road, HI 96720 Phone: 808-896-6770 Email:
kimoleejr@gmail.com **OBJECTIVE**

Proven local developer and collaborative community leader seeks position in a dynamic organization committed to advancing the health and future of our Hawai'i Island community.

EDUCATION Chaminade University, Honolulu, HI

Bachelor of Arts in Business Administration

Hawaii State Real Estate License

ACTIVITIES

May 1987 1982-1992

- Small Business Regulatory Review Board - *Board Member 2019 to present*
- Japanese Chamber of Commerce & Industry Hawai'i - *Board Member 2010-2016*
- Hawai'i Island Chamber of Commerce – *Member since 2010*
- State Historic Preservation - Hawai'i Island Burial Council – *Board Member 2009 to 2015*
- Hawai'i Leeward Planning Conference – *Member*
- Hawai'i County Fire Commission – *Member 2006 to present*
- Historic Hawai'i Foundation – *Board Member 2013 to 2015*
- Catholic Church Land Asset Management – *Board Member-2006 to present*
- Hawai'i Health Systems Corporation – *East Hawai'i*

Regional Board Member – May 2016 to present **WORK EXPERIENCE** **W.H. Shipman, Ltd – Kea’au HI June 2005 – present** *Director of Development*

- Responsible for management of 17,000 acres of kama’aina family-owned Shipman lands dating back to 1882 in the Puna District of Hawai’i Island and in Oregon.

- Responsible for planning, management and development of all industrial, commercial, agricultural and residential properties. Ensure that properties are maintained and operated in a manner that is in the best long term interest of the company, consistent with its commitment to be a good corporate citizen. Oversee property management and maximize cash flow.

- Work directly with the Board of Directors to create long range development plans. Engage community and government in land stewardship activities, commercial/industrial development and leasing, and agricultural leasing for variety of Shipman properties including farmlands, the W. H. Shipman Business Park, Kea’au Village town center, and Durham Hall Business Park and Cipole Business Park in the SW Portland suburb of Tigard, Oregon.

- Develop and facilitate long range sustainability and planned development for balanced community use for Kea’au lands – a mix of agriculture, commercial, office, industrial, residential and conservation uses with strong municipal and government services.

- Manage Shipman Industrial Park and Kea’au Village town square with a rigorous approach to architecture, balanced development of services and careful, place-based land planning. Coordinated Kea’au Community Master Plan to include facilitation of community focus groups, construction and development of a number of new building projects designed to create a healthy, vibrant Kea’au community, including the HMSA Building, Long’s Drugs new town center, and the restoration and plantation-centric design of DOE Complex buildings.

- Cultivate community-based partnerships with local farmers, businesses and local, county and state government entities land to incubate new agricultural businesses, ensuring agricultural diversity

and start-up farming, offering strong infrastructure, and land license terms [L] [SEP]

- Ensure that properties are maintained and operated in a manner that is in the best long term interest of the company, consistent with its commitment to be a good corporate citizen. [L] [SEP]

- Oversee property management and maximize cash flow. [L] [SEP]

- Develop internal and external partnerships, participate in community outreach activities, and advance [L] [SEP] legislative advocacy initiatives. [L] [SEP] **Oceanside 1250/Hokulia SEPT 2000 - JUNE 2005**

[L] [SEP] *Vice President of Development*

- Involved in planning, managing and budgeting development of project. [L] [SEP]

- Coordinate Federal, State, County and local officials, consultants (archeologists, kahu, cultural resource [L] [SEP] managers) and community on development plans, approvals and necessary implementation of policies [L] [SEP] and procedures. [L] [SEP]

- Manage team of 60 direct reports, in addition to management of daily activities of onsite consultants, [L] [SEP] contractors and development team. [L] [SEP]

- Prepare and present reports to government agencies, community groups, consultants and community to [L] [SEP] ensure open, direct and honest communication about the project. [L] [SEP] **JGL Enterprises OCT 1992 – SEPT 2002**

[L] [SEP] *Executive Vice President of Real Estate Development*

- Responsible for securing land, negotiation of land purchases, processing of entitlements, securing site and building construction contracts and securing permanent financing for a Real Estate Development company on Oahu and Maui. [L] [SEP]

- Worked closely with City and County to bring projects to fruition in a seamless and coordinated way. [L] [SEP]

- Projects included Makakilo Cliffs on Oahu and Keonekai Villages on Kihei, Maui. [L] [SEP]

- Consulted and negotiated with lessor and lessee' percentage lease and common area maintenance fees. [L] [SEP]

- Managed legal, planning, design, marketing, sales, construction and maintenance staff.

[L] [SEP] **Department of Housing and Community Development, City & County of Honolulu JUNE 1989 – SEPT 1992** [L] [SEP] *Housing and Community Development Specialist*

- Responsible for securing funding and design approval through City Council. [L] [SEP]

- Prepared request for proposal, secured contractor and managed development and budget of project. [L] [SEP]

- Prepared and processed 201e application for building code exemptions. [L] [SEP]

- Inspected and reported on-site and house construction required for monthly draw request and daily status [L] [SEP] reports. [L] [SEP]

- Negotiated lessor's percentage lease and common area maintenance fees. [L] [SEP]

- Reviewed and approved eligibility requirements for low to moderate tenants. Coordinated variety of [L] [SEP] initiatives around conceptual designs, advertising, construction and rental of units and leasing of commercial spaces.

[L] [SEP] **Hawai'i State Senate-Judiciary Committee NOV 1988 – JAN 1989** [L] [SEP] *Budget/Legislative Analyst* [L] [SEP]

- Researched and prepared fact sheets and drafted bills for proposed laws. [L] [SEP]

- Made recommendation to Chairman involving State funding, reviewed Judiciary administration, staffing [L] [SEP] and budget. [L] [SEP]

- Addressed constituent's concerns and charted progress of budget and expenditures of community [L] [SEP] improvements. [L] [SEP] **South**

Pacific Properties AUGUST 1986 – OCT 1988 [L] [SEP] *Assistant Project Manager/Property Manager* [L] [SEP]

□ Assisted in negotiating architectural specifications, design, floor plans, and construction contracts for site work, house construction, drapes, appliances, and landscaping.

□ Provided reports of onsite construction and assisted in preparing project cash flows. [L] [SEP]

□ Initiated condominium association with homeowners, reviewed market appraisals, construction costs and [L] [SEP] loan package.

The Gentry Companies FEBRUARY 1983 – JULY 1986

[L] [SEP] *Leasing Agent/Property Management Trainee*, [L] [SEP]

□ Negotiated and executed contracts for lease of industrial park lots and buildings including presentation of lots or building, negotiations of percentage lease, common area maintenance, terms, rent collection, terms of delinquency, termination of contracts.

[L] [SEP]

□ Prepared pro forma of maintenance schedule and suggested recommendations to Property Manager regarding maintenance contracts and staffing requirements.

CHARACTER PROFILE [L] [SEP]

□ Native Hawaiian community collaborator, strong multi-tasking ability, flexible, motivated, creative, driven, high level of personal integrity, and eager to learn. [L] [SEP]

□ Excellent organizational, time management, budgeting and communication skills. [L] [SEP]

□ Collaborative, inclusive, transparent team player skilled at building and nurturing relationships. [L] [SEP]

□ Good listener and results-oriented leader. [L] [SEP]

□ Work well independently and under pressure. Highly engaged in local business community and [L] [SEP] committed to promoting the advancement of growth opportunities on Hawai'i Island. [L] [SEP]

Sanford Morioka

sanford@ee3.com

(808)372-4294

COMPANY: Edward Enterprises, Inc.
TITLE: President
ADDRESS: Physical: 240 Puuhale Road #101 Honolulu, HI 96819

EDUCATION BACKGROUND:

Graduate of Iolani School
BBA from University of Portland
- Marketing/Management

WORK HISTORY:

Wallace Computer Services, Inc – 1989 – 2000
- Portland, OR – Account Executive
- Seattle, WA – Sr. Account Executive, Major Accounts
K/P Corporation – 2000 – 2002
- Seattle WA – Account Executive
Edward Enterprises, Inc. – 2002 – Present
- Honolulu, HI

I've been in the Printing Industry for 32 years. I Spent 17 years in the Pacific Northwest – 4 years in college at the University of Portland, 13 years in the printing industry. I returned back to Hawaii in 2002, and have spent the last 19 years with Edward Enterprises.

With Edward Enterprises, I have held the following positions:

- Account Executive
- Business Development Manager
- Vice President, Business Development
- Sr Vice President, Chief Sales Officer
- President

PREVIOUS SERVICE ON BOARDS/COMMITTEES:

U/H Shidler Alumni Board of Directors
Hawaii Food Manufacturer's Association – Marketing Committee
Postal Customer Council Hawaii – Board of Directors

CURRENT SERVICE ON BOARDS:

Edward Enterprises, Inc – Board of Directors
Palama Settlement – Executive Board of Directors
Honolulu Japanese Chamber of Commerce – Board of Directors

Mark Ritchie

Mark Ritchie is the designated representative for the Director of the Department of Business, Economic Development and Tourism (DBEDT), and serves as the ex officio voting member for the Small Business Regulatory Review Board.

Mark joined DBEDT in 2015 as a Branch Chief for the Business Support Services. He works on a number of economic development programs including - Community-based Economic Development (CBED), which includes grants and loans for small businesses; Enterprise Zones, which gives businesses tax benefits in exchange for job creation; and HiSTEP (Hawaii State Trade Expansion Program), which assists Hawaii companies with exporting products and services to larger markets outside the state.

Prior to DBEDT, Mark held positions in a Hawaii Life Science start-up, a major Silicon Valley tech company, in addition to economic development positions in several global trade and inward investment organizations. Mark holds a BA in political economy from UC Berkeley and a master's degree in international business from the Fletcher School, Tufts/Harvard Universities.

RECEIVED

By SBRRB at 10:06 am, Apr 03, 2023

BRIEF OF THE QUALIFICATIONS OF
Dr. Jennifer J. M. Salisbury
As a BUSINESS EFFICIENCY EXPERT

198 Awalau Road
Haiku, HI 96708
808-205-9556

jennifer@westcoastend.com

Podcast: My Life As a Landlord

Revised on April 3, 2023

1. Education.

Bachelors of Science in Mathematics. United States Naval Academy.
May 1998.

Qualified Nuclear Engineer. Department of Energy and Secretary of the Navy.
June 2003.

Masters Degree in Engineering Management. Old Dominion University. May 2004.

Masters Degree in Business Administration with Specialization in Knowledge and Learning Management. Walden University. May 2007.

Doctorate of Education in Adult Learning and Higher Education. Walden University.
September 2014.

- Sought understanding for increased knowledge transfer from community retirees to younger generations through identity transfer.

