



**A BILL FOR AN ORDINANCE**

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2011 TO JUNE 30, 2012.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 2011 to June 30, 2012 are hereby provided and appropriated for the purposes set forth in Sections 2 through 3:

**OPERATING FUNDS**

<u>FUND CODE</u>	<u>SOURCE OF FUNDS</u>	<u>AMOUNT</u>	<u>LESS INTERFUND TRANSFER</u>	<u>NET AMOUNT</u>
GN	General Fund	\$164,906,000	\$164,906,000	\$0
TR	Transit Fund	20,582,626	3,027,545	17,555,081
	<b>TOTAL</b>	<b>\$185,488,626</b>	<b>\$167,933,545</b>	<b>\$17,555,081</b>



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SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2011 to June 30, 2012 are appropriated as indicated to the following activities in the UTILITIES OR OTHER ENTERPRISES function.

FUNCTIONS, PROGRAMS & ACTIVITIES	NUMBER OF POSITIONS (F.T.E.)	SALARIES	CURRENT EXPENSES	EQUIPMENT	TOTAL ALL FUNDS	SOURCE OF FUNDS
<b>UTILITIES OR OTHER ENTERPRISES</b>						
MASS TRANSIT: Honolulu Authority for Rapid Transportation						
Rapid Transit	136.00	\$9,340,490	\$4,252,990	\$0	\$13,593,480	\$13,593,480 TR
<b>TOTAL UTILITIES OR OTHER ENTERPRISES</b>	<b>136.00</b>	<b>\$9,340,490</b>	<b>\$4,252,990</b>	<b>\$0</b>	<b>\$13,593,480</b>	<b>\$13,593,480</b>

UTILITIES OR OTHER ENTERPRISES		SOURCE OF FUNDS	
GN	General Fund		\$0
TR	Transit Fund	13,593,480	
<b>TOTAL UTILITIES OR OTHER ENTERPRISES</b>		<b>\$13,593,480</b>	



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 33 (2011), FD1, CD2

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SECTION 3. The monies described in Section 1 for the fiscal year July 1, 2011 to June 30, 2012 are appropriated as indicated to the following activities in the MISCELLANEOUS function.

FUNCTIONS, PROGRAMS & ACTIVITIES	NUMBER OF POSITIONS (F.T.E.)	SALARIES	CURRENT EXPENSES	EQUIPMENT	TOTAL ALL FUNDS	SOURCE OF FUNDS
<b>MISCELLANEOUS</b>						
RETIREMENT AND PENSION CONTRIBUTIONS:						
Retirement System Contributions --Employer's Share for HART	0.00	0	1,400,773	0	1,400,773	1,400,773 TR
FICA Tax--Employer's Share for HART	0.00	0	714,608	0	714,608	714,608 TR
Hawaii Employer-Union Health Benefits Trust Fund for HART	0.00	0	1,622,096	0	1,622,096	1,622,096 TR
OTHER MISCELLANEOUS:						
Workers' Compensation for HART	0.00	0	211,050	0	211,050	211,050 TR
Unemployment Compensation for HART	0.00	0	13,074	0	13,074	13,074 TR
TRANSFERS TO OTHER FUNDS:						
Transfer to General Fund for Central Administrative Services Expenses	0.00	0	992,068	0	992,068	992,068 TR
Transfer to General Fund for Services Provided to Honolulu Authority for Rapid Transportation	0.00	0	2,035,477	0	2,035,477	2,035,477 TR
Transfer to Transit Fund	0.00	0	164,906,000	0	164,906,000	164,906,000 GN
<b>TOTAL MISCELLANEOUS</b>	<b>0.00</b>	<b>\$0</b>	<b>\$171,895,146</b>	<b>\$0</b>	<b>\$171,895,146</b>	<b>\$171,895,146</b>

MISCELLANEOUS SOURCE OF FUNDS		
GN	General Fund	\$164,906,000
TR	Transit Fund	6,989,146
<b>TOTAL MISCELLANEOUS</b>		<b>\$171,895,146</b>



