ORDINANCE NO. 12 35**AN EMERGENCY ORDINANCE THAT FINDS AND DECLARES THAT A PUBLIC HEALTH EMERGENCY EXISTS AND MAKES AN EMERGENCY APPROPRIATION OF \$200,000 TO ALLEVIATE HUNGER IN THE COUNTY OF HAWAI'I****BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:**

SECTION 1. Emergency Ordinance. The Hawaii County Council hereby finds and declares that a public health emergency exists necessitated by the fact that 16% of the residents and 26.6% of all children under the age of 18 residing in the County are food insecure and do not know from where and when their next meal is coming and pursuant to Section 3-11, Section 10-8 and Section 13-23 of the Hawaii County Charter (2010 edition) and Section 2-210 of the Hawai'i County Code 1983 (2005 Edition, as amended), finds that there is an immediate need to address this county-wide issue by making an emergency appropriation to alleviate hunger in the County of Hawai'i.

This ordinance is adopted pursuant to Article XIII, Section 3-11, of the Hawai'i County Charter (2010 edition), and pursuant to Article X, Section 10-8 of the Hawai'i County Charter (2010 Edition) and 2-139 of the Hawaii County Code makes an emergency appropriation to The Food Basket, Inc., Hawai'i Island's Food Bank in the amount of \$200,000.

SECTION 2. Findings and purpose.

The Hawai'i County Council finds that:

The current economic downturn has caused a substantial increase in the number of families and individuals seeking food assistance and a significant decrease in donations of food and money. The Food Basket, Inc. serving as Hawai'i Island's Food Bank has determined that 20% of the County residents use the Food Basket on a continuous basis and reported a 41.6% increase in services accessed, from 619,344 in 2010 to 876,679 in 2011.

The County of Hawai'i 2011 year end unemployment rate was 9.5%, per the Hawai'i State Department of Business, Economic Development & Tourism. This figure does not include those who have exhausted their unemployment benefits, can no longer claim any benefits and are not included in the current unemployment percentage. Further, these figures do not reflect the number of residents who are "under-employed" in the County, and have continuous difficulty in meeting basic living expenses.

The United States Department of Agriculture's Economic Research Service reports that the County of Hawai'i had a 2010 child poverty rate of 24.5%.

The emergency is not area specific, it is County wide. The Annunciation Food Pantry in Waimea has reported a 131% increase in total individuals served from 5,565 in 2008 to 12,853 in 2011. On a year to year basis, The Kona Meet & Eat Soup Pantry has reported a 181% increase in meals served from 598 in 2010 to 1,680 in 2011. The St. Michael's Food Pantry in Kona has reported a 96% increase in meals served from 1,179 in 2010 to 2,309 in 2011. The Paradise Church of the Nazarene in Puna has reported an 11% increase in meals served from 438 in 2010 to 486 in 2011. The Living Waters Food Pantry in Hilo has reported a 57% increase in meals served from 124 in 2010 to 195 in 2011.

Medical personnel and agencies attest that the lack of adequate and nutritious food resources for families and individuals result in an increasing impact on already strained medical facilities and services placing additional burdens on taxpayers.

The Food Basket, Inc. serving as Hawai'i Island's Food Bank is the sole island-wide non-profit food network that collects and distributes nutritious food to low income families, the ill and disabled, senior citizens, children's programs and other charitable non-profit organizations and is an organization whose programs yield direct benefits to the public and accomplish public purposes, as set forth in Chapter 2, Article 25, Section 2-137, Hawai'i County Code 1983 (2005 Edition, as amended).

The Council recognizes the need to address this public health emergency by assisting with immediate efforts to alleviate hunger. An emergency appropriation is necessary to take every step necessary to ensure that the health of our residents is not compromised by the lack of nutritious food.

The purpose of this emergency appropriation ordinance is to appropriate \$200,000 in funding pursuant to Article X, Section 10-8, of the Hawai'i County Charter (2010 edition) from the Disaster and Emergency Fund for the purpose of a grant to The Food Basket, Inc., Hawai'i Island's Food Bank pursuant to Chapter 2, Article 25, Sections 2-210 and 2-139, Hawai'i County Code 1983 (2005 Edition, as amended).

SECTION 3. Powers Granted. The County Council of the County of Hawai'i, hereby appropriates \$200,000 for the fiscal year 2011-2012 from the Disaster and Emergency Fund to Account No. 010.101.5101.32 to The Food Basket, Inc., Hawai'i Island's Food Bank to provide food to the hungry people of the County of Hawai'i.

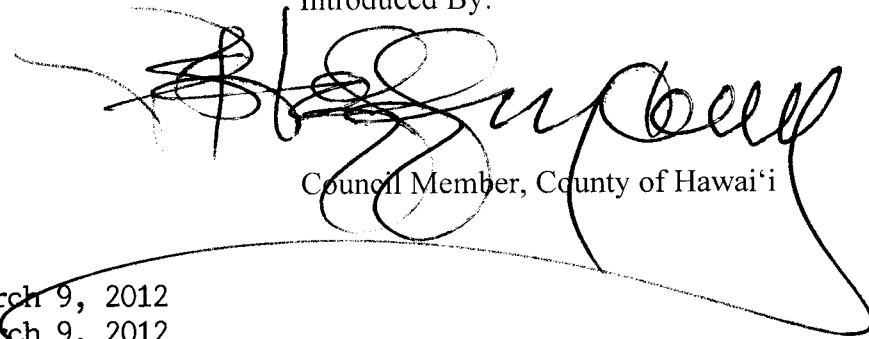
Said funds shall be utilized as a grant made pursuant to Chapter 2, Article 25, Section 2-139, Hawai'i County Code 1983 (2005 Edition, as amended) and is subject to Chapter 2, Article 25, Section 2-138, and 2-139(b), Hawai'i County Code 1983 (2005 Edition, as amended).

SECTION 4. Severability. If any provision of this ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are severable.

SECTION 5. Duration. This ordinance, including any amendments made after adoption, shall automatically stand repealed as of the 61st day following the date of adoption of the original ordinance.

SECTION 6. Effective date. This ordinance shall take effect upon its approval.

Introduced By:


Council Member, County of Hawai'i

Hilo, Hawai'i
Date of Introduction: March 9, 2012
Date of Adoption: March 9, 2012
Effective Date: March 20, 2012

REFERENCE: ~~Comps~~ 606

OFFICE OF THE COUNTY CLERK
County of Hawai'i
Hilo, Hawai'i

Introduced By: Pete Hoffmann
Date Introduced: March 9, 2012
First Reading: March 9, 2012
Published: N/A

REMARKS: Emergency Ordinance
Requires only one reading

Second Reading: N/A
To Mayor: March 9, 2012
Returned: March 22, 2012
Effective: March 20, 2012
Published: April 3, 2012

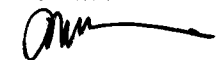
REMARKS: _____

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Blas	X		2012 MAR 22 PM 4: 27	COUNTY CLERK COUNTY OF HAWAII
Ford	X			
Hoffmann	X			
Ikeda	X			
Onishi	X			
Pilago				
Smart	X			
Yagong	X			
Yoshimoto	X			
	8	0	1	0

ROLL CALL VOTE				
	AYES	NOES	ABS	EX
Blas				
Ford				
Hoffmann				
Ikeda				
Onishi				
Pilago				
Smart				
Yagong				
Yoshimoto				

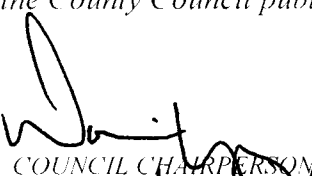
I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.

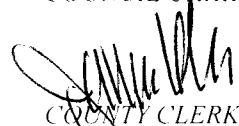
APPROVED AS TO
FORM AND LEGALITY:



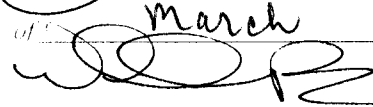
~~DEPUTY~~ CORPORATION COUNSEL
COUNTY OF HAWAII

Date MAR 19 2012

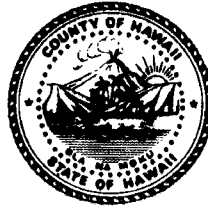

COUNCIL CHAIRPERSON


COUNTY CLERK

Bill No.: 199
Reference: C-606/Council
Ord No.: 12 35

Approved/Disapproved this 20th day
of March, 20 12

MAYOR, COUNTY OF HAWAII

William P. Kenoi
Mayor



William T. Takaba
Managing Director

Walter K.M. Lau
Deputy Managing Director

County of Hawai'i

25 Aupuni Street • Hilo, Hawai'i 96720 • (808) 961-8211 • Fax (808) 961-6553
KONA: 74-5044 Ane Keohokalole Hwy., Bldg. C • Kailua-Kona, Hawai'i 96740
(808) 324-4444 • Fax (808) 323-4440

March 20, 2012

Members of the Hawai'i County Council
25 Aupuni Street
County of Hawai'i
Hilo, HI 96720

Dear Council Members:

The Hawaii County Council passed Bill 199 finding and declaring that a public health emergency exists for the County of Hawaii. It further makes an emergency appropriation of \$200,000 from the County's Disaster and Emergency Fund to the non-profit Food Basket, Inc. for the purpose of feeding the hungry in the County of Hawaii.

Through Bill 199, the County Council has identified hunger as having the highest disaster and emergency priority in the County of Hawaii and the Food Basket, Inc. as the most suitable organization to address this need. While I have strong reservations about the County's Disaster and Emergency Fund, which is meant to restore and revitalize our island in the wake of a catastrophic disaster, such as a hurricane, earthquake, or tsunami, I have signed Bill 199 in support of the Council's desire to make this one-time emergency grant of \$200,000 to the Food Basket, Inc.

To ensure that our limited County funds be spent wisely and appropriately, however, I expect the Council to hold its grantee accountable for the expenditure of these funds. It must assure the public that:

- Money will be spent directly on nutritious food for the truly needy, and not for salaries and wages, administrative costs, or other non-food uses;
- The disbursement of free food will be governed by strict procedures to ensure that the food is delivered to the neediest members of our community.
- There will be a complete and thorough accounting of how the County funds are spent by the Food Basket, Inc., including verifiable reports naming donors and recipients.

Eliminating hunger on Hawaii Island is a goal that we can all support. A truly just and compassionate community is one that cares for its most needy by refusing to allow suffering for lack of life's most basic needs. This is why our administration has consistently provided more than the required amount of funds in each of our budgets for

COUNTY CLERK
COUNTY OF HAWAII
2012 MAR 22 PM 4: 27

Members of the County Council
March 20, 2012
Page 2

distribution to dozens of community non-profit agencies that provide goods and services to the neediest members of our community.

With the Council's assurances that our County's tax dollars will feed needy people island-wide and alleviate hunger in the County of Hawaii in a responsible manner, I will support the Council's initiative by signing Bill 199.

Aloha,

A handwritten signature in black ink, appearing to read 'W. P. Kenoi', with a stylized flourish at the end.

William P. Kenoi
MAYOR

Enclosure