2. Picture.



Dr. Jennifer Jean McGarry Salisbury

3. Experience.

Most Recent Accomplishments:

- Podcaster: My Life As A Landlord
 - Offering 5 content buckets including: tenancy issues, landlord dilemmas, real estate development lessons learned, real estate investor guidance and “other” Salisbury adventures
 - Started in January 2023, one 15-20 minute podcast publishes every Saturday morning either on Apple Podcast or Spotify
- Tiny Home Collaborator: seeking ways to expand communities with ready affordable housing that can be set up in days; offering both temporary and permanent housing solutions see www.readytinyhome.com; assisting County of Maui and State of Hawaii in legislative reviews and suggested edits to allow more housing faster and more affordable
- Active property owner and manager of 20 residential rental units in British Columbia, *operated remotely* from the United States including:
 - 20 units in Powell River, British Columbia with a local assistant
 - All rent collections, bill payments, and any invoices
 - All tenant screenings, interviews and lease generation/signings
- Serving as Project Assistant for Paradise Ridge Estates, a 32-unit condo development in South Maui including duties of logistics, permitting overseeing, contract management, local bookkeeping and check book management, Certificates of Occupancy, and basically everything to keep this project pushing forward; vertical construction projected to complete in June 2023. See www.paradiseridgemaui.com for virtual tour.
- November 2020 to Present. *Director, Maui United Way*. Supporting non-profits in local community with direct grant stewardship support as a director on the Board as well as a member of the Finance Committee.
- 2008 – Present. *Westcoast Endeavours, ULC*. Business development including marketing, for vacant units and supporting vendors; seeking financing for development of a multi-family 1 acre parcel in Powell River, British Columbia for Class B tenants in two buildings, 17-units each. Duties include bookkeeping, payroll and accounts payable, among marketing research for upcoming to phase apartment blocks. This company now owns multiple rental properties including residential and commercial in Powell River, British Columbia. For more information see the website www.westcoastend.com.
- 2018: Conducted several radio shows on the invitation of David Courson on KAOI radio show: 15 minute shows aired including topics of Hawaii Landlord-



PARADISE RIDGE
ESTATES

Tenant Code, Former USNA Mentor William P. Lawrence,
How to get into the US Naval Academy, housing by-laws and
cesspool-septic conversions

- Served as Director on the Construction Industry of Maui from January 2018 to December 2020; assisting with educating, communication and advocacy for construction industry, permit streamlining and overall providing housing faster
- International real estate investor guest panelist for Global Online #FireSideChat with Alysia Silberg for weekly talk show:
 - January 25, 2017: What Makes You Tick? Show on International Business Investors
 - February 14, 2017: Show Specifically for Women Investors
 - April 12, 2017: Which is better in business: high revenue or high profit?
- Served as 1 of 3 Blue & Gold Officers on Maui, recruiting and supporting candidates for the US Naval Academy; supported 1 midshipman (Class of 2023 from Maui High) and 3 candidates (1 in Naval Academy Prep School from Maui High, 1 candidate from Hawaii Technical Authority, and 1 candidate from Waikoloa Village on the Big Island, where there are no BGOs) from July 2016 to November 2020
- 2013: Hand-picked site administrator for \$38M+ insurance claim in rockslide recovery efforts for isolated camp in Toba Inlet, BC for Toba Montrose General Partnership (TMGP) and public parent company, Alterra Power
- Completed a book entitled “Why Sugar Coat a Turd? Business Sh*t Happens” detailing the nasty side of business (what to do when one happens, the red flags of each nasty, and how to avoid them); available at www.clickbank.com.
- Chosen as a 1 of 10 competitors (only 2 females) for Discovery Channel Canada’s TV show entitled “Canada’s Greatest Know-It-All” which aired from January 30 to March 19, 2012. Starred in “Behind the Brains: The Making of Canada’s Greatest Know-it-All” Television Documentary. Eliminated at the end of episode 7 of 8.



2010 – 2017. *Maui Winery*. Hired to update all operations manuals, create additional systems items, launch an updated shopping cart and website, overhaul the safety program, and hire a manager. Previous work includes exact job posting, resume scrubbing, and assist in hiring key supervisor. Latest work includes fine tuning business

processes with employee interviews and key feedback gathering on how to improve job descriptions.

2008 – Present. *Business Consultant, Powder King Mountain Resort.*

Created business manual for multi-million dollar ski resort in Northern BC. Conducted training on a monthly basis, improve systems, communications and business flow overall. Assisting in business development in preparation for the 2015 Canada Winter Games in Prince George, BC. Assisting in real estate development and accommodation construction for more seasonal resident expansion. Most recently assisted in the listing of the hill for sale and supported the new 60 year Master Development Agreement with the Province of British Columbia.

2007 – 2017. *Owner, Platinum Business Development.* US-based Platinum Business Development dedicates all efforts to assist small start-up and small and medium existing businesses to success in structured growth and succession planning. Conducting monthly or bi-weekly skype calls with clients to motivate, educate and challenge them in unique ways, especially to get them “out of their head” (one challenge is to attend a Zumba class, among many others.) See www.platinumbusinessdevelopment.com for full details. Hired by Hawaiian Yacht Club to create a template for famous fish tournament succession planning and execution.

2004 –2014. *Credit Card Processing Sales Office.* Platinum Business Development, LLC client for business development and IRS audit dispute. Assisted in many journeys in this business including exploring several tangent business developments, and several complete shifts in business structure.

2005 – 2014. *Owner, Ohana Steel Buildings, Inc.* Maui, HI operating remotely. Business development and start-up of Hawaii distributorship. Duties include marketing, budgets, operations manual, website design and maintenance, and insurance reviews. The greatest achievement of this business is the education of Hawaii contractors to the unique design style of light gauge steel. Ohana Steel Buildings supports several subdivisions with affordable housing.

2011 – 2014. *Business Retention & Expansion Coordinator, Powell River Regional Economic Development Society.*

- Hired as the Business Retention & Expansion Coordinator as a contractor in 2011 to schedule and conduct business interviews in the Powell River, BC area.
- Support Powell River’s business community with education and tools including funding sources and solutions for all kinds of business difficulties
- Resource when nowhere else to turn
- Developed and maintain key partnership with regional organizations including Powell River Regional District, Vancouver Island University, Community Futures, Chamber of Commerce, Career Link, and many others.
- Gathered information and enter into the Executive Pulse Software as a part of the BC Business Counts program.

- Conducted over 380 interviews and over 1,000 follow up appointments to date since September 2011.

2009 – 2014. *Toastmasters International*. Active speaker pursuing career as professional speaker. Founding member of “Toast to the Coast” Toastmasters Club in Powell River, BC.

February - October 2013. *Site Administrator, 3 Leaf Contracting, Ltd.* A natural rockslide occurred on December 12, 2012 in the Toba Valley, destroying penstock pipe feeding a hydro-generation house. Handpicked to ensure the insurance claim for contracting business was completely transparent. Contracted to prepare daily tracking paperwork – auditable at any time – create all invoices using Quickbooks and other programs, and ensure all logistics into/out of remote Toba working camp are seamless. Involving extensive efforts in Microsoft programs, the workload in camp required hiring two rotating schedule assistants for logistics.



2012 – 2016. *Elected Board Member, First Credit Union*. 1 of 9 directors of \$350M+ asset credit union with 15 financial and supporting locations including insurance and wealth management. Support included at least monthly board and committee meetings and other meeting attendance. Earned attendance at the World Credit Union Conference in Belfast, Ireland in July 2016. Stepped down from the board only to support shift from Canada to US.

2012- 2013. Through PRREDS, conducted several Powell River Regional District (PRRD) projects, including:

- a) Business directory for all businesses just in the regional district (2013)
- b) large organic farm for local sustainable agriculture (2012)
- c) value added wood product businesses in the region (2012)
- d) commercial food processing area (2012)
- e) Feasibility of a glass pulverizer in the region (2012).

2010 – 2012. *Hawaii Tobacco Company*. Hired to assist and plan entire Hawaii product roll out, including establishing a remote office, inventory and sales control and general start-up infrastructure.

2008 – 2012. *Hawaiian Based Lawyer*. Hired to recreate website, and maintain quickly changing web site. Most recently transferred and trained staff on automated billing in Quickbooks with three different invoice templates.

2008 – 2012. *Powell River Writers Conference*. President for 2011-2012 year. Attendee and board member for international writer’s conference – days of workshops to improve writing skills and presentations. Spearheaded the City of Powell River’s proclamation of April as “Writing Month”. Also managed organization website.

2009 – 2011. *Owner, Perk Aloha Hawaiian Coffee & Gifts, Inc.*
Designed shopping cart website and support business infrastructure.

2008 – 2009. *Outback Steel Buildings™*. Hired to create distributor packages and qualify prospective distributors in direct support of the Platinum Business Development, LLC creation “Business in a Box”. Created first Outback Steel Buildings distributor manual.

2008 – 2009. *Flight Company*. Hired to create national distributorship system for kit sport airplane with industry-first mentorship program. Expansion with a new military contract in the New England Area.

2007 – 2009. *Professional Business Women/USA, Maui Local Organization*. KEY NOTE SPEAKER about being a woman veteran at 2008 Hawaii State Conference. Invited to speak at the BPW Foundation Luncheon as Featured Speaker, during the National BPW Convention. Created Young Careerist Advisory Council at the National Conference – successful group of younger career women to advise the Board of Directors.



2007 – 2008. *Maui Chamber of Commerce Board of Directors Elected Director*. Nominated and elected by Maui Chamber members as one of the youngest members ever to sit on the board. Voluntarily replaced by mother (and US Congressional Medal of Distinction awardee) Kathy Borelli, owner and president of Ohana Steel Buildings, Inc.

2006 – 2009. *Rotary Club of Powell River, BC, Canada*. Involved in many community service and give-back projects. Updated website and posted club history, along with many other service oriented and fundraising events.

2006 – 2007. *Hawaiian Based Employment Office*. Platinum Business Development, LLC client for marketing budgets and overall infrastructure review. Conducted communication skills training and new sales presentation. Also assisted in re-design of tri-fold brochures and unveiling of the company’s four websites. In 2011, this client was successfully sold to a competitor, partially due to systems and infrastructure support from Platinum Business Development.

2005 – 2011. *Owner, Learning In Color, Inc.* Maui, HI. Has written a book entitled “**The Cure 4 Common Learning**: The Perfect Anecdote to Structured Color.” Invited to Speak at the Irlen International Learning Conference in Houston, Texas in July 2008 as only one of eight speakers – the only one without a doctorate. Also conducted workshop at National BPW/USA Convention in July 2008.

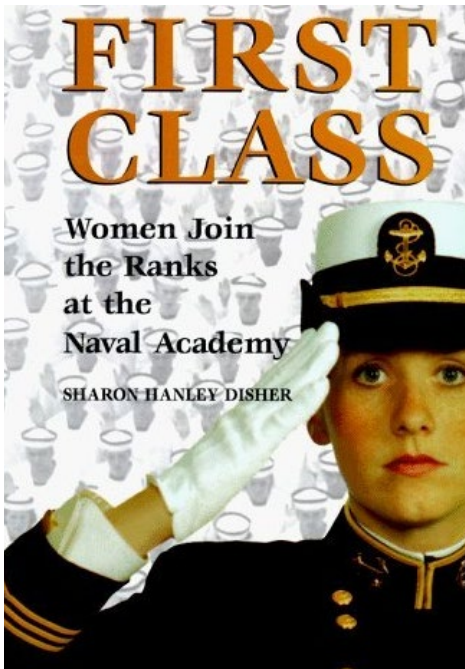
2004 – 2006. Los Angeles, CA:

- J-Netics – Start-up private health club. \$1.2M budget.
- TMA Insurance Services, Inc. – National Start-up of Insurance Consultant Company with all supporting services. \$18M budget.

- Dulcet Records – Start-up record company, in support of signing new artists. \$5M budget.

2003 – 2004. Norfolk Naval Shipyard. Chesapeake, VA. Hand picked auditor of Nuclear records, training review and budgets. Assistant to the Chief Training Engineer of three aircraft carrier overhauls.

2000 – 2001. Graduated Naval Nuclear Power School with 3.60 out of 4.0 in six months of nuclear classroom training. Graduated Navy Nuclear Prototype 3 of 21 office, with highest watch standing rating in recent memory (the other two ahead were both nuclear trained prior enlisted officers). Graduated three weeks early in a six month program.



2001 – 2003 Service aboard USS Enterprise (CVN 65). Lead 175 personnel (both military and shipyard) for 18 month ship yard maintenance period over eight reactors, during major dry dock and overhaul.

1998 – 2000. Ordnance Officer aboard USS Shiloh (CG 67). San Diego, CA. Learned time prioritization and incredible watch standing efforts. Earned a conventional engineer on LM2500 engines qualification during free time. ***First female to serve on board this ship.***

1998. Chosen to be the face of the book “First Class: Women Join the Ranks of the Naval Academy” by Sharon Disher (USNA Class of 1980) – see book cover at left.

1998. Invited to Moscow, Russia as a personal intern at Star City to assist then LCDR Wendy Lawrence (USN) in her mission on MIR space station. Stayed in Moscow for two weeks for training

in the same quarters as Apollo-Soyuz astronauts. *LCDR Lawrence flew Jennifer’s USNA ring on Discovery Shuttle flight STS-91 in 1998.