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SECTION 4. The sums appropriated above are totalled as follows:

<u>FUND</u> <u>CODE</u>	<u>GROSS APPROPRIATIONS</u> <u>BY SOURCE OF FUNDS</u>	<u>AGENCY</u>	<u>MISCELLANEOUS</u>	<u>TOTAL</u>
GN	General Fund	\$0	\$164,906,000	\$164,906,000
TR	Transit Fund	13,593,480	6,989,146	20,582,626
	<b>TOTAL</b>	<b>\$13,593,480</b>	<b>\$171,895,146</b>	<b>\$185,488,626</b>
			<u>INTERFUND</u>	<u>NET</u>
	<u>FUNCTION</u>	<u>TOTAL</u>	<u>TRANSFER</u>	<u>TOTAL</u>
	Utilities or Other Enterprises	\$13,593,480	\$0	\$13,593,480
	Miscellaneous	171,895,146	167,933,545	3,961,601
	<b>TOTAL</b>	<b>\$185,488,626</b>	<b>\$167,933,545</b>	<b>\$17,555,081</b>



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### SECTION 5. General Provisos.

(a) As used in this Ordinance:

"Agency" includes any department, office, board, commission, or other government unit of the City and County of Honolulu, as the case may be.

"Authority" means the Honolulu Authority for Rapid Transportation.

"Charter" or "RCH" means the Revised Charter of Honolulu 1973, as amended.

"City" means the City and County of Honolulu.

"Council" means the Council of the City and County of Honolulu.

"Government" means the federal government, the State government, the government of any other state, any political subdivision of any state, or any quasi-governmental entity.

"ROH" means the Revised Ordinances of Honolulu 1990, as amended.

(b) Grants of monies. The Authority may receive and accept grants of monies from any person, government or entity. All such monies are hereby appropriated and may be expended in accordance with the provisions of the monies' source. The Authority shall report to the Council no later than thirty days after June 30, detailing for the fiscal year just ended, the amount of grant monies received, and the function, program, and activity to which the monies have been allotted for expenditure.

(c) Multi-purpose federal monies. Multi-purpose federal monies are monies from the United States of America, which are allocated by formula entitlements and may be expended for multiple purposes. Such monies include Federal Transit Administration operating assistance monies and monies via federal and state assistance programs relating to the Honolulu High Capacity Transit Project, which Congress or the Legislature may enact from time to time.

No expenditure of such monies shall be made unless the Council has authorized such expenditure by enactment of or an amendment to a budget ordinance appropriating such monies in accordance with applicable Charter provisions, ordinances, and other legal requirements. If such monies are received prior to an enactment of or amendment to a budget ordinance, the Authority shall maintain such monies in special accounts showing the monies so received and specifying the purposes for which they have been received and temporarily held. A bill for an ordinance appropriating such monies shall be submitted to the Council as soon as possible following the receipt of such monies.

(d) At the close of each quarter, the Authority shall submit to the Council a Statement of Cash Balances by Fund showing for each quarter for each individual fund the cash balance at the start of the accounting period and the cash balance at the end of the period.



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(e) No transfer of funds shall be made from any activity unless such transfer complies with the requirements set forth in ROH Section 2-17.2(c).

(f) If any portion of this ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, the Council hereby declares that the remainder of this ordinance and all other provisions thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objectives of such appropriation to the extent possible.

(g) No monies shall be expended by the Honolulu Authority for Rapid Transportation for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the City Council.

(h) The Council finds and declares that, as provided in HRS 46-45, no officer or employee of the city shall expend, or aid or participate in expending, any sum for the Honolulu Authority for Rapid Transportation or any other city agency in the absence of an appropriation approved by the City Council for the fiscal year. The Council affirms that any person who violates HRS 46-45 shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

SECTION 6. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1, 2011 to June 30, 2012, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2012, Volume 1 (Operating Program and Budget), and as amended in any Executive Operating Program amendments, is hereby incorporated by reference and adopted as an integral part of this ordinance. The detailed Statement of Revenues and Surplus contained therein may be further amended regarding any applicable fund by any amendment to the Executive Operating Budget ordinance, Executive Capital Budget ordinance, Legislative Budget ordinance, Operating Budget ordinance for the Honolulu Authority for Rapid Transportation, or Capital Budget ordinance for the Honolulu Authority for Rapid Transportation. In case of any conflict between the substantive provisions of the Executive Operating Program as transmitted and this ordinance or the above budget amendments, the provisions of this ordinance and any of the above budget amendments shall prevail.

