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CMS-AP00-01766

HONOLULU AUTHORITY for RAPID TRANSPORTATION

2016 AUG -8 AM 8:35

Daniel A. Grabauskas
EXECUTIVE DIRECTOR AND CEO

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Colbert M. Matsumoto

August 3, 2016

The Honorable Ernest Y. Martin, Chair
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Martin and Councilmembers:

Subject: Draft Resolution Authorizing the Transfer of Funds from the Honolulu High Capacity Transit Project to the HART Project Adjustments Account and the Transfer of Funds from the HART Project Adjustments Account for the Airport Section Guideway and Station Group Project in the Honolulu Authority for Rapid Transportation (HART) Capital Budget for the Fiscal Year July 1, 2016, to June 30, 2017

Pursuant to Ordinance 16-17, HART transmits for your consideration and adoption a draft resolution authorizing the transfer of funds from the Honolulu High Capacity Transit Project to the HART Project Adjustments Account and the transfer of funds from the HART Project Adjustments account for the Airport Section Guideway and Station Group Project in the HART Capital Budget for FY2017 (see attached draft City Council Resolution with CD-ROM).

Specifically, Ordinance 16-17 requires the City Council's approval by resolution when the cumulative sum provided to a project from the HART Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or ten percent of the budgeted amount.

HART awarded the Airport Guideway and Stations Design-Build Contract based on a certification of partial funding, pursuant to Hawaii Administrative Rules Section 3-122-102(c), in the amount of \$874,750,000, which exceeds the funds appropriated for the Project in Ordinance 16-17 of \$820,000,000. HART requires an additional sum of \$54,750,000 to certify the full contract amount for the Project.

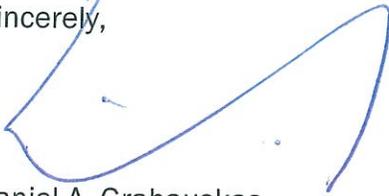
DEPT. COM. 557

The Honorable Ernest Y. Martin, Chair
and Members
Page 2
August 3, 2016

Additionally, the HART Board adopted its Resolution No. 2018-19 to seek a City Council resolution authorizing the transfer of \$54,750,000 from the Honolulu High Capacity Transit Project and HART Project Adjustments Account to fully certify the availability of funds for the Airport Section Guideway and Stations Group Project (see attached HART Board Resolution).

Accordingly, HART is submitting to the City Council the attached resolution to transfer the additional funds in accordance with Ordinance 16-17. If there are any questions regarding this matter, please feel free to contact my office.

Sincerely,



Daniel A. Grabauskas
Executive Director and CEO

Attachments

cc: HART Board of Directors
Mr. Roy K. Amemiya, Jr., Managing Director
Office of the City Clerk

Honolulu Authority for Rapid Transportation

RESOLUTION NO. 2016-19

AUTHORIZING THE TRANSFER OF FUNDS FROM THE HONOLULU HIGH CAPACITY TRANSIT PROJECT TO THE HART PROJECT ADJUSTMENTS ACCOUNT AND THE TRANSFER OF FUNDS FROM THE HART PROJECT ADJUSTMENTS ACCOUNT FOR THE AIRPORT SECTION GUIDEWAY AND STATION GROUP PROJECT IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017

WHEREAS, Ordinance 16-17, authorizes the funding of projects in the Honolulu Authority for Rapid Transportation's (HART) Capital Budget for Fiscal Year 2017; and

WHEREAS, Ordinance 16-17 allows for the transfer of funds from projects to the HART Project Adjustments Account; and

WHEREAS, specifically, Ordinance 16-17, Section 2, appropriated \$820,000,000 for the Airport Section Guideway and Station Group project (the "Project"); and

WHEREAS, Ordinance 16-17, Section 5, provides that the HART Project Adjustments Account may be expended for any excess in contract prices(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for the project; and

WHEREAS, the Project cost exceeds the \$820,000,000 appropriated funds; and

WHEREAS, Ordinance 16-17, requires the City Council's approval by Resolution when the cumulative sum provided to a project from the HART Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or ten percent of the budgeted amount; and

WHEREAS, an additional sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars (\$ 54,750,000.00) is required to fully certify the availability of funds for the Project; and