Other Notable Accomplishments:

- Attended 2-day Karrass Negotiating Seminar in August 2019 in San Antonio, TX
- Immigration consultant; extensive self-guided experience of both US to Canada and Canada to US immigration.
- Invited to assist in Vancouver Island University’s Powell River Campus program Defining Diversity Creating Community research data analysis



- Invited by Canadian Society for the Study of Higher Education to present 90 minute presentation for research at 2013 Annual Conference in June 2013 in Victoria, BC
- Founding member of a new Toastmasters Club in Powell River, BC: Toast to the Coast
- Facilitator for Mentorship Program Development for Women in Business, Powell River, BC in September

2014

- Guest speaker for Webster University Masters in Business Capstone Course: Strategic Alliances (90 minutes of interacting with students)
- Presented education sessions to District 21 (Members in British Columbia) in Spring Conferences in both 2011 and 2012 – the only repeat presenter at the conferences
- Awarded 2009 GI Bill Post-9/11 70% Grant for Doctorate Education based on veteran service; Approximate Grant Award amount: \$80,000.
- Earned the 2012 “triple crown award” in Toastmasters International by earning three achievements in one calendar year: Advanced Communicator Bronze, Advanced Leader Bronze, and Competent Leader
- Professional speaker and workshop presenter at British Columbia’s Career Education Society Conference in November 2011; Presented 2 workshops “Networking Without a Net” and “Leading Without A Leash”; invited to present additional workshops at the 2012 Conference.
- Participated in District 21 (BC Members) contest for one word describing Toastmasters; submitted “confidence” which won for the resulting postcard. (See post card at left.)
- Invited to present an update on Learning In Color, Inc. at the Hawaii International Conference on Education: January 2010 in Oahu, HI.
- Awarded Class of 2008 Hawaii State Forty Under 40 from Pacific Business News for ownership of Platinum Business Development, LLC.
- Awarded 2008 Hawaii State Young Careerist (Career Women under 35 years old).

4. Recent Books Consumed.

Burns, J., & Porter, C. (2016). *Big Shifts Ahead: Demographic Clarity for Business*. Charleston, SC: Advantage Media Group, Inc.

Callies, D. L. (2010). *Regulating Paradise: Land Use Controls in Hawaii*, 2nd ed. Honolulu, HI: University of Hawaii Press.

Gray, M. N. (2022). *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*. Washington D. C.: All Islands Press.

Hill, H. (1937). *Think & Grow Rich*. New York, NY: Wilder Publications.

Kruse, K. (2015). *15 Secrets Successful People Know About Time Management: The Productivity Habits of 7 Billionaires, 13 Olympic Athletes, 29 Straight-A Students, and 239 Entrepreneurs*. Philadelphia, PA: The Kruse Group.

Larson, D. (2022). *Podcasting for Beginners: Value Edition*. Las Vegas, NV: AT Publishing.

Lindahl, D. (2008). *Emerging Real Estate Markets: How to Find and Profit from Up-and-Coming Areas*. Hoboken, NJ: John Wiley & Sons, Inc.

Sincero, J. (2013). *You are a BADASS: How to Stop Doubting Your Greatness and Start Living an Awesome Life*. Philadelphia, PA: Running Press Books.

Teague, P. (2022). *How to Start A PodCast: Launch Your First Podcast with No Previous Experience Required*. Las Vegas, NV: Clixexo Publishing.

Goal in Life: To be happy and clear for the rest of my life:

- **Happy:** life balance, gratitude sought in all situations, joy in each moment, mentally stimulating, physically healthy
- **Clear:** pain free, focused, free from fear, free from toxins

5. Summary of Qualifications.

- ✚ We create community in all we do.
- ✚ There is power in speaking in facts, with intellect and education of the process.
- ✚ Don't shy away from awkward conversations; how those are approached and consumed defines who we are. Awkward conversations do not get better with age.
- ✚ Business savvy in many different industries as many different roles; all high stress, quick deadlines with precise results and tight budgets.
- ✚ Details analysis, life or death situations on a daily basis, including operations, plan reviews, audits and intricate details for electrical, mechanical, financial, operations and dynamics for conventional and nuclear operations; have a keen eye for detailed mistakes and big picture requests also.
- ✚ Great communication - learned in the US Navy - gained crucial methods of conveying all forms of communication; confirmed by years of business development to many clients using analytical and creative thinking styles.
- ✚ Listen and adjust plans according to the organization through all methods of communication; sometimes what is requested is not what they truly need.
- ✚ Display all options and make recommendations, even the ones not wanting to be heard.
- ✚ Make no mystery of my current effort or direction. Directions of effort submitted with each time sheet (usually bi-weekly) along with the next list of items ready for completion.
- ✚ Set the example. Remain true to myself and always speak the hard truth, with a twist of tact. My integrity is unquestionable, even when mistakes are inevitably made.
- ✚ Acknowledgement of my mistakes and the keen desire to learn from them. It is my goal to learn as much as possible with the least amount of money and time lost.
- ✚ Habit of doing more than paid for, with unquestionable reliability. My word is my being.

Values:

- Integrity
- Authenticity
- Transparent
- Gratitude
- Adventurous

6. Character References.

Character and professional letters of reference are ready for **immediate** delivery from the following people:

Former Employers:

- Mark Hassett, 3 Leaf Contracting, Ltd, General Civil Contractor for 2013 rockslide clean up in Toba Valley
- LT Steve Mathus, Nuclear Engineer, Naval Reactors, Former colleague aboard USS Enterprise (CVN 65)
- Paula Hegele, Maui Wine, Former and current client assisting in project and crisis management

Prominent People Whose Judgment May be Relied Upon:

- Nick Kobak, KKA Consulting, Inc., Insurance adjuster for 2013 Toba Valley Rockslide
- The late William P. Lawrence, VADM (Ret), USN. Sponsor father at USNA, Prisoner of War for 6 ½ years in Vietnam and mentor for 10 years. DDG-110 was commissioned on June 4, 2011 as the USS William P. Lawrence.

And many others in varying backgrounds.

7. Business Details.

I have clients in both US and Canada. The following are details of my businesses.

Podcast is provided by: Fix-It-Right Homes, LLC in the US:

Incorporated in the State of Hawaii on December 6, 2016.

Federal Tax ID: 81-4767009

HI GET: GE-196-918-6816-01

Limited Liability Company member as a US Citizen

Westcoast Endeavours, ULC in Canada:

Canadian Citizen on September 29, 2014

Dual Canadian and American citizen.

8. Current Client References.

(Feel free to contact any of these clients to obtain a reference check – additional references are available for exact experiences, if necessary.)

- Mark Hassett, 3 Leaf Contracting, Ltd, 604-483-1463 or Shaun Gloslee, Shaun Gloslee Excavating, Ltd, 604-414-5455. Site Administrator for \$38M rockslide insurance claim.
- Scott Randolph, City of Powell River's Manager of Economic Development, and former Manager of the Powell River Regional Economic Development Society: 604-414-8598. Business owner interviews and data entry into database; four independent business plans, including 3 for the Powell River Regional District, and 1 feasibility analysis.
- Paula Hegele, Owner & General Manager, Maui Wine. 808-878-1266. Operations manuals revised, updated safety program, implemented several shifts in operations, launched new shopping cart, assisted in quick succession planning, and hiring for key position in 2014.
- Hiedi Salisbury, Owner & General Manager, Powder King Mountain Resort, Inc. 866-769-5464 – Overall business development including business manual creation, systems creation, strategic planning, bookkeeping, hiring and marketing. Assisted in real estate strategy in remote BC area.
- Milton E. Holmes, III: Owner & Operator, Retriever Hawaii, Inc., 808-667-5889 – Overall business development (initial set up was in 2004 for commercial office), expansion of additional businesses and product lines, website development and manual creation.
- Kathy Borelli: Owner, Ohana Steel Buildings, Inc. 808-573-8522 – Business development (initial set up in 2005) including operations manual, business manual, systems maintenance and marketing budgets.

9. Letter to the Reader

April 3, 2023

Jennifer JM Salisbury
Platinum Business Development

To whom it may concern:

It is my pleasure and an honor to deliver my resume packet to you.

Through my experiences I have met many incredible people in both the US and Canada. I have lived, as they say “out loud”. It is clear to me that I must live without regrets. I seize each day, am thankful for all blessings, and seek hope in times of suffering.

I am the epitome of versatile. I can zoom in and be an effective workhorse as a computer document specialist and logistics, or I can position myself as a strategic (and sometimes emotional) support for business owners and boards of directors.

I know to be true to my heart, and that my word is the most precious gift I can give you; for when it is given, it is kept to the letter.

For whatever reason my packet came into your hands, I am grateful. Whether we met or work together now or in the future, I am pleased to enlighten you of my work ethic, intensity level, and welcomed chaos.

I was asked once if I was a mover or a shaker; I replied “both”. I move the movers. In sharing my resume packet, I hope you have been moved.

I look forward to working with you in whatever respect that means.

Kindest Regards,

A handwritten signature in black ink that reads "Jennifer JM Salisbury". The signature is written in a cursive, flowing style.

Jennifer JM Salisbury

Jonathan Shick, PE, CCM, PMP, CSRP, RRO, STS

jonathans@ponocg.com

99-1790 Hoapono Pl * Aiea, HI 96701 * 808-321-0697

- PROFILE**
- ~ Results-oriented construction and consulting professional with 13+ years in healthcare, condominium, hospitality, residential, and renewable energy industries with a strong emphasis in structural and building envelope construction.
 - ~ Verifiable track record of successful completion of multimillion dollar projects through active involvement of all aspects of project from inception through owner occupancy.
 - ~ Actively involved in all phases of construction projects from development, assessment, engineering, and construction, seeking to bring exceptional quality and value to clients.
 - ~ Exceptional client relationships through business development and marketing campaigns in new target markets.

PROFESSIONAL EXPERIENCE

PONO CONSULTING GROUP, LLC Honolulu, HI February 2015 to Present
Owner – Develop lasting solutions through innovative and collaborative efforts during all phases of construction from condition assessment and initial conceptual design thru complete engineering and design and delivery of construction project while focusing on quality and service. Services include condition assessment and design services, construction management, project management, quality assurance, and third-party peer review, observation, and testing.

Key Projects with Pono Consulting Group:

1450 Young Street - Exterior Façade Renovation, Honolulu, HI

Construction Value: Estimated at \$1.5 Million. Provide construction management services acting as Owner's Representative for the exterior renovation of a 28-story condominium, including spall repair, exterior coatings, sealant replacement, and deck coatings.

- Act as Owner's representative providing coordination between client and designer and contractor
- Quality Assurance observation and documentation services of work being performed and materials installed

Waikiki Banyan – Fire Alarm Upgrade, Waikiki, HI

Construction Value: \$890,000. Provide construction management services acting as Owner's Representative for the upgrade of the existing fire alarm system at the 832-unit Waikiki Banyan Condominium in Waikiki.

- Act as Owner's representative providing coordination between client and contractor
- Quality Assurance observation and documentation services of work being performed and materials installed
- Troubleshooting and resolution of design/installation issues due to existing conditions

Maile Terrace - Exterior Building Envelope Renovation, Honolulu, HI

Construction Value: Estimated at \$2.5 Million. Provide turnkey construction management services for complete building envelope renovation of two residential buildings including roofing, spall repair, waterproof coatings, railing replacement, sealant replacement, and painting.

- Pre-construction services including assessment and design of repair solutions, education and guidance to client to determine path forward for repair scopes, contractor pre-qualification, bidding, and contract management services
- Construction phase services including coordination with designers, manufacturers, and contractors for submittal processing, quality assurance observations and reporting, project management, coordination meetings, project close out services

OPTERRA ENERGY SERVICES Honolulu, HI

February 2015 to Sept 2017

Construction Manager – Responsibilities include initial conditions assessments, development of construction drawings and specifications to facilitate bidding and permitting of construction projects, construction management services including overseeing all aspects of construction activities on multiple sites, coordination with various Dept. of Education (DOE) entities. Developed, implemented, and maintained project schedule across multiple sites and multiple contractors. Provide quality assurance and daily management of multiple contractors across multiple sites. Perform daily task and production reporting to DOE and project stakeholders.

Key Projects with OpTerra Energy Services:

Hawaii Dept. of Education – Ka Hei Program, Various Schools, HI

Construction Value: Estimated at \$200 Million. Comprehensive energy conservation program aimed at reducing DOE utility expenses through the implementation of energy reduction measures including Solar PV, lighting retrofit, plug load reduction, mechanical optimization, water conservation, and Net-Zero Energy sites.

- Management of Phase 1 of program – Installation of Rooftop and Parking Canopy PV systems at all public school in the State of Hawaii, including 1 MW of parking lot canopy projects and ~7 MW of rooftop PV deployment and associated roofing rehabilitation and retrofit
- Projected \$62 Million in energy savings from deployment of solar PV

ALLANA BUICK & BERS, INC Honolulu, HI

June 2011 to February 2015

Senior Consultant – Responsibilities include initial conditions assessments, development of construction drawings and specifications to facilitate bidding and permitting of construction projects, business development and marketing, construction administration services, solar project development, engineering, and construction, fostering new and existing client relations to build new opportunities and maintain existing opportunities.