SECTION 7. Should monies received from the State of Hawaii for collection of the county surcharge on state general excise and use tax exceed the amounts specified hereinbefore in Section 1 and 10, the excess is hereby appropriated to the general fund and shall be transferred from the general fund to the transit fund. Within fourteen days of the transfer, the Director of Budget and Fiscal Services shall report to the Council on the excess amount(s) appropriated and transferred to the transit fund.



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SECTION 8. The Amendments to the Operating Budget ordinance for the Honolulu Authority for Rapid Transportation, as may be attached hereto, is hereby incorporated by reference and adopted as an integral part of this ordinance.

SECTION 9. This Ordinance shall take effect on July 1, 2011.

INTRODUCED BY:

Ernest Martin  
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DATE OF INTRODUCTION:

April 4, 2011  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
PETER B. CARLISLE, Mayor  
City and County of Honolulu



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**AMENDMENTS RELATING TO APPROPRIATIONS AND REVENUES**

**I. AMENDMENTS TO THE HART OPERATING BUDGET**

<u>FUNCTION/PROGRAM/</u>	<u>AMENDMENT</u>	<u>POS.</u>	<u>AMOUNT</u>		
<b>UTILITIES OR OTHER ENTERPRISES</b>					
<b>MASS TRANSIT</b>					
Honolulu Authority for Rapid Transportation					
<i>Honolulu Authority for Rapid Transportation</i>	<i>Change name of activity from Honolulu Authority for Rapid Transportation to "Rapid Transit" and adjust amount to show TOD activity separately</i>		(\$191,584)	S	TR
			(\$300,000)	CE	TR
<i>Rapid Transit</i>	<i>Add proviso: "No more than 54 FTE positions for this activity may be filled with permanent hires. The remaining positions may be filled by personal services contracts from the remaining salary funds for this activity."</i>				
<i>Transit Oriented Development</i>	<i>Show Transit Oriented Development amounts as a separate activity</i>	2	\$191,584	S	TR
			\$300,000	CE	TR
<i>Transit Oriented Development</i>	<i>Delete funding and positions for transit oriented development activities.</i>	(2.00)	(\$191,584)	S	TR
			(\$300,000)	CE	TR
<b>MISCELLANEOUS</b>					
<b>RETIREMENT AND PENSION CONTRIBUTIONS</b>					
<i>Fringe Benefits for the Honolulu Authority for Rapid Transportation</i>	<i>Delete appropriation including title of appropriation in order to show each type of fringe benefit separately according to D-221 (2011)</i>		(\$3,961,601)	CE	TR
<i>Retirement System Contributions-- Employer's Share for HART</i>	<i>Add appropriation amount for Retirement System Contributions for HART staff according to D-221 (2011)</i>		\$1,400,773	CE	TR



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<u>FUNCTION/PROGRAM/</u>	<u>AMENDMENT</u>	<u>POS.</u>	<u>AMOUNT</u>
<i>FICA Tax--Employer's Share for HART</i>	<i>Add appropriation amount for FICA tax for HART staff according to D-221 (2011)</i>		\$714,608 CE TR
<i>Hawaii Employer--Union Health Benefits Trust Fund for HART</i>	<i>Add appropriation amount for health benefits for HART staff according to D-221 (2011)</i>		\$1,622,096 CE TR
<b>OTHER MISCELLANEOUS</b>			
<i>Workers' Compensation for HART</i>	<i>Add appropriation amount for workers' compensation for HART staff according to D-221 (2011)</i>		\$211,050 CE TR
<i>Unemployment Compensation for HART</i>	<i>Add appropriation amount for unemployment compensation for HART staff according to D-221 (2011)</i>		\$13,074 CE TR
<b>TRANSFERS TO OTHER FUNDS</b>			
<i>Transfer to Transit Fund</i>	<i>Adjust amount of transfer according to D-221 (2011)</i>		(\$11,094,000) CE GN

**SECTION 5. General Provisos**

Add the following provisos:

(g) No monies shall be expended by the Honolulu Authority for Rapid Transportation for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the City Council.