WHEREAS, following the transfer of funds of an equivalent sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars (\$ 54,750,000.00) from the Honolulu High Capacity Transit Project to the HART Project Adjustments Account, funds are available in the HART Project Adjustments Account;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of HART as follows:

1. That the sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars (\$ 54,750,000.00) be and the same is hereby transferred from the Honolulu High Capacity Transit Project to the HART Project Adjustments Account in Ordinance No. 16-17 of the Honolulu Authority for Rapid Transportation Capital Budget for Fiscal Year 2017;
2. That the equivalent sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars (\$ 54,750,000.00) is hereby transferred from the HART Project Adjustments Account in Ordinance No. 16-17 of the Honolulu Authority for Rapid Transportation Capital Budget for Fiscal Year 2017 and be made available to the Honolulu Authority for Rapid Transportation, Airport Section Guideway and Station Group Project;

3. That the projects and those amounts listed in the attachment represents the current planned expenditures by projects; and
4. That the City Clerk is hereby directed to forward a copy of this resolution to the Honorable Kirk Caldwell, Mayor, to the Director of Finance, and to the Executive Director and CEO of the Honolulu Authority for Rapid Transportation.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on
July 28, 2016.

/s/ Colleen Hanabusa
Board Chair

ATTEST:

/s/ Cindy Matsushita
Board Administrator

Honolulu Authority for Rapid Transportation

STAFF SUMMARY

TITLE: RESOLUTION NO. 2016-19 AUTHORIZING THE TRANSFER OF FUNDS FROM THE HONOLULU HIGH CAPACITY TRANSIT PROJECT TO THE HART PROJECT ADJUSTMENTS ACCOUNT AND THE TRANSFER OF FUNDS FROM THE HART PROJECT ADJUSTMENTS ACCOUNT FOR THE AIRPORT SECTION GUIDEWAY AND STATION GROUP PROJECT IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017	STAFF CONTACT: Joyce Oliveira and Nicole Chapman	DATE: July 22, 2016
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Type:	Goal	Focus Area	Reference Notes
<input checked="" type="checkbox"/> Action/Approval	<input checked="" type="checkbox"/> Project Delivery	<input type="checkbox"/> Livability/Land Use	
<input type="checkbox"/> Information	<input type="checkbox"/> Service Delivery	<input type="checkbox"/> Partnerships	
<input type="checkbox"/> Follow-up	<input type="checkbox"/> Resource Stewardship	<input type="checkbox"/> Agency Admin.	

1. Purpose:

Obtain HART Board approval to seek a City Council resolution authorizing the transfer of \$54,750,000 from the Honolulu High Capacity Transit Project and HART Project Adjustments Account to fully certify the availability of funds for the Airport Section Guideway and Stations Group Project ("Project").

2. Background/Justification

Section 2 of Ordinance 16-17 (HART's Capital Budget for Fiscal Year 2017) appropriated \$820,000,000 for the Project. Section 5 of Ordinance 16-17 provides that the HART Project Adjustments Account may be expended for any excess in contract prices(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for the project. However, Ordinance 16-17 requires the City Council's approval by resolution when the cumulative sum provided to a project from the HART Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or ten percent of the budgeted amount.

HART awarded the Airport Guideway and Stations Design-Build Contract based on a certification of partial funding, pursuant to Hawaii Administrative Rules Section 3-122-102(c), in the amount of \$874,750,000, which exceeds the funds appropriated for the Project in Ordinance 16-17 of \$820,000,000. HART requires an additional sum of \$54,750,000 to certify the full contract amount for the Project. Accordingly, HART is submitting to the City Council's approval by resolution to transfer the additional funds in accordance with Ordinance 16-17.

3. Procurement Background

On July 19, 2016, the Airport Guideway and Stations Design-Build Contract was awarded to Shimmick/Traylor/Granite, JV in the amount of \$874,750,000.

4. Financial/Budget Impact

Transfers \$54,750,000 from the Honolulu High Capacity Transit Project to the HART Project Adjustments Account and in turn, from the HART Project Adjustments Account to the Airport Section

Guideway and Station Group Project.

5. Policy Impact

N/A

6. Public Involvement

N/A

7. Alternatives

N/A

8. Exhibits

Exhibit 1 – Ordinance 16-17

Certified and Recommended by:



Executive Director and CEO

7/22/16

Date



A BILL FOR AN ORDINANCE

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017.

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, 2016 to June 30, 2017 are hereby provided and appropriated for the purposes set forth in Section 2:

FUND CODE	SOURCE OF FUNDS	AMOUNT	TOTAL
	FEDERAL FUNDS		
FG	Federal Grants Fund	\$265,200,000	\$265,200,000
	GENERAL OBLIGATION BONDS:		
TF	Transit Improvement Bond Fund	\$1,612,681,800	\$1,612,681,800
	TRANSIT FUND:		
TR	Transit Fund	\$280,002,000	\$280,002,000
TOTAL ALL FUNDS			\$2,157,883,800



A BILL FOR AN ORDINANCE

SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2016 to June 30, 2017 are appropriated as indicated to the following projects and public improvements in the UTILITIES OR OTHER ENTERPRISES function. Nothing in this section shall be construed as restricting the allocation of monies among the work phase appropriations (e.g., planning, design, and construction).

PROJECT NUMBER	FUNCTIONS, PROGRAMS & PROJECTS	WORK PHASE	SOURCE OF FUNDS	TOTAL ALL FUNDS
UTILITIES OR OTHER ENTERPRISES				
MASS TRANSIT				
HONOLULU AUTHORITY FOR RAPID TRANSPORTATION				
2007005	HONOLULU HIGH CAPACITY TRANSIT PROJECT			
		1,000 L	265,199,000 FG	354,299,000
		12,623,000 P	19,808,200 TF	
		4,341,000 D	69,291,800 TR	
	Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the Locally Preferred Alternative, including acquisition of right-of-ways and relocation of private utilities. At least \$12,000,000 shall be appropriated for planning studies necessary to facilitate the anticipated route extension of the Honolulu High Capacity Transit Project.	207,213,000 C		
		1,000 I		
		1,000 R		
		1,000 E		
		130,117,000 X		
		1,000 A		
	AIRPORT SECTION GUIDEWAY AND STATION GROUP	1,000 L	749,763,600 TF	820,000,000
		1,000 P	70,236,400 TR	
	Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the Airport Section Guideway and Station Group of the Locally Preferred Alternative.	1,000 D		
		819,992,000 C		
		1,000 I		
		1,000 R		
		1,000 E		
		1,000 X		
		1,000 A		
	CITY CENTER SECTION GUIDEWAY AND STATION GROUP	1,000 L	673,261,500 TF	743,497,900
		1,000 P	70,236,400 TR	
	Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the City Center Section Guideway and Station Group of the Locally Preferred Alternative.	1,000 D		
		743,489,900 C		
		1,000 I		
		1,000 R		
		1,000 E		
		1,000 X		
		1,000 A		
	PEARL HIGHLANDS PARKING GARAGE AND BUS TERMINAL	1,000 L	169,847,500 TF	240,083,900
		1,000 P	70,236,400 TR	
	Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the Pearl Highlands Parking Garage and Bus Terminal of the Locally Preferred Alternative.	1,000 D		
		240,075,900 C		
		1,000 I		
		1,000 R		
		1,000 E		
		1,000 X		
		1,000 A		
	HART PROJECT ADJUSTMENTS ACCOUNT	3,000 X	1,000 FG	3,000
			1,000 TF	
	Funding for any project cost exceeding the estimate for land acquisition, planning, design, construction, inspection, equipment, relocation, artwork and other costs for projects included in the HART Capital Budget.		1,000 TR	



A BILL FOR AN ORDINANCE

PROJECT NUMBER	FUNCTIONS, PROGRAMS & PROJECTS	WORK PHASE	SOURCE OF FUNDS	TOTAL ALL FUNDS
TOTAL UTILITIES OR OTHER ENTERPRISES		\$2,157,883,800	\$2,157,883,800	\$2,157,883,800
UTILITIES OR OTHER ENTERPRISES				
SOURCE OF FUNDS				
	FG Federal Grants Fund		\$265,200,000	
	TF Transit Improvement Bond Fund		1,612,881,800	
	TR Transit Fund		280,002,000	
	TOTAL SOURCE OF FUNDS		<u>\$2,157,883,800</u>	
WORK PHASE				
	L Land		\$4,000	
	P Planning		12,626,000	
	D Design		4,344,000	
	C Construction		2,010,770,800	
	I Inspection		4,000	
	E Equipment		4,000	
	R Relocation		4,000	
	X Other		130,123,000	
	A Art		4,000	
	TOTAL WORK PHASES		<u>\$2,157,883,800</u>	



A BILL FOR AN ORDINANCE

SECTION 3. General Provisos.

