

North Kohala Community Development Plan Advisory Group Mission Statement

GUIDING GOALS AND STATUTE: From the North Kohala Community Development Plan (NKCDP): The County of Hawai'i General Plan section 15.1 (February 2005, as amended) calls for the preparation of community development plans "to translate the broad General Plan statements to specific actions as they apply to specific geographical areas." The General Plan requires CDPs be adopted as an "ordinance", giving the plans force of law. The following are excerpted from the NKCDP:

Administered by the Planning Department, the CDP Action Committee is to be a pro-active, community-based steward of the plan's implementation and update. (p. 94)

The stated duties of the CDP-AC are: (p. 95)

- (a) Provide ongoing guidance and advocacy to advance implementation of the CDP goals, policies, strategies, and actions.
- (b) Broaden community awareness of the CDP.
- (c) Create subcommittees, as appropriate, to implement CDP policies and actions.
- (d) Build partnerships, as appropriate, with governmental and other organizations to implement CDP policies and actions.
- (e) Provide timely recommendations to the County on priorities relating to the County operational budget and the CIP budget and program.
- (f) Receive periodic briefings from the Planning Department on all major proposed (and recently approved) projects, developments, and land use decisions involving property located within the planning area, and on other issues related to the CDP.
- (g) Review and make recommendations on all major proposed projects, developments, and land use decisions within the planning area, to the entity with the decision-making power.
- (h) Receive briefings from other County agencies, as requested, on priority actions identified in the CDP.
- (i) Monitor the progress and effectiveness of the CDP.
- (j) Review and make recommendations on amendments to the CDP.
- (k) Serve as the steering committee, as set forth in the General Plan, in any comprehensive update of the CDP.
- (l) Provide recommendations to amend the General Plan.
- (m) Develop and implement an educational/training program for current and prospective Action Committee members, in order to strengthen CDP implementation.
- (n) Carry out other duties as needed.

The principal goal of the Action Committee and its subcommittees is to *improve the quality of life in North Kohala*. The CDP is the plan that guides development toward realizing that goal. The role of the Action Committee, as we move to implementing the CDP, is to take a collaborative, cooperative approach to dealing with areas needing improvement or change.

PROPOSED RE-ORGANIZATION:

Over the past few years, the NKCDP Action Committee became difficult to staff, due in part to the restrictive mandates of the Sunshine Law and the expressed need of the Planning Department to gradually reduce meetings from monthly to bimonthly to quarterly in order to conserve staff time. With the cooperation of the Planning Department, we propose to implement and test an alternative AC structure that we believe will be much more effective and alleviate several impediments to an efficiently functioning group and, if successful, perhaps enhance the ability of the Planning Department to manage implementation of the several Community Development Plans on the island (Kohala may serve as a test for a new structure).

We begin by saying that we firmly believe in the spirit of the Sunshine Law which was developed to mitigate having important decisions affecting the public made by officials behind closed doors without public scrutiny. We plan to adhere to that spirit. The Law itself, however, has seriously reduced the effectiveness of community groups such as ours. It is our wish to create a less formalized structure that still works in close cooperation with the Planning Department yet is not an official government entity and therefore not subject to the strict mandates of the Sunshine Law. Toward that end, we propose the following rules and structures for an NKCDP Advisory Group:

- The purpose of the Advisory Group is the implementation of the North Kohala Community Development Plan and oversight of the Sub-Groups.
- The term of office shall be 2 years, with the possibility of renewal for a second 2-yr term with the approval of the Chair. A member may not serve for a consecutive third term but may re-apply after 2 years have passed. Terms end on Dec. 31. New members begin in January. Some adjustment in terms by the Chair may be necessary so that approximately half of the members retire on any given year. In the case of resignations, the substitute new member shall complete the term of the member replaced and shall be eligible for a second term. Any member may remain on the AG beyond their term limit until a replacement can be found.
- A Chair, Vice-Chair and Secretary shall be selected annually at the January meeting.
- Applicants shall be interviewed and selected by several members of the existing AG. The Chair and Vice-Chair shall be responsible for organizing the recruitment of new AG members and assuring that a slate of willing candidates is interviewed and ready to serve when needed.
- A *quorum* shall be half or more of the number of active AG members at any given time. A quorum shall be necessary for any final discussion and/or vote on an issue. Meetings without a quorum may still accept Sub-Group reports, hear from the public and conduct preliminary discussions based on public input.
- Meetings shall be held monthly and are open to the public. One or more members of the Planning Department may attend any meeting.
- Sub-Groups (which actually do the real work of implementing the NKCDP) shall continue to be created and guided by the AG. Every member of the AG shall also be a member of one Sub-Group and report on their progress at each AG meeting. AG members may also attend any other Sub-Groups.
- Although the AG is informal and not subject to the Sunshine Law, the following procedures will be followed to ensure that the public is aware of AG doings and have the opportunity to comment.
 - Minutes will be kept, and a copy sent to the Planning Department. Minutes will be made available to the public on the Planning Department website.
 - The Chair and Vice-Chair will create an agenda at least 10 days in advance of a meeting. The agenda, plus the meeting time and location, will be published in the Kohala Mountain News at least a week before each meeting. Agendas will also be made available to the public on the Planning Department website.
 - No final discussions, votes or decisions will be made on any subject not specified in advance in the published agenda.
- The AG serves the people of North Kohala, and the public are encouraged to attend any meeting to observe or to speak on an agenda item or on any relevant issue that concerns them. Within the guidelines of proper decorum, a member of the public may request to speak at any time on an issue under discussion. Time restrictions may be imposed by the Chair.
- Members of the AG may respond to and discuss any issue brought up during a meeting to decide if it should become an agenda item for the next meeting. They cannot vote or decide on any issue, however, until it has become an item in a pre-meeting published agenda with sufficient time for public input.

- Email exchanges between AG members shall be limited to routine administrative matters such as membership, meeting times, items to place on an agenda, etc. They shall not collude on or discuss outside of AG meetings any matters related to implementing the NKCDP strategies or other issues entrusted to them. These need to be discussed in regular meetings with proper public input and scrutiny. Only in cases of time-sensitive issues, such as approval of a letter from a Sub-Group on an issue with a public input deadline before the next AG meeting, may AG members discuss and approve via email. Any such vote shall then be included in the minutes of the next AG meeting.
- Any number of AG members may attend public meetings held on any issue. They may also participate in discussions at those meetings. But they cannot conspire to vote on such an issue at an upcoming AG meeting.
- AG members shall be free to address issues beyond those specified in the NKCDP.

It is critically important that the NKCDP-AG maintains the previous close ties of the Action Committee with the Planning Department and retains its status as working in conjunction with that department to implement the CDP (a formal Planning Department document and County Ordinance). They must be able to speak with the authority of NKCDP when dealing with various State and County agencies, other offices, and individuals. We also wish to continue having access to Planning Department documents so that the Growth Management and Community Access Groups can continue to operate.