(h) The Council finds and declares that, as provided in HRS 46-45, no officer or employee of the city shall expend, or aid or participate in expending, any sum for the Honolulu Authority for Rapid Transportation or any other city agency in the absence of an appropriation approved by the City Council for the fiscal year. The Council affirms that any person who violates HRS 46-45 shall be fined not more than \$1,000 or imprisoned not more than one year, or both.



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<u>FUNCTION/PROGRAM/</u>	<u>AMENDMENT</u>	<u>POS.</u>	<u>AMOUNT</u>
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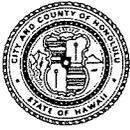
**SECTION 7.**

Add a new Section 7 to read as follows: "Section 7. Should monies received from the State of Hawaii for collection of the county surcharge on state general excise and use tax exceed the amounts specified hereinbefore in Section 1 and 10, the excess is hereby appropriated to the general fund and shall be transferred from the general fund to the transit fund. Within fourteen days of the transfer, the Director of Budget and Fiscal Services shall report to the Council on the excess amount(s) appropriated and transferred to the transit fund."

Re-number Section 7 as Section 8.

**SECTION 8.**

Re-number Section 8 as Section 9.



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**AMENDMENTS RELATING TO APPROPRIATIONS AND REVENUES**

**II. AMENDMENTS RELATING TO DETAILED STATEMENT OF REVENUES AND SURPLUS**

<u>FUND</u>	<u>AMENDMENT</u>	<u>AMOUNT</u>	<u>FUND</u>
Transit Fund	Add "Interfund Transfer"	(\$2,035,477)	TR
Transit Fund	Increase "Interfund Transfer"	(\$992,068)	TR
Transit Fund	Increase "Investment - Pool"	\$171,000	TR
<i>Transit Fund</i>	<i>Decrease "Investment-Pool" according to D-221 (2011)</i>	<i>(\$21,000)</i>	<i>TR</i>
Transit Fund	Increase "Unreserved Fund Balance"	\$44,903,210	TR
<i>Transit Fund</i>	<i>Increase "Unreserved Fund Balance" according to D-221 (2011)</i>	<i>\$57,789,412</i>	<i>TR</i>
Transit Fund	Increase "Transfer from General Fund"	\$176,000,000	TR
<i>Transit Fund</i>	<i>Adjust "Transfer from General Fund" according to D-221 (2011)</i>	<i>(\$11,094,000)</i>	<i>TR</i>
<i>Transit Fund</i>	<i>Add revenues from "FTA, HI-03-0047" according to D-221 (2011)</i>	<i>\$30,000,000</i>	<i>TR</i>
General Fund	Increase "Excise Tax Surcharge-Transit"	\$176,000,000	GN
<i>General Fund</i>	<i>Adjust "Excise Tax Surcharge-Transit" according to D-221 (2011)</i>	<i>(\$11,094,000)</i>	<i>GN</i>
General Fund	Increase "Interfund Transfer"	(\$176,000,000)	GN
<i>General Fund</i>	<i>Adjust "Interfund Transfer" according to D-221 (2011)</i>	<i>\$11,094,000</i>	<i>GN</i>
General Fund	Increase "Recov Case-HART" to match figures from HART.	\$48,668	GN
Transit Improvement Bond Fund	Add general obligation bond revenues	\$104,736,280	TF
Federal Grants Fund-CIP	Add revenues for "Federal grants for HART"	\$50,000,000	FG