(a) As used in this Ordinance:

"Authority" means the Honolulu Authority for Rapid Transportation.

"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.

(b) Limited purpose monies. The Authority may receive monies whose use is specified or otherwise limited by the monies' source from: (1) any governmental or quasi-governmental agency; (2) any private source including monetary gifts whose use is specified by the donor; or (3) any combination thereof. When such monies are received, the Authority shall maintain special funds or accounts showing the monies so received and specifying the purposes for which they have been received and held.

All such monies specified in Section 2 of this ordinance are appropriated in the amounts and for the purposes set forth, and all expenditures shall be made as provided by law. All other such monies not specified in Section 2 of this ordinance and which are limited purpose monies are hereby appropriated and may be expended by the Authority for their permitted limited purposes.

The Authority shall report to the Council no later than 30 days after June 30 detailing, for the capital budget fiscal year just ended, the amount of any excess monies received, and the function, program, and project to which the monies have been allotted for expenditure.

(c) 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.

(d) Any appropriation authorized in this ordinance or any amendment thereto shall be valid for the fiscal year July 1, 2016 to June 30, 2017 and 12 months thereafter. Any part of such appropriation which is not expended or encumbered shall lapse on June 30, 2018.

(e) 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.

(f) No monies shall be expended by the Authority for any purpose from the transit fund or transit improvement bond fund, unless such monies are first appropriated by the Council.



A BILL FOR AN ORDINANCE

(g) The project number is included for accounting purposes only. If there is a conflict between the number and the project title in this ordinance, the project title shall prevail.

SECTION 4. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1, 2016 to June 30, 2017, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2017, 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, Honolulu Authority for Rapid Transportation Operating Budget ordinance, or Honolulu Authority for Rapid Transportation Capital Budget ordinance. 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 5. HART Project Adjustments Account.

The funds provided from the HART Project Adjustments Account may be expended for any excess in contract prices(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for land acquisition, planning, design, construction, inspection, relocation, equipment, artwork and providing for miscellaneous costs. The City Council's approval by resolution is required when the cumulative sum provided to a project from the Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or 10 percent of the budgeted amount.

Whenever a project's contract is executed for an amount less than the project's appropriation, only that amount that is excess within that phase shall be transferred to the Project Adjustments Account. The Authority shall report all transactions to and/or from the account to the City Council within 30 days from the date the transfer was approved.

SECTION 6. As required by Ordinance 16-1, no more than \$4.815 billion in surcharge moneys may be expended for the mass transit project. Additionally, no more than \$6.831 billion in total revenues may be expended for the mass transit project.

SECTION 7. The amendments to the Honolulu Authority for Rapid Transportation Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance.



A BILL FOR AN ORDINANCE

AMENDMENTS TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET
CD1 Amendments = Plain Text; FD1 Amendment = *Italic Text*

<u>FUNCTION/PROGRAM/PROJECT</u>	<u>AMENDMENT</u>	<u>AMOUNT</u>	<u>PH</u>	<u>AMOUNT</u>	<u>FD</u>
UTILITIES OR OTHER ENTERPRISES					
MASS TRANSIT					
HONOLULU AUTHORITY FOR RAPID TRANSPORTATION					
2007005 HONOLULU HIGH CAPACITY TRANSIT PROJECT	Increase funding and amend description to read as follows: Plan, design, construct, inspect, relocate, acquire land, equipment and artwork for the Locally Preferred Alternative. <u>At least \$244,000,000 shall be appropriated for planning studies necessary to facilitate the anticipated route expansion of the Honolulu High Capacity Transit project.</u>	\$244,000,000	P	\$244,000,000	TF
2007005 HONOLULU HIGH CAPACITY TRANSIT PROJECT	Amend funding and amend description to read as follows: Plan, design, construct, inspect, relocate, acquire land, equipment, [and] artwork and other costs for the Locally Preferred Alternative. <u>Including acquisition of right-of-ways and relocation of private utilities. At least (\$244,000,000) \$12,000,000 shall be appropriated for planning studies necessary to facilitate the anticipated route extension of the Honolulu High Capacity Transit project.</u>	1,000 (232,000,000) 180,000,000 1,000 1,000 1,000 (5,000) 1,000	L P C I R E X A	210,509,000 (305,490,800) 22,981,800	FG TF TR
AIRPORT SECTION GUIDEWAY AND STATION GROUP	Add project. Add description to read as follows: Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the Airport Section Guideway and Station Group of the Locally Preferred Alternative.	1,000 1,000 1,000 819,992,000 1,000 1,000 1,000 1,000 1,000	L P D C I R E X A	749,763,600 70,236,400	TF TR
CITY CENTER SECTION GUIDEWAY AND STATION GROUP	Add project. Add description to read as follows: Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the City Center Section Guideway and Station Group of the Locally Preferred Alternative.	1,000 1,000 1,000 743,489,900 1,000 1,000 1,000 1,000 1,000	L P D C I R E X A	673,261,500 70,236,400	TF TR