Key Projects with Allana Buick & Bers:

USS Bowfin Museum – Solar Energy Collectors, Pearl Harbor, HI

Construction Value: \$910K. Full-service project management for installation of 178 kW solar PV system at USS Bowfin Museum at Pearl Harbor.

- First design-build contractor model completed by firm
- Successful design and installation of integrated roofing and solar PV solution to provide customer with 70% offset of electric usage

The Imperial Plaza – Exterior Curtainwall Firesafing Installation, Honolulu, HI

Construction Value: \$1.9M. Construction management and monitoring services for the installation of remedial exterior curtainwall firesafing as part of litigation settlement.

- On-time completion of project at a project savings of ~35%
- Expeditious resolution of construction issues to maintain code compliance and construction schedule while ensuring the highest level of resident satisfaction

Hale Kulanui – Exterior Spall Repair, Coatings, and Railings, Honolulu, HI

Construction Value: \$1.4M. Project Construction Administration and Management services to ensure contractor compliance with construction documents, maintain client relationships with residents and property manager.

- Successful resolution of construction issues to facilitate exterior renovation
- Provide innovative solutions to existing building conditions including parking deck coatings, structural concrete repairs, domestic piping replacement

DRI COMPANIES Irvine, CA

July 2009 to May 2011

Project Manager – Responsibilities include maintaining project records, scheduling, RFIs, submittals, estimating, business development, and safety, ensuring highest levels of quality control while maintaining project costs and schedules. Collaborate with design engineers in developing roofing details, fall protection systems, and structural design packages. Foster an atmosphere of staff development through technical training, safety seminars, peer-to-peer coaching, and ongoing customer relationships. Developed, implemented, and maintained project schedule across multiple sites and maintained direct coordination of project activities with multiple stakeholders. Responsible for daily production and quality control reports per USACE CQM standards.

Construction Projects with DRI:

NAVFAC - Pearl Harbor: Install PV Systems, Pearl Harbor, HI

Contract Value: \$10.8M. Oversaw installation of 2.6 MW of solar systems on multiple facilities within Pearl Harbor.

- Largest PV installation on Oahu at time of install
- Recipient of first NAVFAC – Hawaii Quarterly Safety Recognition, 4th Quarter 2010

NASA - Johnson Space Center: Hurricane Ike Roof Repairs, Houston, TX

Contract Value: \$8.4M. Daily on-site project management and project administration, overseeing all aspects of construction, ensuring complete adherence to contract documents and manufacturer's guidelines.

- First construction project to be released under ARRA funds
- Successful replacement of roofing systems while maintaining full operation of critical mission facilities without interruption

KITCHELL CONTRACTORS, INC Phoenix, AZ

June 2005 to July 2009

Assistant Superintendent – Site Construction Management including: collaboration with clients, vendors, subcontractors, and design teams. Implemented conflict resolution and coordination of all aspects of construction and reconstruction efforts, including safety and quality compliance of over \$100M worth of scope. Developed, implemented, and maintained project schedule across multiple stakeholders, phases, and contractors. Maintained adherence to specifications and manufacturer's guidelines by developing Quality Assurance program for all aspects of construction, including exterior coating system and roof replacement. Daily site management of field activities including exterior façade, windows, roofing, structural steel, and interior finishes.

Construction Projects with Kitchell:

Marian Medical Center - Hospital Expansion Project, Santa Maria, CA

Contract Value: \$145M. Oversaw structural steel erection and metal decking, exterior envelope coordination, 3D modeling coordination, provided quality assurance for all aspects of construction and design review.

- Completion of structural steel skeleton 1 month ahead of schedule, reducing overall project costs by approximately \$1 million

St. John's Regional Medical Center - Defects Repair, Oxnard, CA

Original Contract Value: \$200M. Transformer Replacement (\$450K), Emergency Power Upgrade (\$3M), Roof Replacement (\$4M), Elastomeric Coating (\$8M), AHU Replacement(\$2M). Responsible for managing all aspects of building envelope reconstruction, including roofing, exterior skin and windows, below grade waterproofing, and exterior coating.

- Largest healthcare remediation project in US at the time
- Sarnafil Project of the Year 2007
- 2nd Place BASF Global Project of the Year

St. Rose Hospitals - San Martin Campus, Las Vegas, NV

Contract Value: \$81M. Oversaw interior construction including millwork, plumbing and electrical, medical equipment, and operable fire doors.

- Implemented quality assurance program for successful completion of interior and exterior building punch list

EDUCATION

Master of Civil Engineering (Structural) - Norwich University - 2009
Bachelor of Science Civil Engineering – Clemson University – 2005
 Minor - Environmental Engineering
 Bilingual - English and Spanish

PROFESSIONAL QUALIFICATIONS

Professional Engineer, CA: C82170
 Licensed General Contractor, HI: CT-32664
 Certified Construction Manager: 10/2017
 Registered Roof Observer: 08/2015
 Certified Solar Roofing Professional: 10/2012
 Project Management Professional: 03/2011
 Safety Trained Supervisor: 04/2011
 USACE Construction Quality Management: 09/2009
 OSHA 30-Hour Construction Safety: 06/2017
 Building Science Seminar, Vancouver, BC: 10/2008
 Johns Mansville Built-up Roofing Systems Institute: 10/2011
 Member: Project Management Institute
 Member: American Society of Civil Engineers
 Member: Structural Engineering Institute
 Member: Chamber of Commerce of Honolulu
 Member: RCI, Inc
 Member: Construction Management Association of America

HONORS AND ACTIVITIES

Sales and Marketing Executives International: Attend monthly events to develop new opportunities and expand clientele base and improve sales techniques
Honolulu Chamber of Commerce: Active member in Young Professionals Organization focusing on improvement of business skillsets and development
West Oahu Professionals Network: Local Business Networking Group to expand business opportunities and outreach to community
Presbyterian College: Organized Lacrosse Club which led to varsity program
Clemson Club Soccer: President 2003-2004, Vice President 2003. Organized second largest invitational tournament in the country for collegiate club soccer
Translator: Mission Trip to Honduras Summer 2003, 2004, 2005
Kitchell: Emerging Leaders Program: 2008-2009
Kitchell: QA Building Envelope Series: 2007
OpTerra: Hawaii Hau'oli Award for exceeding customer expectations
Allana Buick & Bers: 2013 Employee of the Year – Hawaii Office

**Garth Yamanaka
Yamanaka Enterprises, Incorporated**

I. Bio

Garth first got his start in real estate as a commercial investor in 1999. After graduating from the University of Hawaii-Hilo with a degree in Marine Science, he started a career in the residential appraisal profession by training in Las Vegas, Nevada, in 2001. In 2006, he created his own appraising company, G&H Appraisals Inc., and in 2007, received his SRA designation from the Appraisal Institute.

Building on his foundation as a real estate appraiser for almost a decade, Garth decided to join Yamanaka Enterprises, Inc. as real estate agent as well. His role at Yamanaka Enterprises, Inc. includes doing both commercial and residential sales, as well as being the property manager for residential, commercial, industrial, and large agricultural parcels.

In addition, Garth is an active member of the Rotary Club of South Hilo, Treasurer of the Rotary Club of South Hilo Foundation, board member of the Kanoiehua Industrial Area Association (KIAA) and Hawaii Island representative on the State of Hawaii Small Business Regulatory Review Board.

II. Education/Training:

- A. University of Hawaii-Hilo, Bachelor of Science Degree, Marine Science
- B. Post Graduate Studies with emphasis in area of Residential Appraisal from the Appraisal Institute. Received SRA designation from the Appraisal Institute in 2007.
- C. Hawaii Certified Residential Appraiser License obtained in 2007 requires 28 hrs of continuing education every 2 years.
- D. Hawaii Real Estate License obtained in 2011 requires 20 hrs of continuing education every 2 years.

III. Business Positions:

- A. 2001 – 2006: Wade & Associates, Las Vegas, Nevada - Appraiser
- B. 2006 – Present: G & H Appraisals Inc., Hilo, Hawaii - Owner and appraiser

- C. 2014 – Present: Kam Ave Holdings LLC, Hilo, Hawaii – Owner
- D. 2011 – Present: Yamanaka Enterprises Inc., Hilo, Hawaii – Vice President, Property Manager, Sales Agent

IV. Real Estate & Business/Associations/Professional Organization:

- A. 2007 - Present, SRA Designated Member of the Appraisal Institute
- B. 2011 - Present, National Association of Realtors (NAR)
- C. 2012 - Present, Board member Kanoelehua Industrial Area Association
- D. 2013 - Active member Rotary Club of South Hilo
- E. 2014 – Present, Treasurer, Rotary Club of South Hilo Foundation
- F. 2015 – Present, Board member Small Business Regulatory Review Board

DBEDT Staff List and Duties

<i>Staff</i>	<i>Title</i>	<i>Address</i>	<i>Phone</i>	<i>E-mail</i>	<i>Areas of Assistance</i>
Dori Palcovich	DBEDT / Economic Development Specialist / Director's Office	250 S. Hotel Street, 5 th Floor P.O. Box 2359 Honolulu, HI 96804	(808) 586-2594	dori.palcovich@hawaii.gov	Substantive and novel questions about Board procedures and policy; substantive research requests; questions about HAR, HRS, legislation & testimony.
Jet'aime Ariola	DBEDT / Program Specialist	250 S. Hotel Street, 5 th Floor P.O. Box 2359 Honolulu, HI 96894	(808) 798-0737	jetaime.k.ariola@hawaii.gov	Manages the SBRRB's program and operations, provides administrative services to the Administrator, the SBRRB Chair and members, and acts as liaison with other State and County agencies, small business, community organizations and members of the general public.
Alison Kato	Deputy Attorney General / Office of the Attorney General	425 Queen St. Honolulu, HI 96813	(808) 586-1180	alison.s.kato@hawaii.gov	Legal questions including Sunshine Law meeting rules, interpretation of statutes & rules.
SBRRB		Website address: http://sbrrb.hawaii.gov/		DBEDT.sbrrb.info@hawaii.gov	

PHONE CALLS TO STATE GOVERNMENT

You can use the following toll-free access lines to call State government.

Dial as follows 1 (808):

- From Hawaii, 974-4000 (+ State extension)
- From Kauai, 274-3141 (+ State extension)
- From Maui, 984-2400 (+ State extension)
- From Molokai/Lanai, 1-800-468-4644 (+ State extension).
- State extension = last 5 digits of local phone no.

Discussion Leader Assignments

1. Office of the Governor <http://governor.hawaii.gov>
Address: Governor Josh Green, M.D. Phone: (808) 586-0034
Executive Chambers Fax: (808) 586-0006
State Capitol
Honolulu, HI 96813

Discussion Leader: Robert Cundiff
Back-up Discussion Leader: Mary Albitz

2. Office of the Lieutenant Governor <http://ltgov.hawaii.gov>
Address: Lieutenant Governor Sylvia Luke Phone: **Oahu/** (808) 586-0255
State Capitol, Fifth Floor **Maui/** 984-2400 ext. 60255
Honolulu, HI 96813 **Hawaii/** 974-4000 ext. 60255
Kauai/ 274-3141 ext. 60255
Molokai/Lanai/ 1(800) 468-4644 ext. 60255
Fax: (808) 586-0231

Discussion Leader: Mary Albitz
Back-up Discussion Leader: Garth Yamanaka

3. Department of Accounting & General Services <http://ags.hawaii.gov>
Address: Keith Regan, Comptroller Phone: (808) 586-0400
Kalanimoku Building Fax: (808) 586-0775
1151 Punchbowl Street Email: dags@hawaii.gov
Honolulu, HI 96813

Discussion Leader: Mark Ritchie
Back-up Discussion Leader: Mary Albitz

4. Department of Agriculture <http://hdoa.hawaii.gov>
Address: Sharon Hurd, Chairperson Phone: (808) 973-9550
Board of Agriculture Fax: (808) 973-9613
1428 South King Street Email: hdoa.info@hawaii.gov
Honolulu, HI 96814

Discussion Leader: Will Lydgate
Back-up Discussion Leader: James Kimo Lee

5. Department of the Attorney General <http://ag.hawaii.gov>
Address: Anne Lopez, Attorney General Phone: (808) 586-1282
Hale Auhau Fax: (808) 586-1239
425 Queen Street
Honolulu, HI 96813

