



RESOLUTION

INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO THE CREATION OF FUNDS.

WHEREAS, according to Section 1-103, Revised Charter of the City and County of Honolulu 1973, as amended ("RCH"), City government consists of two coordinate branches, the executive branch and the legislative branch, and RCH Section 3-101 provides that the legislative power is vested in the City Council; and

WHEREAS, as a part of its unique powers and duties, the Council reviews, considers and adopts the City's annual executive operating and capital budgets, annual legislative operating budget, and takes measures necessary to raise the necessary funds to cover the appropriations in the budget ordinances; and

WHEREAS, as a part of the budget process, appropriations are made from one or more of several funds and earmarked to be expended for specified purposes; and

WHEREAS, RCH Section 9-202 provides that in addition to funds established by charter, the Mayor, with the approval of the Council, may establish other funds when necessary and when no appropriate class of funds exists; and

WHEREAS, with the authority to establish special funds, on its own initiative, or on the recommendation of the Mayor, the Council may enhance the transparency of the City's finances and the City's accountability to the public by ensuring that, when appropriate, moneys collected by the City from licenses, fees, taxes, and other revenue sources are set aside and expended for their intended public purposes; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That the following question be placed on the 2012 general election ballot:

"Shall the Revised City Charter be amended to authorize the City Council, on its own initiative or on the recommendation of the Mayor, to establish funds to ensure that, when appropriate, moneys collected by the City from licenses, fees, taxes and other revenue sources are set aside and expended for their intended public purposes?"



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2. That Section 9-202, Revised Charter of the City and County of Honolulu 1973, as amended, is amended to read as follows:

"Section 9-202. Creation of Funds --

In addition to the funds established by this charter, [the mayor, with the approval of] the council, on its own initiative or on the recommendation of the mayor, may establish other funds when the council deems it necessary and when no appropriate class of funds exists."

3. That in the immediately preceding paragraph, charter material to be repealed is bracketed and new charter material is underscored. When revising, compiling or printing this charter provision for inclusion in the Revised Charter of the City and County of Honolulu 1973, as amended, the revisor of the charter need not include the brackets, the bracketed material, or the underscoring.
4. That if this charter provision is amended by any other charter amendment(s) approved by the electors in the 2012 general election, the revisor of the charter, in revising, compiling or printing the revised charter: (a) may designate or redesignate articles, chapters, sections or parts of sections, and rearrange references thereto; and (b) shall, except as otherwise expressly provided in this resolution or in the other resolution(s) amending these charter provisions, give effect, to the extent possible, to all of the amendments approved. The revisor of the charter may also change capitalization or the form of numbers and monetary sums for the sake of uniformity.
5. That the City Clerk be and is hereby directed:
 - a. To prepare the necessary ballots with the question contained in this resolution and with spaces for "yes" and "no" votes on the question for presentation to the electors at the 2012 general election. The City Clerk may make technical and non-substantive changes to the form of the question presented in order to conform it to the form of other charter amendment questions presented to the electors at the same election; and
 - b. To publish the above-proposed charter amendments at length in a daily newspaper of general circulation in the City and County of Honolulu at least 45 days prior to their submission to the electors at the 2012 general election.



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- 6. That upon approval of the charter amendment question posed in this resolution by a majority of the electors voting thereon, as duly certified, the charter amendments proposed in this resolution shall take effect on January 1, 2013.

INTRODUCED BY:

[Handwritten signature]

DATE OF INTRODUCTION:

APR 30 2012

Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

RESOLUTION 12-113

Introduced: 04/30/12 By: ERNEST MARTIN

Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

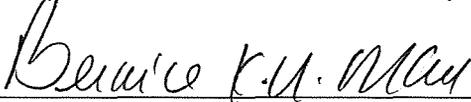
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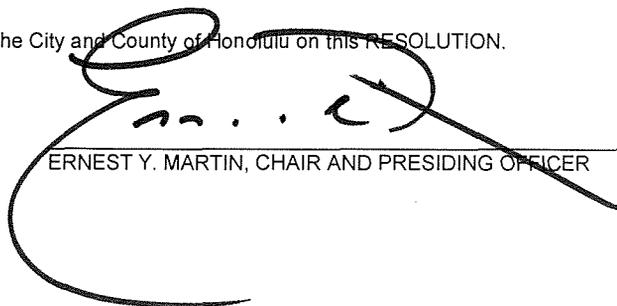
Links: [RES12-113](#)
[CR-194](#)
[CR-224](#)

Voting Legend: Y= Aye, Y* = Aye w/Reservations, N = No, A = Absent, ABN = Abstain

COUNCIL	05/09/12	RESOLUTION PASSED FIRST READING AND REFERRED TO COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS.							
ANDERSON	Y	BERG	Y	CACHOLA	Y	CHANG	Y	GABBARD	Y
GARCIA	Y	HARIMOTO	Y	KOBAYASHI	Y	MARTIN	Y		
EXECUTIVE MATTERS AND LEGAL AFFAIRS	05/22/12	CR-194 – RESOLUTION REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.							
PUBLISH	05/26/12	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.							
COUNCIL/PUBLIC HEARING	06/06/12	CR-194 ADOPTED. RESOLUTION PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS.							
ANDERSON	Y	BERG	Y	CACHOLA	Y	CHANG	Y	GABBARD	Y
GARCIA	Y*	HARIMOTO	Y	KOBAYASHI	Y	MARTIN	Y		
PUBLISH	06/18/12	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.							
EXECUTIVE MATTERS AND LEGAL AFFAIRS	06/26/12	CR-224 – RESOLUTION REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.							
COUNCIL	07/11/12	CR-224 ADOPTED AND RESOLUTION 12-113 PASSED THIRD READING.							
ANDERSON	Y	BERG	Y	CACHOLA	Y	CHANG	Y	GABBARD	Y
GARCIA	Y	HARIMOTO	Y	KOBAYASHI	Y	MARTIN	Y		

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


BERNICE K. N. MAU, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER