



RESOLUTION

AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$44,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU FOR THE PURPOSE OF FINANCING CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT

WHEREAS, pursuant to Section 17-109 of Article XVII of the Revised Charter of the City and County of Honolulu 1973, (2017 Edition) ("Charter"), and at the request of the Honolulu Authority for Rapid Transportation ("HART"), this Council may by resolution approve the issuance and sale of bonds to finance the capital costs of the Honolulu High Capacity Transit Corridor Project, now known as the Honolulu Rail Transit Project ("HRTP"); and

WHEREAS, pursuant to Charter Section 17-109, HART may make a request to this Council for the issuance and sale of general obligation bonds, which proceeds will be used to finance the capital costs of the HRTP ("GO Bonds"); and

WHEREAS, HART has submitted a request to this Council set forth in Resolution 2018-5, adopted by the HART Board of Directors on June 21, 2018; and

WHEREAS, before the City and County of Honolulu (the "City") may issue and sell these GO Bonds in the aggregate principal amount not to exceed \$44,000,000, the following three conditions must be met:

1. The Council passes an amendment to Ordinance 07-001 to allow City funds to be used to pay the principal, interest and other bond-associated costs of these GO Bonds in the aggregate principal amount not to exceed \$44,000,000;
2. The City and HART enter into an agreement (the "Agreement") regarding the issuance and sale of these GO Bonds in the aggregate principal amount not to exceed \$44,000,000 to set forth the obligations of HART to the City and the City to HART concerning these GO Bonds; and
3. The City, as set forth in the Agreement, agrees to be responsible for payment of principal, interest, and other bond-associated costs for these GO Bonds in the aggregate principal amount not to exceed \$44,000,000;

WHEREAS, this Agreement will set forth the obligations of HART to the City and the City to HART concerning these GO Bonds in the aggregate principal amount not to exceed \$44,000,000; and



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WHEREAS, Charter Section 17-109 states that at the request of the Board of Directors of HART, this Council may by resolution approve all bond sales; now therefore,

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

1. That the following three conditions must be met before the City and County of Honolulu (the "City") may issue and sell these GO Bonds in the aggregate principal amount not to exceed \$44,000,000:
 - a. The Council passes an amendment to Ordinance 07-001 to allow City funds to be used to pay the principal, interest and other bond-associated costs of these GO Bonds in the aggregate principal amount not to exceed \$44,000,000;
 - b. The City and HART enter into an agreement (the "Agreement") regarding the issuance and sale of these GO Bonds in the aggregate principal amount not to exceed \$44,000,000 to set forth the obligations of HART to the City and the City to HART concerning these GO Bonds; and
 - c. The City, as set forth in the Agreement, agrees to be responsible for payment of principal, interest, and other bond-associated costs for these GO Bonds in the aggregate principal amount not to exceed \$44,000,000.
2. That the Director of Budget and Fiscal Services be and is hereby authorized to offer GO Bonds at competitive sale or negotiate the sale in one or more series up to but not to exceed \$44,000,000 in aggregate principal amount for the purpose of financing a portion of the costs of capital costs of the H RTP, upon such terms and conditions and at such price or prices as the Director of Budget and Fiscal Services shall deem in the best interest of the City and County of Honolulu.
3. That the Director of Budget and Fiscal Services be and is hereby authorized to issue GO Bonds of each series in their entirety at one time as a separate series of GO Bonds of the City and County of Honolulu, or as a part of a series of other general obligation bonds of the City and County of Honolulu or from time to time in series.
4. That, pursuant to Section 47-7, Hawaii Revised Statutes, the Director of Budget and Fiscal Services be and is hereby authorized to fix and determine the form, date, denomination, maturity and other terms of the GO Bonds of each series, which shall mature in substantially equal installments of principal, or mature in substantially equal installments of both principal and interest, the first installment



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of which shall mature not later than five years from the date of the GO Bonds of such series and the last installment of which shall mature not later than twenty-five years from the date of the GO Bonds of such series.

5. That, pursuant to Section 47-8, Hawaii Revised Statutes, the GO Bonds shall bear interest at such rate or rates or at such varying rates determined from time to time in such manner as the Director of Budget and Fiscal Services shall determine; provided however that in the event that all or any of such series of such GO Bonds shall bear interest at a rate or rates which may vary from time to time or with a right of holders to tender GO Bonds of such series for purchase, or both, the Director of Budget and Fiscal Services be and is hereby authorized and shall, in accordance with Section 47-11, Hawaii Revised Statutes, contract for such credit support or liquidity facility or facilities and remarketing and tender arrangements as are required to market the GO Bonds of such series or series to the greatest advantage of the City and County of Honolulu, upon such terms and conditions as the Director of Budget and Fiscal Services deems necessary and proper, and any and all such contracts are hereby approved and shall be deemed approved by this resolution. In addition, the Director of Budget and Fiscal Services may procure insurance for the payment of the principal of and interest on all or any of the GO Bonds.
6. That the GO Bonds of each series shall otherwise be substantially in the form of the general obligation bonds of the City and County heretofore issued, with such omissions from such form, such insertions therein and such variations thereto as shall be deemed necessary and desirable to reflect the provisions of the Constitution and statutes of the State of Hawaii, the Charter and ordinances of the City and County of Honolulu, this resolution and the terms of such GO Bonds. The GO Bonds of each series shall have such further details as shall be determined by the Director of Budget and Fiscal Services consistent with the provisions of Chapter 47, Hawaii Revised Statutes.



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and

BE IT FURTHER RESOLVED by the Council of the City and County of Honolulu that the Clerk be and is directed to transmit copies of this resolution to the Director of Budget and Fiscal Services, to the Chief of Treasury, and to the Honolulu Authority for Rapid Transportation.

INTRODUCED BY:

[Handwritten Signature]
_____ (br)

DATE OF INTRODUCTION:

JUN 20 2018

Honolulu, Hawaii

Councilmembers

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

RESOLUTION 18-132

Introduced: 06/20/18 By: ERNEST MARTIN – BY REQUEST Committee: LEGISLATIVE MATTERS

Title: RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$44,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU FOR THE PURPOSE OF FINANCING CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT.

Voting Legend: * = Aye w/Reservations

CC-270 OZAWA – RE-REFERRAL FROM COMMITTEE ON BUDGET TO COMMITTEE ON LEGISLATIVE MATTERS.

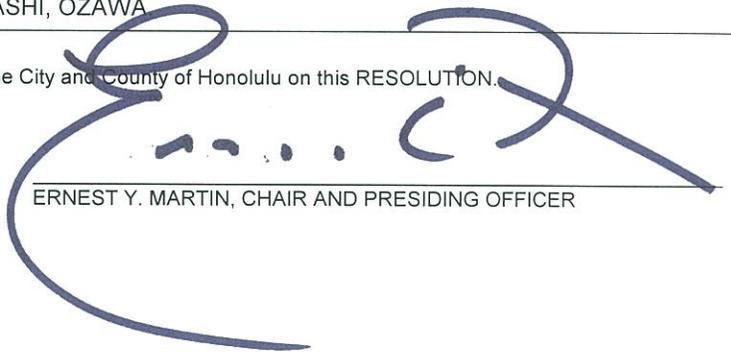
10/30/18 SPECIAL LEGISLATIVE MATTERS CR-370 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.

10/30/18 SPECIAL COUNCIL CR-370 AND RESOLUTION 18-132 WERE ADOPTED.
7 AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, MENOR, PINE.
2 NOES: KOBAYASHI, OZAWA

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.



GLEN I. TAKAHASHI, CITY CLERK



ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER