

**OPERATING GUIDELINES OF THE
PUNA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE**

- I. **NAME:** Puna Community Development Plan Action Committee (PCDPAC)
- II. **AUTHORITY:** Pursuant to the adoption of Ordinance 08-98, Chapter 16 of the Hawai'i County Code 1983 (2005 Edition, as amended) was amended to establish a framework for the Community Development Plans and establishing the Community Development Plan (CDP) Action Committee.
- III. **PURPOSE:** The purpose of the PCDPAC is to be a proactive, community-based steward of the plan's implementation and update.
- IV. **VISION:** The mission of the PCDP is to develop a sustainable, efficient, and organized plan that serves the diverse community of Puna, and protects and nurtures the 'aina.
- V. **DUTIES AND RESPONSIBILITIES:** In carrying out its purpose, the PCDPAC shall:
 - a. Attend monthly Action Committee meetings;
 - b. Invest 6-8 hours of work each month in between meetings (e.g., preparing comments and recommendations on draft proposals and amendments prior to meetings, talking to community groups and individuals);
 - c. Attend training workshops about planning and related issues;
 - d. Participate in a weekend orientation and training retreat;
 - e. Host an Annual Town Meeting to report on progress in implementation of the CDP to the wider community;
 - f. Produce an Annual Report on progress in implementation of the CDP for County Administration, Planning Commission, County Council, Lead/Supporting Partners, and funders;
 - g. Provide ongoing guidance and advocacy to advance implementation of the CDP goals, objectives, policies, and actions;
 - h. Broaden community awareness of the CDP and build partnerships, as appropriate, with governmental and community-based organizations to implement CDP policies and actions;
 - i. Take into consideration state-wide objectives and legislation for long-term and sustainable plans for the island as a whole;
 - j. Provide timely recommendations to the county on priorities relating to the county operational budget and the CIP budget and program;
 - k. Receive briefings, as requested, from the Planning Department on pending and approved permit applications involving property located within the planning area, and on other issues related to the CDP;
 - l. Receive briefings from other county agencies, as requested, on priority actions identified in the CDP, which briefings may be integrated and consolidated by the Mayor's Office or the Planning Department into a plan of action for the forthcoming year and a status report on the current year's plan of action;

- m. Monitor the progress and effectiveness of the CDP including the need for CDP revisions based on emerging statewide plans, new technologies, innovative ideas or changing conditions;
- n. Review and make recommendations on interim amendments to the CDP;
- o. Serve as the Steering Committee, as set forth in the General Plan, in any comprehensive update of the CDP;
- p. Provide recommendations to amend the General Plan; and
- q. Carry out other duties specified in the CDP and/or in agreement with the Planning Department.

VI. MEMBERSHIP

- a. Representation. The membership should reflect a broad cross section of the area covered by the CDP and shall include community-minded individuals providing varying points of view.
- b. Selection Process: A Review Committee shall evaluate all qualified applicants for appointment to the Action Committee and recommend the initial nine Action Committee Members to the Mayor for appointment and approval by the County Council using a predetermined selection process. (See Attachment A: Selection Process)
- c. Number. The PCDPAC shall consist of 9 (nine) members.
- d. Residency. Principal residence is in the area covered by the CDP.
- e. Ex-officio members. The Planning Director or his/her authorized representative(s) shall be a non-voting, ex-officio member.
- f. Attendance. If unable to attend a scheduled meeting of the Action Committee, a member shall notify the Recorder at least 24 hours in advance and provide a justification for the absence.
- g. Termination. Members may be removed from the Action Committee upon recommendation by the mayor and approval of the council.
- h. Resignation. A member may resign at any time by submitting a letter of resignation to the Chair.
- i. Term. The PCDPAC members shall serve staggered terms of four years. Upon the initial appointment of the committee, three members shall serve for a term of two years, three members for a term of three years, and three members for a term of four years. When the term of a member expires, the member shall continue to serve until a successor is appointed. Members whose terms expire may not be reappointed for at least two years, except that members appointed for one year or less may be reappointed for an additional term without the passage of two years' time. The initial appointment of terms shall be recommended by the Review Committee and determined by the Mayor.
- j. Replacement. The initial selection process shall designate a list of alternate candidates to be considered for replacement of Action Committee Members. If the pool of alternates is no longer available, the Action Committee may, following the same procedures set forth in the selection process, act as the Review Committee

in recommending a new Action Committee member to the Planning Director for appointment by the Mayor and confirmation by the County Council.