Discussion Leader: Will Lydgate
Back-up Discussion Leader: Robert Cundiff

6. Department of Budget & Finance <http://budget.hawaii.gov>

Address: Luis Salaveria, Director Phone: (808) 586-1518
P.O. Box 150 Fax: (808) 586-1976
Honolulu, HI 96810 Email: HI.BudgetandFinance@hawaii.gov

Discussion Leader: Mark Ritchie
Back-up Discussion Leader: Garth Yamanaka

7. Public Utilities Commission..... <http://puc.hawaii.gov>

Address: Leo R. Asuncion, Jr., Chair Phone: (808) 586-2020
Kekuanaoa Building Fax: (808)586-2066
465 South King Street, Room 103 Email: puc@hawaii.gov
Honolulu, HI 96813

Discussion Leader: Tessa Gomes
Back-up Discussion Leader: Jonathan Shick

8. Department of Business, Eco Dev. & Tourism..... <http://dbedt.hawaii.gov>

Address: James Tokioka, Director Phone: (808) 586-2355
P.O. Box 2359 Fax: (808) 586-2377
Honolulu, HI 96804 Email: dbedt.director@hawaii.gov

Discussion Leader: Robert Cundiff
Back-up Discussion Leader: Will Lydgate

9. Department of Commerce & Consumer Affairs..... <http://cca.hawaii.gov>

Address: Nadine Ando, Director Phone: (808) 586-2850
335 Merchant Street Fax: (808) 586-2856
Honolulu, HI 96813 Email: dcca@dcca.hawaii.gov

Discussion Leader: Tessa Gomes
Back-up Discussion Leader: TBD

10. Department of Defense..... <http://dod.hawaii.gov>

Address: Major General Kenneth Hara, Phone: (808) 733-4246
Office of the Adjutant General Fax: (808) 733-4499
3949 Diamond Head Road
Honolulu, HI 96816

Discussion Leader: Jonathan Shick
Back-up Discussion Leader: Mark Ritchie

11. Department of Education..... <http://hawaiipublicschools.org>

Address: Keith Hayashi, Superintendent
1390 Miller Street
Honolulu, HI 96813

Phone: (808) 586-3230
Fax: (808) 586-3314
Email: doe_info@hawaiidoe.org

Discussion Leader: Nancy Atmospera-Walch
Back-up Discussion Leader: TBD

12. Department of Hawaiian Home Lands..... <http://dhhl.hawaii.gov>

Address: Kali Watson, Chairperson
P.O. Box 1879
Honolulu, HI 96805

Phone: (808) 620-9501
Fax: (808) 620-9529
Email: dhhl.hawaii@gmail.com

Discussion Leader: James Kimo Lee
Back-up Discussion Leader: Garth Yamanaka

13. Department of Health..... <http://health.hawaii.gov>

Address: Dr. Kenneth Fink, MD, Director
1250 Punchbowl Street
Honolulu, HI 96813

Phone: (808) 586-4410
Fax: (808) 586-4368
Email: webmail@doh.hawaii.gov

Discussion Leader: Sanford Morioka
Back-up Discussion Leader: Mary Albitz

14. Department of Human Resources Development..... <http://hrd.hawaii.gov>

Address: Brenna Hashimoto, Director
235 South Beretania Street, Suite 1400
Honolulu, HI 96813

Phone: (808) 587-1100
Fax: (808) 587-1106
Email: dhrd@hawaii.gov

Discussion Leader: Sanford Morioka
Back-up Discussion Leader: Nancy Atmospera-Walch

15. Department of Human Services..... <http://humanservices.hawaii.gov>

Address: Cathy Betts, Director
P.O. Box 339
Honolulu, HI 96809-0339

Phone: (808) 586-4993
Fax: (808) 586-4890
Email: dhs@dhs.hawaii.gov

Discussion Leader: Nancy Atmospera-Walch
Back-up Discussion Leader: Sanford Morioka

16. Department of Labor & Industrial Relations..... <http://labor.hawaii.gov>

Address: Jade Butay, Director
830 Punchbowl Street
Honolulu, HI 96813

Phone: (808) 586-8844
Fax: (808) 586-9099
Email: dliir.director@hawaii.gov

Discussion Leader: Mary Albitz
Back-up Discussion Leader: Tessa Gomes

17. Department of Land and Natural Resources..... <http://dlnr.hawaii.gov>

Address: Dawn Chang, Chairperson
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

Phone: (808) 587-0401
Fax: (808) 587-0390
E-mail: dlnr@hawaii.gov

Discussion Leader: Jonathan Shick
Back-up Discussion Leader: TBD

18. Department of Public Safety..... <http://dps.hawaii.gov>

Address: Tommy Johnson, Director
919 Ala Moana Boulevard, 4th Floor
Honolulu, HI 96814

Phone: (808) 587-1288
Fax: (808) 587-1282
Email: psd.office.of.the.director@hawaii.gov

Discussion Leader: Jonathan Shick
Back-up Discussion Leader: William Lydgate

19. Department of Taxation..... <http://tax.Hawaii.gov>

Address: Gary Suganuma, Interim Director
P.O. Box 259
Honolulu, HI 96809-0259

Phone: (808) 587-1540
Fax: (808) 587-1560
Email: Tax.Directors.Office@hawaii.gov

Discussion Leader: Garth Yamanaka
Back-up Discussion Leader: Will Lydgate

20. Department of Transportation..... <http://hidot.hawaii.gov>

Address: Ed Sniffen, Director
Aliiaimoku Building
869 Punchbowl Street, Room 509
Honolulu, HI 96813

Phone: (808) 587-2150
Fax: (808) 587-2167

Discussion Leader: James Kimo Lee
Back-up Discussion Leader: Sanford Morioka

21. University of Hawaii..... <http://www.hawaii.edu>

Address: David Lassner, President
Bachman Hall, Room 202
2444 Dole Street
Honolulu, HI 96822

Phone: (808) 956-7651
Email: david@hawaii.edu

Address: Lee Putnam, Chair, Board of Regents
Bachman Hall, Room 209
2444 Dole Street
Honolulu, HI 96822

Phone: (808) 956-8213
Fax: (808) 956-5156
Email: bor@hawaii.edu

Discussion Leader: Nancy Atmospera-Walch
Back-up Discussion Leader: Mark Ritchie

22. City and County of Honolulu..... <http://www.honolulu.gov/>

Address: **Rick Blangiardi, Mayor**
530 South King Street, Room 300
Honolulu, HI 96813

Phone: (808) 768-4141

Discussion Leader: Jonathan Shick
Back-up Discussion Leader: Tessa Gomes

23. County of Maui..... <https://www.mauicounty.gov/>

Address: **Richard T. Bissen, Jr., Mayor**
200 S. High St.
Kalana O Maui Bldg 9th Fl.
Wailuku, HI 96793

Phone: (808) 270-7855

Discussion Leader: Mary Albitz
Back-up Discussion Leader: James Kimo Lee

24. County of Hawai'i..... <https://www.hawaiicounty.gov/>

Address: **Mitch Roth, Mayor**

Phone: (808) 961-8211

East Hawai'i
25 Aupuni Street
Hilo, HI 96720

West Hawai'i
74-5044 Ane Keohokalole Highway
Bldg C
Kailua-Kona, HI 96740

Phone: (808) 323-4444

Discussion Leader: Garth Yamanaka
Back-up Discussion Leader: James Kimo Lee

25. County of Kaua'i.....<https://www.kauai.gov/Mayor>

Address: **Derek S.K. Kawakami, Mayor**
4444 Rice St., Suite 235
Lihue, HI 96766

Phone: (808) 241-4900
Email:mayor@kauai.gov

Discussion Leader: William Lydgate
Back-up Discussion Leader: TBD

PART II
SUNSHINE LAW
& MEETING
PROCEDURES

Sunshine Law Meeting Notice Requirements

Quick Review: Sunshine Law Meeting Notice Requirements (Revised August 2024)

For boards subject to the Sunshine Law, Part I of chapter 92, Hawaii Revised Statutes (HRS), here is a quick review of the Sunshine Law's notice requirements for public meetings.

All Hawaii State and county boards that are subject to the Sunshine Law **must provide timely notice of all regular, special, or rescheduled meetings, and of executive meetings that are anticipated in advance**, in accordance with section 92-7, HRS. Please note that **remote meetings** (section 92-3.7, HRS), **in-person meetings held at multiple sites by interactive conference technology** (section 92-3.5, HRS), and **limited meetings** (section 92-3.1, HRS) are subject to the following provisions on notice as well as other conditions set forth in the applicable sections of the Sunshine Law. **Emergency meetings** (section 92-8, HRS) must also be noticed, but notice may be filed within a shorter time period than the normal six days, and there are additional conditions.

Contents: The notice **must** include the following:

- Date of the meeting;
- Time of the meeting;
- Location(s) of the meeting, including all sites where board members will be physically present for an in-person meeting and the required physical meeting site for a remote meeting;
- Board's electronic and postal contact information for testimony;
- Instructions on how to request a disability accommodation;
- Agenda listing all items to be considered at the meeting;
- If applicable, the purpose of an executive meeting; and
- For a remote meeting using interactive conference technology (ICT), online connection information for the public to attend and testify.

The notice **may** include:

- **Additional locations** provided for the public's convenience, but must state whether the meeting will continue without the additional location or be automatically recessed to restore communication if the ICT connection between the additional location and the public meeting site(s) is lost. For an in-person meeting, the notice must also state that no board members will be attending from an additional location.
- If a meeting is being connected **remotely or between multiple in-person sites using ICT**, the notice may include arrangements in the event of an ICT connection interruption during the meeting, such as **reconnection information, information on how to access visual aids**, or an alternative date, time, and

place for **continuation** of the meeting if the ICT connection is lost for longer than 30 minutes.

File/post/mail/email: At least **six calendar days before** non-emergency meetings, the notice **must** be:

- Electronically posted on the State Calendar (State agencies) or the appropriate county calendar (county agencies), which is the official filing;
- Filed with the Office of the Lt. Governor (State boards), or the county clerk's office (county boards), and a proof of filing retained (but a failure to meet this requirement doesn't require cancellation of the meeting);
- Physically posted at the board's office for public inspection;
- Physically posted at the meeting site (when feasible); and
- Provided to persons requesting notification by postal or electronic mail.

Practice tips:

- Newspaper publication under section 1-28.5, HRS, is not required for Sunshine Law notices.
- The Sunshine Law requires that boards maintain a list of persons who wish to receive the notice by **postal or electronic** mail. For persons **who requested to be on a board's email or postal mailing list, the emails should be sent out and the meeting notices should be postmarked for delivery by regular U.S. Postal Service mail at least six calendar days before the meeting, or OIP will routinely advise the board to cancel the meeting.**
- If the agenda electronically posted on the county calendar does not reflect the date of the actual posting, then county boards should print and time-stamp a copy of the posted agenda to retain as proof of the date that the agenda was posted. The State Calendar provides this information, so State boards can just print out and keep a copy of the posted agenda in its files.
- Boards are not required by the Sunshine Law to file a notice when **cancelling a meeting**. A board's mere failure to be present at a noticed meeting automatically cancels the meeting. However, as a courtesy to the public, OIP recommends taking down the electronic calendar notice, posting notification of the cancelled meeting at the board's office and at the meeting location, and informing those people who asked to receive notice by email.
- Boards wishing to **change the date or time of a meeting** should cancel the original meeting and **file a new notice** at least six days in advance of the new date and time.

