CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 33 (2011), CD2, FD2
Proposed
(IA)

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

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

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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
UTILITIES OR OTHER ENTERPRISES						
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
TOTAL UTILITIES OR OTHER ENTERPRISES	136.00	$9,340,490	$4,252,990	$0	$13,593,480	$13,593,480

UTILITIES OR OTHER ENTERPRISES
SOURCE OF FUNDS

GN	General Fund	$0
TR	Transit Fund	13,593,480
	TOTAL UTILITIES OR OTHER ENTERPRISES	$13,593,480

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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	
MISCELLANEOUS							
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 0	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 0	TR
Transfer to Transit Fund	0.00	0	164,906,000	0	164,906,000	164,906,000	GN
TOTAL MISCELLANEOUS	0.00	$0	$171,895,146	$0	$171,895,146	$171,895,146	

MISCELLANEOUS
SOURCE OF FUNDS

GN	General Fund	$164,906,000
TR	Transit Fund	6,989,146
	TOTAL MISCELLANEOUS	$171,895,146

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

FUND CODE	GROSS APPROPRIATIONS BY SOURCE OF FUNDS	AGENCY	MISCELLANEOUS	TOTAL
GN	General Fund	$0	$164,906,000	$164,906,000
TR	Transit Fund	13,593,480	6,989,146	20,582,626
	TOTAL	$13,593,480	$171,895,146	$185,488,626

FUNCTION	TOTAL	INTERFUND TRANSFER	NET TOTAL
Utilities or Other Enterprises	$13,593,480	$0	$13,593,480
Miscellaneous	171,895,146	167,933,545	3,961,601
TOTAL	$185,488,626	$167,933,545	$17,555,081

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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) 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.

(c) 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).

(d) 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.

(e) 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.

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.

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.

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

INTRODUCED BY:

Ernest Martin

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

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 33 (2011), CD2, FD2

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AMENDMENTS RELATING TO APPROPRIATIONS AND REVENUES

I. AMENDMENTS TO THE HART OPERATING BUDGET

FUNCTION/PROGRAM/	AMENDMENT	POS.	AMOUNT		
UTILITIES OR OTHER ENTERPRISES					
MASS TRANSIT					
Honolulu Authority for Rapid Transportation					
Honolulu Authority for Rapid Transportation	*Change name of activity from Honolulu Authority for Rapid Transportation to "Rapid Transit" and adjust amount to show TOD activity separately*		*($191,584)* *($300,000)*	*S* *CE*	*TR* *TR*
Rapid Transit	*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."*				
Transit Oriented Development	*Show Transit Oriented Development amounts as a separate activity*	*2*	*$191,584* *$300,000*	*S* *CE*	*TR* *TR*
Transit Oriented Development	*Delete funding and positions for transit oriented development activities.*	*(2.00)*	*($191,584)* *($300,000)*	*S* *CE*	*TR* *TR*
MISCELLANEOUS					
RETIREMENT AND PENSION CONTRIBUTIONS					
Fringe Benefits for the Honolulu Authority for Rapid Transportation	*Delete appropriation including title of appropriation in order to show each type of fringe benefit separately according to D-221 (2011)*		*($3,961,601)*	*CE*	*TR*
Retirement System Contributions--Employer's Share for HART	*Add appropriation amount for Retirement System Contributions for HART staff according to D-221 (2011)*		*$1,400,773*	*CE*	*TR*

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

Remove the following provisos:
[(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.]

[(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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FUNCTION/PROGRAM/	AMENDMENT	POS.	AMOUNT

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."

Renumber Section 7 as Section 8.

SECTION 8.

Renumber 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

FUND	AMENDMENT	AMOUNT	FUND
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
Transit Fund	*Decrease "Investment-Pool" according to D-221 (2011)*	*($21,000)*	*TR*
Transit Fund	Increase "Unreserved Fund Balance"	$44,903,210	TR
Transit Fund	*Increase "Unreserved Fund Balance" according to D-221 (2011)*	*$57,789,412*	*TR*
Transit Fund	Increase "Transfer from General Fund"	$176,000,000	TR
Transit Fund	*Adjust "Transfer from General Fund" according to D-221 (2011)*	*($11,094,000)*	*TR*
Transit Fund	*Add revenues from "FTA, HI-03-0047" according to D-221 (2011)*	*$30,000,000*	*TR*
General Fund	Increase "Excise Tax Surcharge-Transit"	$176,000,000	GN
General Fund	*Adjust "Excise Tax Surcharge-Transit" according to D-221 (2011)*	*($11,094,000)*	*GN*
General Fund	Increase "Interfund Transfer"	($176,000,000)	GN
General Fund	*Adjust "Interfund Transfer" according to D-221 (2011)*	*$11,094,000*	*GN*
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