VII. OFFICERS AND THEIR DUTIES

Officers shall consist of a Chairperson and a Vice-Chairperson elected by the Action Committee annually. No member shall succeed himself or herself as Chair unless approved by the affirmative vote of a majority of those present. In the event the Action Committee is not able to elect a Chair or Vice-Chair from among its members at its first meeting, the Planning Director or his/her authorized representative(s) shall act as a non-voting Chair until a Chair and/or Vice-Chair can be elected. The incumbent Chair or Vice-Chair may serve on a holdover basis for a term not to exceed ninety (90) days following any subsequent annual failure to elect a Chair or Vice-Chair.

- (a) The Chair shall be the Presiding Officer of the Committee and the Vice Chair shall be the Presiding Officer in the absence of the Chair.

The Presiding Officer shall:

- (1) Open all meetings of the Action Committee by taking the chair and calling the meeting to order;
- (2) Call for the approval of the minutes of any preceding meetings;
- (3) Maintain order and proper decorum based on Robert's Rules of Order;
- (4) Review all matters properly brought before the Action Committee, call for votes upon the same and announce the results;
- (5) Appoint all subcommittees in accordance with the Sunshine Law,;
- (6) Authenticate by signature all acts of the Action Committee as may be required by law;
- (7) Do and perform such other duties as may be required by law or that appertain to such office;
- (8) Make known all rules of order when so requested, and decide all questions of order;
- (9) Represent the Action Committee in all functions, as directed by the Action Committee or designate a representative from the membership of the Action Committee.

VIII. SUBCOMMITTEES

- a. Action Committee Members may organize subcommittees at their discretion and in accordance with the Sunshine Law. At least two (2) members should serve on each subcommittee. The facilitator for each subcommittee shall be a PCDPAC member; however, membership of the subcommittees is not restricted to PCDPAC members.

IX. MEETINGS

- a. Rules of practice. The Action Committee shall operate under Robert's Rules of Order with modifications as may be adopted by the Action Committee.

- b. Ground Rules. Ground rules can help group discussions move forward more smoothly and make a meeting more meaningful and efficient. The Action Committee shall establish ground rules for their meetings.
- c. Regular meetings of the Action Committee will be held at least once a month on the third Thursday of each month at the Keaau Community Center from 3:00 p.m. to 6:00 p.m. Adjustments to this meeting schedule will be made to accommodate holidays and special circumstances as approved by the affirmative vote of a majority of the Members present.
- d. Special meetings of the Action Committee may be called by the Chair of the Action Committee when the date, time and place of such special meeting are announced prior to adjournment of a regular meeting; otherwise a special meeting can be called only upon the publication of a notice of such meeting in at least two daily newspapers of general circulation in this county at least twenty-four hours in advance of such meeting. In addition to the above requirements, notice must be provided of such special meeting in accordance with the Sunshine Law. (See section 13-20(c), County Charter)
- e. The draft agenda for the upcoming meeting shall be established at the end of each meeting by the Action Committee. The Chairperson, the Planning Director or his/her authorized representative(s) may add items to the agenda prior to the filing of public notice.

X. NOTICE

- a. The Action Committee shall give written public notice of any regular or special meeting which shall include an agenda listing all items to be considered at the meeting as well as the date, time, and place of the meeting. The notice shall be filed in the Office of the County Clerk for public inspection at least six (6) calendar days before the meeting and shall also be posted at the site of the meeting whenever feasible. Should the written notice be untimely filed, the meeting shall be canceled, a notice canceling the meeting shall be posted at the place of the meeting, and no meeting shall be held.
- b. The Action Committee shall not add items to the agenda, once filed, without a two-thirds recorded vote of all members to which the the Action Committee is entitled; provided that no item shall be added to the agenda if it is of reasonably major importance and action thereon by the Committee will affect a significant number of persons.
- c. The Action Committee shall maintain a list of names, mailing and e-mail addresses of persons and community and homeowner associations who request notification of meetings and shall mail a copy of the notice to such persons at their last recorded address no later than the time the agenda is filed. Additionally, all email addresses on the list shall be automatically sent the meeting agendas and minutes of previous meetings, unless notified otherwise.