- If a board must **change the physical location** of a meeting on the day of the meeting (for example, the room loses power or air conditioning), it should call the meeting to order at the noticed location, and then announce that the meeting will be recessed and continued shortly thereafter in the new location, in accordance with section 92-7(d), HRS. A written notification of the new meeting location should be posted at the originally noticed location.
- If a board needs to change or correct the link to a remote meeting, it should cancel the original meeting and **file a timely new notice with the correct link.**
- When a board is unable to complete an agenda, the Sunshine Law allows the board to **continue a meeting** by announcing a reasonable date and time for the continued meeting to those in attendance at the meeting. At the continued meeting, the discussion may only be a continuation from the original meeting, allowing discussions of agenda items where the board left off. A board does not need to re-hear or accept new testimony for completed agenda items at the continued meeting. Boards need not file notices for continued meetings, but if practicable, a board should complete and attach OIP's "Notice of Continuance of a Meeting" form to the agenda that was filed for the original meeting, post it at the board's office and electronically on the State calendar (State agencies) or the appropriate county calendar (county agencies), and send it to the board's email list. A board should not place the items continued from a previous meeting together with new items on the agenda for a new meeting unless it is prepared to hear testimony again on the continued agenda items, as they would then effectively be agenda items to be considered at the new meeting rather than agenda items still under consideration as part of a continued meeting. For more detailed information, see OIP's "Quick Review: Continuance of a Meeting Under the Sunshine Law," which is posted, along with the Notice form, on the [Training page at oip.hawaii.gov](https://oip.hawaii.gov/training).
- If there is a non-emergency **joint meeting** with two or more boards, then each board is responsible for meeting the Sunshine Law's requirements, but they can coordinate to avoid duplicative actions. **All boards must ensure that notices are mailed to persons on their own postal and email mailing lists;** but if a person is on more than one mailing list, the Sunshine Law's notice requirement is met as long as one of the boards sends the notice to that person. If one board meets all Sunshine Law requirements, but the other board in a joint meeting fails to do so, then the first board can proceed with the meeting without the second board. The second board must cancel its meeting and cannot have a quorum or more of its members in attendance at what was originally planned as a joint meeting with the first board. For additional information about joint meetings, see OIP's "Quick Review: Roundtable Discussions with Multiple Boards Subject to the Sunshine Law," which is posted on the [Training page at oip.hawaii.gov](https://oip.hawaii.gov/training).
- When a board member will attend an in-person meeting via an **audio and**

video connection from a private location (e.g., home or hospital room) due to a disability limiting the member’s ability to attend in-person, the specific address of the private location need not be listed on the notice.

The Sunshine Law requires that the notice include instructions on how to request an auxiliary aid/service or accommodation. The State Disability and Communication Access Board (DCAB) has recently revised its recommended instructions for public meeting notices, and now recommends that boards use either one of the two sample statements below:

“If you need an auxiliary aid/service or other accommodation due to a disability, contact [Name] at [phone number and email address] as soon as possible, preferably by [reply date]. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

Or, if no reply date is provided:

“If you need an auxiliary aid/service or other accommodation due to a disability, contact [Name] at [phone number and email address] as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.”

Failure to follow the Sunshine Law’s notice requirements may necessitate cancellation of the meeting. If the meeting nevertheless proceeds, a court may void any final action taken in violation of the Sunshine Law’s notice requirements. A suit to void any final action must be commenced within 90 days of the action.

For guidance and examples on how to write an agenda, please consult related materials on [OIP’s Training page at oip.hawaii.gov](https://oip.hawaii.gov), which include Agenda Guidance for Sunshine Law Boards, a Public Meeting Notice Checklist, a Notice of Continuance form and a Quick Review on Meeting Continuances. For additional assistance, please contact OIP’s Attorney of the Day by calling (808) 586-1400 or emailing oip@hawaii.gov.

State Ethics Code



EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

September 15, 2011

EXECUTIVE MEMORANDUM

MEMO NO. 11-11

To: All Agencies, Boards and Commissions Subject to Chapter 92, Part I,
Hawai'i Revised Statutes

Subject: Posting Meeting Notices on the State Online Calendar

All State agencies, boards and commissions that are subject to HRS Chapter 92, Part I (the Sunshine Law) are required to file all meeting notices with the Lieutenant Governor's Office at least six (6) days prior to said meetings, under HRS Section 92-7(a) and (b).

Although many State boards and commissions also post these notices on their websites or on the State Online Calendar, not all do, and as a result, the public cannot easily obtain information on all board and commission meetings and misses opportunities to participate in them.

To provide the public with as many opportunities to participate in government as we can, all state agencies, boards, commissions, authorities, committees, councils and the like that are subject to the Sunshine Law, are to post all meeting notices and agendas on the State Online Calendar <http://calendar.ehawaii.gov/calender/html/event> (<http://calendar.ehawaii.gov/calendar/html/event>) as soon as such notices are filed with the Lieutenant Governor's Office. The electronic posting of meeting notices on the State Online Calendar will make the information more readily available and the business of boards and commissions more transparent to the public.

It is important to note that posting meeting notices and agendas on the State Online Calendar is in addition to, and not a substitute for filing meeting notices with the Office of the Lieutenant Governor. Please designate someone in your department, agency, board or commission who will be responsible for posting meeting notices and agendas onto the State Online Calendar. If an account to post items on the State Online Calendar has not been established, follow the attached protocol to establish one.

Sincerely,

NEIL ABERCROMBIE
Governor, State of Hawai'i

Ethics Checklist



HAWAII STATE ETHICS COMMISSION

ETHICS CHECKLIST

This flyer lists restrictions contained in the State Ethics Code, Chapter 84, Hawaii Revised Statutes (“HRS”), for state officials, employees, and board and commission members. (Justices and judges are excluded, as they are subject to their own ethics board.) Those subject to the State Ethics Code should review this list, and contact the State Ethics Commission (“Commission”) for advice when needed. Though the list is intended to be comprehensive, those subject to the State Ethics Code should not hesitate to contact the Commission whenever ethics issues arise. Further, our office should be contacted if there are any questions regarding the scope of the following restrictions. Contact us at: telephone number (808) 587-0460, fax number (808) 587-0470, or e-mail address ethics@hawaiiethics.org. Our web site address is www.state.hi.us/ethics. Mailing address: P.O. Box 616, Honolulu, Hawaii 96809.

- Gifts:** Do not accept or solicit gifts unless you are sure of the application of the gifts section of the State Ethics Code, HRS § 84-11.
- Gifts Disclosure:** If you receive more than \$200 of legally acceptable gifts from a single source between June 1 of one year and June 1 of the following year, check with our office as to whether you need to file a gifts disclosure form.
- Confidential Information:** Do not disclose, or use confidential information for your, or anyone’s, personal benefit.
- Favoritism; Fair Treatment:** Do not use, or attempt to use, your official position to give yourself or anyone any preferential treatment or any unwarranted advantage.
- Supplemental Compensation:** Do not accept extra pay or anything of value in conjunction with the performance of your official duties, unless provided for by law.
- State Resources:** Do not use state time, equipment (computers, e-mail, etc.), facilities, personnel, the state seal, office supplies or other state resources for private business purposes or political campaigning. The term “business” includes non-profit organizations.

- Financial Transactions With Subordinates:** Do not engage in substantial financial transactions with subordinates, or persons or businesses you inspect or supervise. Check with our office as to the meaning of “substantial,” as the application of the term may be different depending on the circumstances.
- Conflicts of Interests:** Do not take official action if the action affects your financial interests, or a business or undertaking in which you have a financial interest, unless you are sure of the application of the State Ethics Code. The financial interests of a spouse or dependent child are treated the same as your financial interests. Also, do not take action affecting an undertaking in which you, in your private capacity, represent a person or business. (Note: This section does not apply to legislators.)
- Acquiring New Employment or Financial Interests:** Do not accept new employment, or new financial interests without checking with our office, if the business or undertaking you will work for, or have a financial interest in, may be subject to official action by you. (Note: This section does not apply to legislators.)
- Contingent Compensation:** Do not assist or represent a person or business before a state or county agency for contingent compensation. (Note: Courts are not considered state agencies.)
- Representing or Assisting Persons or Businesses:** Do not assist or represent (1) a person or business for compensation before your own department or agency, or (2) on matters you have been officially involved in, or (3) on matters you will be officially involved in.
- State Contracts:** (1) If you contract with the State, or have a significant interest in a company that contracts with the State, make sure the contract is awarded in accordance with HRS § 84-15(a). (2) Check with our office before privately assisting or representing a person or business trying to obtain a state contract, if you have been involved officially with the contract or its subject matter.
- Financial Interests Disclosure Statement:** File this statement at the appropriate times if required by the position you hold in state government.
- Post Employment:** After leaving your state agency or department, (1) do not disclose confidential information or use such information for your, or anyone’s, personal benefit; (2) for one year do not personally represent any person or business for compensation on matters before your former agency or department unless you are sure of the application of the State Ethics Code; and (3) for one year, do not personally represent a person or business for compensation regarding matters you have participated in officially. Note: Parts (2) and (3) apply to those who served the State for more than 180 days. Call our office regarding the definition of the term “personal representation.”

Legal Opinion:
Conflict of
Interest under
the State Ethics
Code

LINDA LINGLE
GOVERNOR



MARK J. BENNETT
ATTORNEY GENERAL

LISA M. GINOZA
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII
DEPARTMENT OF THE ATTORNEY GENERAL
COMMERCE AND ECONOMIC DEVELOPMENT DIVISION
425 QUEEN STREET
HONOLULU, HAWAII 96813
(808) 588-1180

May 8, 2006

MEMORANDUM

TO: Members of the Small Business Regulatory Review Board

FROM: Margaret S. Ahn
Deputy Attorney General

RE: Conflict of Interest under the State Ethics Code

This is in response to the Chairperson's inquiry as to when a member of the Small Business Regulatory Review Board (SBRRB) should abstain from taking official action on a matter before the board under the conflict of interest provision of the State Ethics Code.

The relevant provision of the law is section 84-14(a), Hawaii Revised Statutes (HRS), which states that no **employee** shall take any **official action** directly affecting a business or other undertaking in which he has a substantial **financial interest**. (Emphasis added). "Employee" specifically includes board members. Section 84-3, HRS. "Official action" means a decision, recommendation, approval, disapproval, or other action or inaction, which involves the use of discretionary authority. Section 84-3, HRS. Therefore, official action would include not just voting on a matter before the Board but also making recommendations on the matter. "Financial interest" means an ownership, directorship, or officership in a business; a creditor interest; a debtor interest; an ownership interest in real or personal property; and employment or prospective employment for which negotiations have begun. Interests held by the board member, the member's spouse, or the member's dependent children constitute a financial interest of the board member. Section 84-3, HRS.

A slightly less stringent standard applies to board members who are mandated by statute to have particular qualifications, as do the members of the Small Business Regulatory Review Board. Such a board member "shall only be prohibited from taking official action that directly **and specifically** affects a business or undertaking in which he has a substantial financial interest, **provided that the substantial financial interest is related to the member's particular qualifications.**" (Emphasis added). Section 84-14(a), HRS.

The particular qualifications of SBRRB members are contained in Section 201M-5(b) and (c), HRS. Qualified board members must be either a current or former owner or officer of a business; they must reflect a variety of businesses in the State; and there must be at least two board members from each county. The most likely scenario for SBRRB members would involve a review of administrative rules that would “directly and specifically” affect the member’s business, of which he or she is an owner or officer, which is one of the qualifications to sit on the SBRRB. In this case, the board member should refrain from discussing the member’s recommendations and from voting on the administrative rules.

The State Ethics Commission has recognized that under certain statutes, members of a board are mandated to be part of the association the board is tasked with regulating, and it is their very expertise that qualifies them to participate in the regulating. However, if an administrative rule would have a **direct and specific** effect on the member’s business, then that member is prohibited from taking official action with respect to that rule. For example, the Ethics Commission ruled that a board member who owned schools instructing candidates for licensure was prohibited from participating in policy decisions affecting: (1) the qualifications of the schools or their instructors; and (2) education and training requirements for licensure candidates. The Commission concluded that these areas would directly and specifically affect the member’s occupation. Advisory Opinion No. 519.

Based on the foregoing, the SBRRB members are cautioned when reviewing, discussing, and voting on administrative rules, to bring to the board’s attention those rules that could have a direct and specific effect on their own businesses.

PART III
MARKETING
MATERIAL

*linked in Table of Contents

PART IV

BOARD

RESPONSIBILITIES –

RULE REVIEW

Statutory Powers, Responsibilities, and Focus

SMALL BUSINESS REGULATORY REVIEW BOARD STATUTORY POWERS, RESPONSIBILITIES AND FOCUS

Overview

The Small Business Regulatory Review Board (Board) was created on July 1, 1998, by the Small Business Regulatory Flexibility Act, Act 168, Session Laws of Hawaii 1988, codified as Chapter 201M, Hawaii Revised Statutes (HRS). The Board is comprised of eight current or former owners or officers of a business from across the State, who are appointed by the Governor, and confirmed by the Senate. In addition, the Director of the Department of Business, Economic Development, and Tourism (DBEDT), or the Director's designated representative, serves as an ex officio voting member of the Board. For administrative purposes, the Board is placed within DBEDT.

Some highlights of the Board's statutory powers, responsibilities and focus are described below.