A BILL FOR AN ORDINANCE

AMENDMENTS TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET
CD1 Amendments = Plain Text; FD1 Amendment = *Italic Text*

<u>FUNCTION/PROGRAM/PROJECT</u>	<u>AMENDMENT</u>	<u>AMOUNT</u>	<u>PH</u>	<u>AMOUNT</u>	<u>ED</u>
PEARL HIGHLANDS PARKING GARAGE AND BUS TERMINAL	<i>Add project. Add description to read as follows: Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the Pearl Highlands Parking Garage and Bus Terminal of the Locally Preferred Alternative.</i>	1,000	L	169,847,500	TF
		1,000	P	70,236,400	TR
		1,000	D		
		240,075,900	C		
		1,000	I		
		1,000	R		
		1,000	E		
		1,000	X		
HART PROJECT ADJUSTMENTS ACCOUNT	<i>Add project. Add description to read as follows: Funding for any project cost exceeding the estimate for land acquisition, planning, design, construction, inspection, equipment, relocation, artwork and other costs for projects included in the HART capital budget.</i>	3,000	X	1,000	FG
				1,000	TF
				1,000	TR

SECTION 3.

Amend language in Section 3 to read as follows: (c) At the close of each quarter, the Authority shall submit to the Council a Statement of Cash [Receipts and Disbursements] Balances by Fund showing for each quarter for each individual fund the cash balance at the start of the accounting period [the cash receipts and disbursements during the period,] and the cash balance [at the end of the month of each month of the quarter covered by the report.] at the end of the period.

NEW SECTION.

Add new Section 5 to read as follows: "SECTION 5. The amendments to the Honolulu Authority for Rapid Transportation Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance."

NEW SECTION.

Add new Section 5 to read as follows:

"SECTION 5. HART Project Adjustments Account.

The funds provided from the HART Project Adjustments Account may be expended to pay for any excess in contract price(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for land acquisition, planning, design, construction, inspection, relocation, equipment, artwork and providing for miscellaneous costs. The City Council's approval by resolution is required when the cumulative sum provided to a project from the Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or 10 percent of the budgeted amount.

Whenever a project's contract is executed for an amount less than the project's appropriation, only that amount that is excess within that phase, shall be transferred to the Project Adjustments Account. The Authority shall report all transactions to and/or from the account to the City Council within 30 days from the date the transfer was approved."

Add new Section 6 to read as follows:

"SECTION 6. As required by Ordinance 16-1, no more than \$4.815 billion in surcharge moneys may be expended for the mass transit project. Additionally, no more than \$6.831 billion in total revenues may be expended for the mass transit project."

- END OF BILL -

Amendment List 2

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

ORDINANCE

16-17

BILL 19 (2016), CD1, FD1

Introduced: 03/03/16

By: ERNEST MARTIN - BY REQUEST

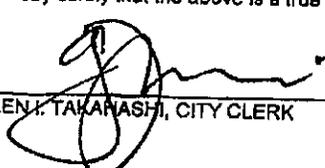
Committee: BUDGET

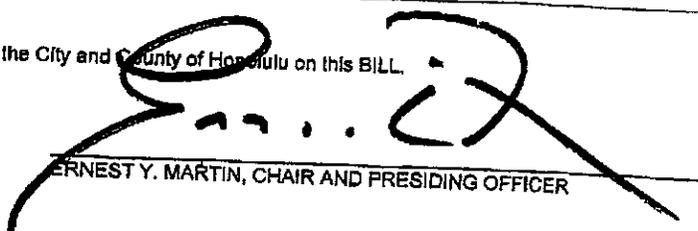
Title: A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID
TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017.