XI. QUORUM AND TRANSACTION OF BUSINESS

- a. A majority (five (5)) of all members to which the Action Committee is entitled shall constitute a quorum to transact business.
- b. The affirmative vote of a majority of those members present shall be necessary to take any action.

- c. Members shall inform the Recorder when they are unable to attend a scheduled meeting at their earliest convenience to ensure that there will be a quorum to conduct a meeting.

XII. PUBLIC STATEMENTS

- a. Public participation shall be encouraged. The Action Committee shall afford all interested persons an opportunity to submit data, or written testimony on any agenda item. It is recommended that ten (10) copies of any written information or testimony be submitted to the Action Committee at, or prior to, the meeting.
- b. The Action Committee shall afford all interested persons an opportunity to speak on any agenda item. Oral testimony shall be taken at the beginning of each meeting and shall be limited to three (3) minutes in length per agenda item, subject to the discretion of the Chair. The Chair may also give members of the public up to three (3) minutes to make comments immediately prior to discussion of an agenda item, or at the end of the meeting.

XIII. PUBLIC INFORMATION

- a. The Action Committee shall make every effort to publish information about its activities on a website.
- b. All public records, upon request by any person, shall be available for inspection and copying during regular business hours. (See HRS § 92F-11(b).)
- c. Any person may obtain information, make submittals to the Action Committee or request information in person or by writing to the Planning Director at 101 Pauahi Street, Suite 3, Hilo, HI 96720.
- d. Copies of public records requested by persons other than government agencies shall be provided upon payment of applicable fees or costs for reproduction and postage.

XIV. MINUTES

- a. The Action Committee shall keep written minutes of all meetings. Neither a full transcript nor a recording of the meeting is required, but the written minutes shall provide a true reflection of the matters discussed and action taken. The minutes shall include, but need not be limited to:
 - i. The date, time, and place of the meeting;
 - ii. The members of the Action Committee recorded as either present, absent, or excused;
 - iii. The substance of all matters proposed, discussed, or decided; and a record, by individual member, of any votes taken; and
 - iv. Any other information that any member of the Action Committee requests be included or reflected in the minutes.
 - v. The minutes shall be public records and shall be available within thirty days (30) after the meeting except where such disclosure would be inconsistent with Section 92-5, Hawai'i Revised Statutes, or Section 13-20 of the County of Hawai'i Charter, provided that minutes of executive meetings may be withheld so long as

their publication would defeat the lawful purpose of the executive meetings but no longer.

XV. STAFF SUPPORT

- a. Administrative. As funding allows, the Planning Department will provide administrative support, including but not limited to, the preparation, filing and distribution of meeting agendas & minutes, meeting notice requirements, correspondence, and meeting logistics for the Action Committee. Support for Action Committee authorized sub-committees will also be provided to the extent possible.
- b. Technical. Depending on the agenda, the Planning Department will arrange to have relevant agency representatives attend Action Committee meetings, as needed.

XVI. CONFLICTS OF INTEREST

- a. The Action Committee members shall act in compliance with the Ethics Guide for Hawai'i County Officers and Employees.
- b. Upon notification by a concerned party of a perceived conflict of interest, the Planning Director or his/her authorized representative(s) shall inform the Action Committee members of the issue and the Action Committee shall resolve the issue prior to a discussion of the matter.

XVII. AMENDMENT OF THE OPERATING GUIDELINES

- a. Amendment of these Operating Guidelines may be approved by at least two-thirds (2/3) majority vote of the Action Committee membership. However, amendments may not be made to rules deemed to be required under State or County law.