Agency Proposals for New or Amended Rules

The administrative rulemaking process and procedures are contained in: (1) Chapter 91, HRS; (2) Chapter 201M, HRS; and (3) Governor's Administrative Directive No. 09-01 (AD 09-01). Chapter 91 includes notice and public hearing requirements for proposed rules. AD 09-01 sets forth what information on proposed rules must be submitted to the Governor when requesting the Governor's approvals during the rulemaking process. Governor's approval is required, first to conduct the public hearing on the rules, and second for adoption of the rules. AD 09-01 also requires that proposed rules are submitted to the Director of Budget and Finance and the Director of DBEDT for their review and comment.

Under Chapter 201M, if a rule proposal "affects small business," the agency submits to the Board a Small Business Impact Statement (SBIS), as described in section 201M-2, HRS, prior to the agency holding its public hearing on the rules. The Board will hold a meeting (subject to the Sunshine Law) on the rule proposal and SBIS, at which time the Board may make recommendations to the agency regarding the small business impact of the rules. After the agency's public hearing on the rules, the agency submits to the Board a Small Business Statement After Public Hearing (SBS), as described in section 201M-3, HRS. The Board will hold another meeting (also subject to the Sunshine Law) on the rules and SBS, to consider any small business concerns that may have been raised at the public hearing on the rules.

"Small business" is defined in Chapter 201M as a "for-profit enterprise consisting of fewer than one hundred full-time or part-time employees." Under AD 09-01, "affect small business" means "the proposal will impact a for-profit enterprise consisting of fewer than 100 full-time or part-time employees and will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business."

Existing Rules

Direct review by the Board. The Board also considers requests received directly from small business owners for review of any rule already adopted by a state agency. For such rules, the Board may make recommendations to the agency as to the need for a rule change or to the Legislature as to the need for a statutory change. For requests regarding county ordinances, the Board may make recommendations to the county council or the mayor for appropriate action.

Small business petition to an agency. An affected small business may petition an agency objecting to a rule that affects small business on the grounds enumerated in section 201M-6(a), HRS. The agency forwards a copy of the petition to the Board, and submits its written response to the petition to the Board within 60 days. If the agency determines that the petition does not merit changing the rule, the small business may ask the Board to review the agency's determination. The Board shall conduct a meeting on the rule and make its recommendations to the agency.

Reporting between agencies and the Board. Section 201M-7, HRS, also contemplates that agencies will work with the Board to uncover impacts on small business. Section 201M-7 requires each agency having rules that affect small business submit to the Board by June 30 of each odd-numbered year, a list of existing rules that affect small business, and a report describing the specific public purpose or interest for adopting the rules, and any other reasons for their continued implementation. Agencies shall also submit to the Board by June 30 of every year, a list of rules to be amended or repealed based on statutory amendments.

This same section requires the Board, in turn, to provide each agency with a list of rules that have generated complaints or concerns as to their effect on small business. This includes any rules that may duplicate, overlap or conflict with other rules, or exceed the agency's statutory authority. The agency must respond in writing to the Board within 45 days after receiving the list.

Standard Operating Guidelines and Procedures

Small Business Regulatory Review Board Standard Operating Guidelines and Procedures

(J/Public/SBRRB/SBRRB/OrientationManual/SBRRB/Procedures and Guidelines)

I. CORRESPONDENCE AND ADMINISTRATIVE RULES

A. Incoming Correspondence

a. Date-Stamped

1. DBEDT staff date-stamps all correspondence and administrative rule documentation to the SBRRB.

b. Distribution of Correspondence

1. Correspondence and administrative rules are submitted to the respective member(s) and Chair. Original is kept in DBEDT office.

c. Agenda Items

1. It is requested that all potential agenda material be received by the rule-making agencies at least 10 days before agenda posting or it will be posted the following month.

B. Outgoing Correspondence

a. Response Procedure

1. DBEDT staff and Chair or respective board member may jointly compose correspondence.
2. Response correspondence is approved by the Chair before being sent out and (subsequently) approved by members at a board meeting; the members' approval will depend on the time needed to submit the correspondence.

b. Stationery

1. Only "Small Business Regulatory Review Board" stationery is used for correspondence.
2. A copy of all correspondence is given to the Chair and respective board member(s).

c. Filing

1. Correspondence is kept in a separate binder at DBEDT office.

II. AGENDAS

A. Preparation

1. DBEDT staff drafts monthly agendas.
2. Preparation can begin months in advance.
3. All potential agenda material is requested to be received 10 days before agenda posting.

B. Contents

1. Input of agenda contents is derived from DBEDT staff, Chair and Members.

C. Approval

1. Chair approves the final draft agenda.
2. DBEDT staff sends draft agenda to Office of Information Practices for approval.

D. Notice and Posting of Agenda

1. DBEDT staff posts agenda six calendar days prior to the meeting, in accordance with §92.7, HRS.

III. BOARD MEETINGS – in accordance with §92.3, HRS

A. Scheduling

1. Board meetings are scheduled in advance.
2. Board meetings can be held in any location designated and agreed to by board members.
3. If a quorum is unavailable for a regular scheduled meeting, the Chair may reschedule at an unscheduled time.

B. Conducting

1. Meetings are conducted by the Chair or by anyone the Chair appoints.
2. If the Chair is unable to attend the meeting, the Vice Chair may conduct the meeting.
3. In the event both Chair and Vice Chair are unable to attend the meeting, the 2nd Vice Chair may conduct the meeting.

C. Receiving and Hearing of Public Testimony – in accordance with §92.3, HRS

1. There will be time allotted for each testifier to testify depending on length of agenda/number of testifiers; it is at the discretion of the Chair.

D. Public Requests for Board Actions

1. Requests can be received via verbally, in-person, email, correspondence, etc.
2. DBEDT staff will respond to requests.

IV. MINUTES – in accordance with §92.2, HRS

A. Preparation

1. DBEDT staff drafts minutes of the meeting.
2. Chair reviews draft minutes.
3. Minutes are reviewed/amended/approved at the next board meeting by the members.

B. Audio Tape Recording - in accordance with §92.9(c), HRS

1. The meetings are generally recorded.
2. Tapes will generally be erased upon completion of draft minutes.

C. Content of Minutes - in accordance with §92.9, HRS

1. Minutes are based on the board's agenda topics.
2. Conversation of the meetings are paraphrased to highlight important comments as well as votes.

D. Approval of Minutes

1. Minutes are approved by the board

V. **REVIEW OF ADMINISTRATIVE RULES**

A. Existing Rules/New Rules – in accordance with Chapter 201M, HRS

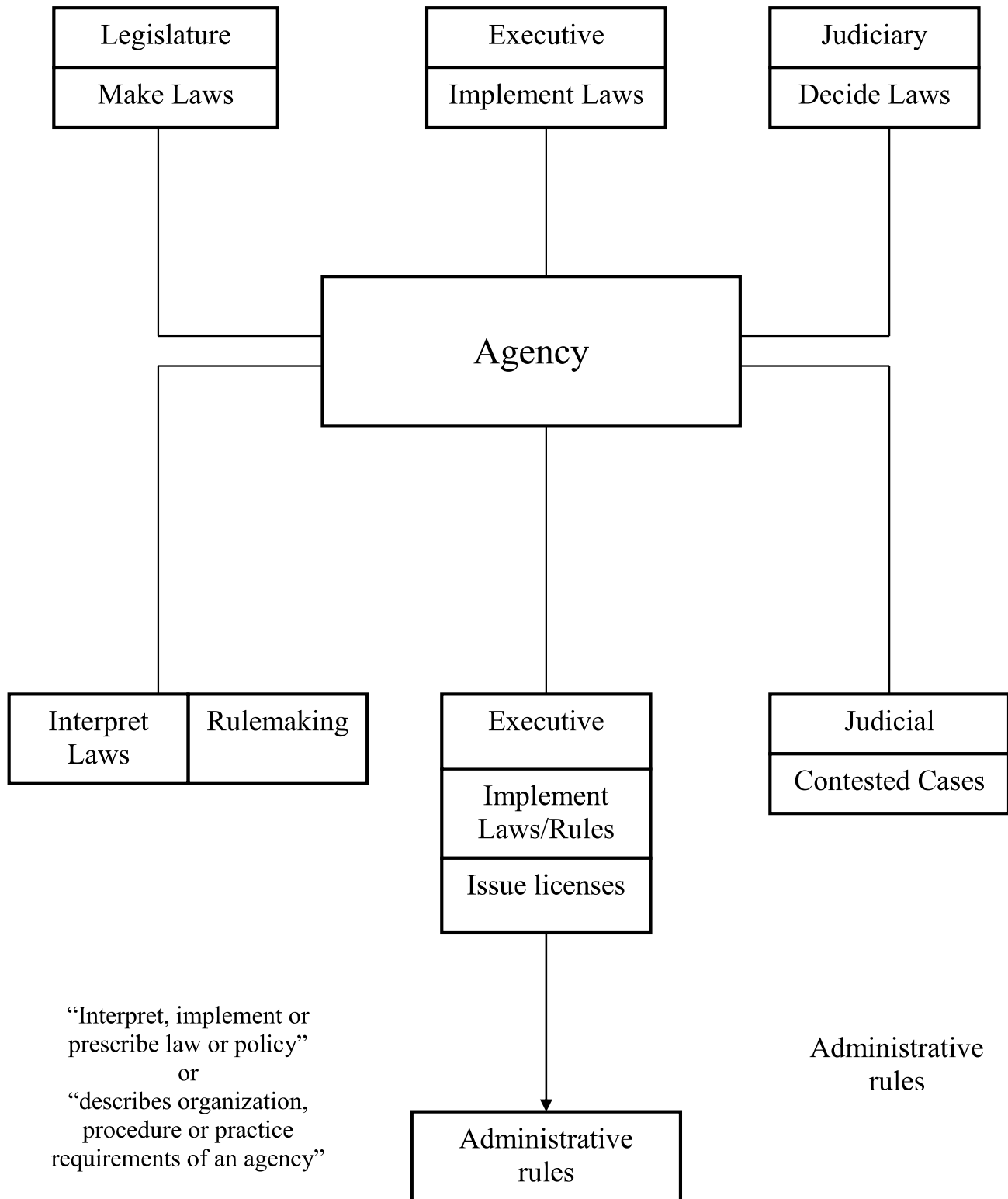
1. Board members are asked to review all administrative rules on the monthly agendas for questions and commentary at the board meeting.
2. DBEDT staff will transmit rule proposals that “affect small business” to the Board Chair and Discussion Leader(s), by email, postal mail, etc.
3. The Discussion Leader may make recommendations to the proposal during a board meeting.

PART V

LEGISLATION

Overview of Law Making Process Diagram

OVERVIEW OF LAW MAKING PROCESS



Sample “Bill”

A BILL FOR AN ACT

RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the small business regulatory review board lacks sufficient financial and administrative support from the department of business, economic development, and tourism. Without this support, the small business regulatory review board is unable to accomplish its mission.

Accordingly, the purpose of this Act is to support the small business regulatory review board by establishing a line item for the small business regulatory review board within the budget of the department of business, economic development, and tourism.

SECTION 2. Section 201M-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) There shall be established within the department of business, economic development, and tourism, for administrative purposes, a small business regulatory review board [~~to~~]. The board shall review any proposed new or amended rule [~~or to~~], consider any request from small business owners for review of any rule adopted by a state agency, and [~~to~~] make recommendations to the agency or the legislature regarding the need for a rule change or legislation. The board shall be entitled to a separate line item in the budget of the department of business, economic development, and tourism. For requests regarding county ordinances, the board may make recommendations to the county council or the mayor for appropriate action."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: _____

Report Title:

Small Business Regulatory Review Board

Description:

Entitles the small business regulatory review board to a separate line item within the budget of the department of business, economic development, and tourism.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

Sample “Testimony”

TO: Chair McKelvey, Vice Chair Kitagawa and Members of the House
Committee on Economic Development & Business

FROM: Garth Yamanaka

DATE: January 31, 2020 – Room 309 at 9:30 a.m.

SUBJECT: House Bill 2078, Relating to the Small Business Regulatory Flexibility Act

As an individual who has been serving as a board member on the Small Business Regulatory Review Board (SBRRB) for the past five years, I am providing support of House Bill 2078. This measure entitles the SBRRB to a separate line item within the budget of the Department of Business, Economic Development and Tourism.

Without a set budget, I am greatly aware of the challenges the SBRRB volunteers have encountered to provide sufficient outreach to the small business community to enhance the growth of small business in Hawaii. While I am proud of the successes and accomplishments this hardworking group of gratis members has had, to date, I personally believe that the SBRRB could greatly improve upon its outreach to the small business community if a budget was granted.