Voting Legend: * = Aye w/Reservations

03/16/16	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE. 1 NO: OZAWA.
04/05/16	SPECIAL BUDGET	CR-117 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.
04/09/16	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
04/20/16	COUNCIL/PUBLIC HEARING	CR-117 ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON BUDGET. 7 AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE. 2 ABSENT: ANDERSON, OZAWA.
04/27/16	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR- ADVERTISER.
05/10/16	SPECIAL BUDGET	CR-158 - BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING.
06/01/16	COUNCIL	NOTE: ACTION WAS NOT TAKEN ON THE PROPOSED FD1S POSTED ON THE AGENDA SUBMITTED BY COUNCILMEMBERS ELEFANTE AND MARTIN AS WELL AS THE HAND-CARRIED FD1 SUBMITTED BY COUNCILMEMBER MARTIN. BILL AMENDED TO HAND-CARRIED FD1 (OCS2016-0588/5/31/2016 1:27 PM). 9 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. CR-158 ADOPTED AND BILL 19 (2016), CD1, FD1 PASSED THIRD READING. 8 AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, OZAWA, PINE. 1 NO: ELEFANTE.

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


GLEN I. TAKAHASHI, CITY CLERK


ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER

16-17

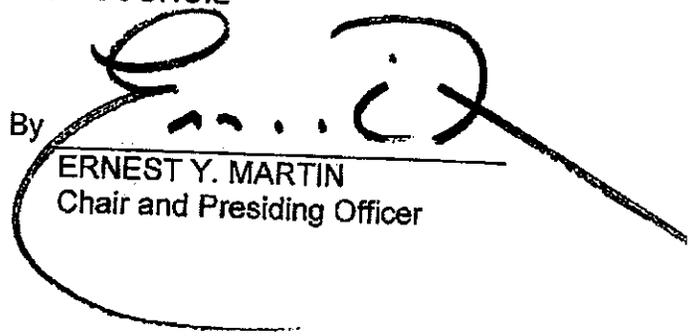
ORDINANCE NO. 16-17

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

I hereby certify that on June 3, 2016, Bill 19 (2016), CD1, FD1 was presented to the Honorable Kirk Caldwell, Mayor of the City and County of Honolulu, for his approval or otherwise; and that on June 20, 2016, the Mayor returned said Bill without his signature; therefore, pursuant to Section 3-203 of the Revised Charter of Honolulu, said Bill 19 (2016), CD1, FD1 became a duly enacted ordinance on June 20, 2016.

Dated, Honolulu, State of Hawaii, this 20th day of June, 2016.

CITY COUNCIL
By 
ERNEST Y. MARTIN
Chair and Presiding Officer

ATTEST:

GLEN TAKAHASHI
City Clerk



RESOLUTION

AUTHORIZING THE TRANSFER OF FUNDS FROM THE HONOLULU HIGH CAPACITY TRANSIT PROJECT TO THE HART PROJECT ADJUSTMENTS ACCOUNT AND THE TRANSFER OF FUNDS FROM THE HART PROJECT ADJUSTMENTS ACCOUNT FOR THE AIRPORT SECTION GUIDEWAY AND STATION GROUP PROJECT IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2016 TO JUNE 30, 2017.

WHEREAS, Ordinance 16-17, authorizes the funding of projects in the Honolulu Authority for Rapid Transportation's (HART) Capital Budget for Fiscal Year 2017; and

WHEREAS, Ordinance 16-17 allows for the transfer of funds from projects to the HART Project Adjustments Account; and

WHEREAS, specifically, Ordinance 16-17, Section 2, appropriated \$820,000,000 for the Airport Section Guideway and Station Group project (the "Project"); and

WHEREAS, Ordinance 16-17, Section 5, provides that the HART Project Adjustments Account may be expended to pay for any excess in contract price(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for the project; and

WHEREAS, the Project cost exceeds the \$820,000,000 appropriated funds; and

WHEREAS, Ordinance 16-17, requires the City Council's approval by Resolution when the cumulative sum provided to a project from the HART Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or 10 percent of the budgeted amount; and