Thank you for hearing my testimony in support of House Bill 2078.

TESTIMONY

TO: Chair McKelvey, Vice Chair Kitagawa, and Members of the House
Committee on Business, Economic Development & Business

FROM: Nancy Atmospera-Walch *Nancy Walch*

DATE: January 31, 2020 – Room 309 at 9:30 a.m.

SUBJECT: House Bill 2078 Relating to the Small Business Regulatory
Flexibility Act

Please be advised that as a member of the Small Business Regulatory Review Board (SBRRB) for the past five years, I am providing comments in **support** of House Bill 2078 as an **individual**.

SB2078 entitles the SBRRB to a separate line item within the budget of the Department of Business, Economic Development and Tourism.

The SBRRB consists of ten small business owners across the State, providing recommendations to State and County Agencies and to the Governor and Mayors on new and amended administrative rules that impact small business. As a small businessowner I am proud to be a member of this conscientious and pro-active Board that is dedicated to the regulatory success of the State's small businesses.

To continue with the board's efforts, a separate line item will provide the SBRRB with the stability to continue with to do the work of its statute that is essential to a strong regulatory environment.

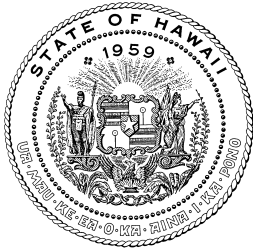
Thank you for allowing me to provide testimony in support of House Bill 2078.

PART VI
RESEARCH
TOOLS

*linked in Table of Contents

PART VII
SAMPLE
MEETING
AGENDA &
MINUTES

Sample Agenda



SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism (DBEDT)
No. 1 Capitol District Building, 250 S. Hotel Street, Fifth Floor, Honolulu, HI 96813
Mailing Address: P.O. Box 2359, Honolulu, HI 96804
Email: dbedt.sbrb.info@hawaii.gov
Website: sbrb.hawaii.gov

Tel: 808 798-0737

AGENDA

Thursday, December 12, 2024 ★ 10:00 a.m.
Leiopapa A Kamehameha Building – State Office Tower
235 S. Beretania Street, Conference Room 405
Honolulu, HI 96813

As authorized under Act 220, Session Laws of Hawaii 2021, and Section 92-3.7 Hawaii Revised Statutes (HRS), the public can participate in the meeting either:

A. By attending the in-person meeting at:
Leiopapa A Kamehameha Building – State Office Tower 235 S. Beretania Street,
Conference Room 405, Honolulu, HI 96813; or

B. Via Video-audio livestream or via Telephone - to join the Video-audio livestream meeting, go to:

<https://us06web.zoom.us/j/88400776199?pwd=4wAvlu4jf7kz65ioBZWDXgpG4KIKJ8.1>

C. To Join via Telephone: Dial 1-669-900-6833 with Meeting ID 883 5814 0200 Passcode 066739

When the Chairperson asks for public testimony during the meeting, you may indicate that you want to provide oral testimony by using the raise hand function or, if calling in by telephone, entering * and 9 on your phone keypad. When recognized by the Chairperson, you will be unmuted. If calling in by phone, you can unmute and mute yourself by pressing * and 6 on your keypad.

Members of the public may also submit written testimony via e-mail to: DBEDT.sbrb.info@hawaii.gov or mailed to SBRRB, No. 1 Capitol District Building, 250 S. Hotel Street, Room 508, Honolulu, HI 96813, or P.O. Box 2359, Honolulu, HI 96804. The Board requests that written testimony be received by Wednesday, December 11, 2024 so it may be distributed to Board members prior to the meeting. Testimony received after that time will be distributed to the Board members at the meeting.

Copies of the Board Packet will be available on-line for review at: [Agendas & Minutes – Small Business Regulatory Review Board \(hawaii.gov\)](#) and in-person at 250 South Hotel Street, Room 4 Diamond Head, Honolulu, HI 96813 during regular business hours. An electronic draft of the minutes for this meeting will also be made available at the same location when completed.

The Board may go into Executive Session under Section 92-5 (a)(4), HRS to Consult with the Board's Attorney on Questions and Issues Concerning the Board's Powers, Duties, Immunities, Privileges and Liabilities.

Josh Green, M.D.
Governor

Sylvia Luke
Lt. Governor

James Kunane
Tokioka
DBEDT Director

Dane K. Wicker
DBEDT Deputy Director

Members

Jonathan Shick
Chairperson O'ahu

Mary Albitz
Vice Chairperson Maui

Sanford Morioka
2nd Vice Chairperson O'ahu

James (Kimo) Lee
Hawai'i

Garth Yamanaka
Hawai'i

Robert Cundiff
O'ahu

Tessa Gomes
O'ahu

Nikki Ige
Kaua'i

Dr. Jennifer Salisbury
Maui

Mark Ritchie for
Director, DBEDT Voting Ex Officio

I. Call to Order

II. Approval of November 21, 2024 Meeting Minutes

III. Old Business

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to Hawaii Administrative Rules (HAR) Title 13 Chapters 325 **General Provisions** and 326 **Control and Eradication of Invasive Species**, promulgated by Department of Land and Natural Resources – *Exhibit 1*
- B. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 18 Chapter 235 **Income Tax Law** Subchapter 3 **Individual Income Tax Law** – promulgated by Department of Taxation – *Exhibit 2*
- C. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to HAR Title 11 Chapter 280.1, **Underground Storage Tanks**, promulgated by Department of Health – *Exhibit 3*

IV. Administrative Matters

- A. Update on the Board’s Upcoming Advocacy Activities and Programs in accordance with the Board’s Powers under Section 201M-5, Hawaii Revised Statutes (HRS)
 - 1. Discussion on the Business Revitalization Taskforce’s December 10, 2024 meeting pursuant to Act 142 (Sessions Law Hawaii 2024, Senate Bill 2974 Relating to Economic Development) – Mandates that the Department of Business, Economic Development, and Tourism establish a task force in order to identify methods to improve Hawaii’s general economic competitiveness and business climate, including the mitigations of regulatory tax burdens
 - 2. Review and Update of Board’s “Discussion Leader Assignments” for the State and County Agencies’ Hawaii Administrative Rules
 - 3. Review of the Board’s 2023 – 2024 Strategic Goals and Discussion and Action on Upcoming 3 – 5 Year Plan
 - 4. Update and Discussion on Becker Communications Inc., regarding the Board’s Small Business Outreach
 - 5. Presentations to Industry Associations
 - 6. Staff’s Small Business Outreach

V. Next Meeting: Thursday, January 16, 2025 at 10:00 a.m., held via Zoom and at 250 South Hotel Street – Capitol Modern Building, Conference Room 436, Honolulu, HI 96813

VI. Adjournment

If you need an auxiliary aid/service or other accommodation due to a disability, contact Jet’aime Ariola at 808 798-0737 and jetaime.k.ariola@hawaii.gov as soon as possible, preferably at least three (3) working days prior to the meeting. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

Sample Minutes

Small Business Regulatory Review Board

MEETING MINUTES

October 17, 2024

ZOOM Meeting Recording

- I. **CALL TO ORDER:** Chair Shick called the meeting to order at 10:00 a.m., with a quorum present.

MEMBERS PRESENT:

- Jonathan Shick, Chair
- Mary Albitz, Vice Chair
- Robert Cundiff
- Garth Yamanaka
- James (Kimo) Lee
- Nikki Ige
- Mark Ritchie

ABSENT MEMBERS:

- Sanford Morioka, 2nd
Vice Chair
- Tessa Gomes

STAFF: DBEDT

Jet'aime Ariola
Dori Palcovich

Office of the Attorney General

John Cole

II. **APPROVAL OF September 19, 2024 MINUTES**

Vice Chair Albitz motioned to approve the September 19, 2024 meeting minutes, as presented. Ms. Ige seconded the motion, and the Board members unanimously agreed.

III. **OLD BUSINESS**

- A. Discussion and Action on the Small Business Statement After Public Hearing and Proposed Amendments to Chapter 4, Planning Commission Rules, Petitions for Interventions, promulgated by Kauai Planning Department County of Kauai

Deputy Director Ms. Jodi Higuchi Sayegusa from Kauai Planning Department explained that no less than three hearings were conducted to discuss opinions and comments from the public and small businesses after public notice was provided via the newspapers and direct notice to interested parties.

On September 10th an additional public hearing was held with very detailed written comments requesting changes to the rule proposal. While many of the suggestions were already made in the rules, other suggestions were determined by management to not be included in the amendments.

Specifically, the public's concerns included the magnitude of the increase for filing fees for petitions to intervene, the change from "may" to "shall" for when the Commission must grant petitions, and the good cause and excusable neglect standards. There were no testimonies from small businesses.

Ms. Sayegusa stated that she will be coming back to this Board in the near future with additional changes to the Kauai Planning Department rules to update the rules and correct ambiguities.

Mr. Cundiff motioned to pass the proposed rules on to the Mayor of Kauai for adoption. Vice Chair Albitz seconded the motion, and the Board members unanimously agreed.

IV. LEGISLATIVE MATTERS

- A. Discussion and Action on proposed legislation "Relating to the Small Business Regulatory Review Board" – clarifies requirements to establish a quorum to do business and validate acts of the Small Business Regulatory Review Board

Chair Shick explained that the proposed change in the Board's statute is due to having trouble meeting quorum each month largely because of current vacancies. The change will allow five members, or a majority of the board's currently appointed members to constitute quorum, to do business and take official action.

Deputy Attorney General Cole noted that this is a positive change to help with quorum issues; at the very least, it will alert the legislators of current vacancies within the Board.

Mr. Ritchie motioned to recommend approval of this legislative proposal for flexibility in meeting monthly quorum. Mr. Cundiff seconded the motion, and the Board members unanimously agreed.

V. ADMINISTRATIVE MATTERS

- A. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, Hawaii Revised Statutes (HRS)
 - 1. Discussion of location for the 2025 Small Business Regulatory Review Board Meetings

It was agreed to change the monthly board meeting venues beginning in January 2025 to conference room 436 in the Capitol Modern building.

However, in the event a large group of people is anticipated to attend one of the board meetings, it will be scheduled in room 405 at Leiopapa A Kamehameha Building, State Office Tower.

2. Update and Discussion on Becker Communications, Inc., regarding the Board's Small Business Outreach

DBEDT staff met with Becker Communications a few weeks ago; Becker personnel were informed that they are doing a fabulous job with the Board's social media communications: this includes Facebook, Instagram and Twitter.

3. Presentations to Industry Associations

Ms. Ige recently attended a Kauai Chamber of Commerce event and distributed the Board's brochures.

Mr. Yamanaka received an email this morning explaining that the Business Revitalization Taskforce meeting, pursuant to Act 142 (SLH 2024, SB2974, Relating to Economic Development) is scheduled for October 29th; he is planning to attend remotely.

He reminded the members that the taskforce was created, in part, to identify methods to improve economic competitiveness and business climate including the mitigation of regulatory and tax burdens. He requested that if any board members have suggestions to please send them his way before October 29th.

Mr. Ritchie suggested that Mr. Yamanaka mention at the meeting the enormous amount of time it takes for business permitting to be approved as well as the lack of understanding when permits are needed.

4. Staff's Small Business Outreach

Program Specialist Ms. Ariola and Mr. Ritchie participated in the Small Business Fair at Leeward Community College. It was a successful event with a good turnout.

Ms. Ariola attended Hawaii's Chamber of Commerce's annual meeting where she distributed the Board's brochures. This event was highly attended with 200 to 300 people. At the event, Cirque du Soleil's management team highlighted the cultural aspects of the upcoming show and what will be presented; the show is at the Outrigger Waikiki Beachcomber Hotel and opens in December. The panel of speakers at the event discussed leadership versus management.

Next week, Ms. Ariola will be attending PBN's "Women Winning in Business" event at the Richards Street YWCA.

VI. NEXT MEETING – Thursday, November 21, 2024 at 10:00 a.m., via Zoom and in conference room 405 at Leiopapa A Kamehameha Building – State Office Tower – 235 S. Beretania Street, Honolulu, HI 96813.

VII. ADJOURNMENT – Mr. Cundiff motioned to adjourn the meeting and Mr. Ritchie seconded the motion; the meeting adjourned at 10:30 a.m.

PART VIII

REPORTS

*linked in Table of Contents