WHEREAS, an additional sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars (\$ 54,750,000) is required to fully certify the availability of funds for the Project; and

WHEREAS, following the transfer of funds of an equivalent sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars (\$54,750,000) from the Honolulu High Capacity Transit Project to the HART Project Adjustments Account, funds are available in the HART Project Adjustments Account; now, therefore,

BE IT RESOLVED by the City Council of the City and County of Honolulu that the sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars



RESOLUTION

(\$54,750,000) be and the same is hereby transferred from the Honolulu High Capacity Transit Project to the HART Project Adjustments Account in Ordinance No. 16-17 of the Honolulu Authority for Rapid Transportation Capital Budget for Fiscal Year 2017; and

BE IT FURTHER RESOLVED by the City Council of the City and County of Honolulu, that the equivalent sum of Fifty-Four Million Seven Hundred Fifty Thousand and NO/100 Dollars (\$54,750,000) is hereby transferred from the HART Project Adjustments Account in Ordinance No. 16-17 of the Honolulu Authority for Rapid Transportation Capital Budget for Fiscal Year 2017 and be made available to the Honolulu Authority for Rapid Transportation, Airport Section Guideway and Station Group Project; and:

BE IT FURTHER RESOLVED by the City Council of the City and County of Honolulu that the projects and those amounts listed in the attachment represent the current planned expenditures by projects; and

BE IT FINALLY RESOLVED that the City Clerk is hereby directed to forward a copy of this resolution to the Honorable Kirk Caldwell, Mayor, to the Director of Finance, and to the Executive Director and CEO of the Honolulu Authority for Rapid Transportation.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

ATTACHMENT

HONOLULU HIGH CAPACITY TRANSIT PROJECT. Plan, design, construct, inspect, relocate, acquire land, equipment, artwork and other costs for the Locally Preferred Alternative, including acquisition of right-of-ways and relocation of private utilities. At least \$12,000,000 shall be appropriated for planning studies necessary to facilitate the anticipated route extension of the Honolulu High Capacity Transit Project.

Land	
Planning	\$ 1,000
Design	\$ 12,623,000
Construction	\$ 4,341,000
Inspection	\$207,213,000
Relocation	\$ 1,000
Equipment	\$ 1,000
Other	\$ 1,000
Art	\$ 75,367,000
	\$ 1,000

AIRPORT SECTION GUIDEWAY AND STATION GROUP. Plan, design, construct, inspect, relocate, acquire land, equipment, artwork, and other costs for the Airport Section Guideway and Station Group of the Locally Preferred Alternative.

Land	
Planning	\$ 0
Design	\$ 0
Construction	\$ 0
Inspection	\$874,750,000
Relocation	\$ 0
Equipment	\$ 0
Other	\$ 0
Art	\$ 0
	\$ 0

CITY CENTER SECTION GUIDEWAY AND STATION GROUP. Plan, design, construct, inspect, relocate, acquire land, equipment, artwork, and other costs for the City Center Section Guideway and Station Group of the Locally Preferred Alternative.

Land	
Planning	\$ 1,000
Design	\$ 1,000
Construction	\$ 1,000
Inspection	\$743,489,900
Relocation	\$ 1,000
Equipment	\$ 1,000
Other	\$ 1,000
Art	\$ 1,000
	\$ 1,000

PEARL HIGHLANDS PARKING GARAGE AND BUS TERMINAL. Plan, design, construct, inspect, relocate, acquire land, equipment, artwork, and other costs for the Pearl Highlands Parking Garage and Bus Terminal of the Locally Preferred Alternative.

Land	
Planning	\$ 1,000
Design	\$ 1,000
Construction	\$ 1,000
Inspection	\$240,075,900
Relocation	\$ 1,000
Equipment	\$ 1,000
Other	\$ 1,000
Art	\$ 1,000
	\$ 1,000

HART PROJECT ADJUSTMENTS ACCOUNT. Funding for any project cost exceeding the estimate for land acquisition, planning, design, construction, inspection, equipment, relocation, artwork and other costs for projects included in the HART Capital Budget.

Other	\$ 3,000
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Nothing in this attachment shall be construed as restricting the allocation of monies among the work phase appropriations (e.g. planning, design, and construction).