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**A BILL FOR AN ORDINANCE**

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RELATING TO FUNDING FOR TRANSIT.

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

SECTION 1. Purpose. The purpose of this ordinance is to allow for greater flexibility in the sources of monies to be used for the capital cost of the Honolulu Rail Transit Project.

SECTION 2. Ordinance 07-001 is amended by amending Section 3 to read as follows:

"SECTION 3. The city administration is authorized to proceed with preparation of an environmental impact statement for the locally preferred alternative (LPA), and with planning and preliminary engineering for that portion of the LPA (including any portion of any section of the LPA listed in section 2 above) that may be constructed within financial constraints (capital cost and any interest to finance that capital cost shall be paid entirely from general excise and use tax surcharge revenues, interest earned on the revenues, and any federal, state, city, or private revenues); provided that this portion shall constitute a minimum operable segment (MOS) for purposes of Federal New Starts funding eligibility; and provided further that the proposed MOS shall be subject to Council approval by resolution."

SECTION 3. No more than an aggregate total of \$214,000,000 of city revenues and no more than \$26,000,000 of city revenues in any fiscal year from and after fiscal year 2020, shall be appropriated and expended for the costs of the Honolulu Rail Transit Project identified as "City Subsidy" in Figure 6.2 in the Revised Recovery Plan dated October 24, 2018, which is attached to Resolution 18-239, as may be amended by the Council prior to adoption; provided, however, that the foregoing shall not apply to the payment of any interest on debt service and any other costs relating to the issuance or refunding of commercial paper and other forms of general obligation indebtedness arising from the financing of principal required to be paid from city revenues and not payable from other sources of revenue. City revenues shall include, but not be limited to, revenues from real property taxes, public service company taxes, and the City's share of the transient accommodations tax. \$44,000,000 of city general obligation bonds may be issued to pay for such expenditures in fiscal year 2019.



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE 18 - 39

BILL 42 (2017), CD2

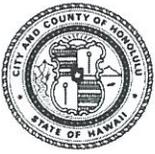
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SECTION 4. Ordinance 01-28, as amended by Ordinances 04-36, 10-15, and 15-46, is amended by amending Section 15 to read as follows:

"SECTION 15. Memorandum of Understanding Relating to HART. The City and County and HART have entered into a memorandum of understanding that sets forth the obligations of HART to the City and County concerning the HHCTCP Commercial Paper and other forms of general obligation indebtedness. The memorandum of understanding requires that the City and County be reimbursed by HART for any payments of principal and interest and any other costs incurred by the City and County relating to the issuance of HHCTCP Commercial Paper and other forms of general obligation indebtedness. The memorandum of understanding entered into by the City and County and HART shall be subject to approval by Council by resolution. The memorandum of understanding shall not apply to the issuance and sale of HHCTCP Commercial Paper or other forms of general obligation indebtedness for which the City and County is required to pay principal, interest, and any other costs relating to the issuance of HHCTCP Commercial Paper and other forms of general obligation indebtedness."

SECTION 5. New ordinance material is underscored. In these sections, the title of Section 15 is underscored because the titles were underscored in Ordinance 01-28.



A BILL FOR AN ORDINANCE

SECTION 6. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ron Menor (br)

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DATE OF INTRODUCTION:

April 11, 2017  
Honolulu, Hawaii

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Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Amy R. Kondo  
Deputy Corporation Counsel **AMY R. KONDO**

APPROVED this 6 day of Nov., 20 18.

Kirk Caldwell  
KIRK CALDWELL, Mayor  
City and County of Honolulu

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

ORDINANCE 18-39

BILL 42 (2017), CD2

Introduced: 04/11/17

By: RON MENOR – BY REQUEST

Committee: LEGISLATIVE MATTERS

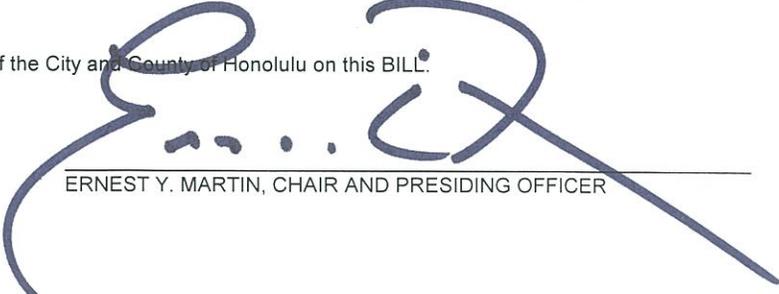
Title: A BILL FOR AN ORDINANCE RELATING TO FUNDING FOR TRANSIT.

Voting Legend: \* = Aye w/Reservations

04/26/17	COUNCIL	BILL PASSED FIRST READING AND REFERRED TO COMMITTEE ON BUDGET. 5 AYES: ANDERSON, ELEFANTE, MANAHAN, MENOR, PINE. 4 NOES: FUKUNAGA, KOBAYASHI, MARTIN, OZAWA.
04/29/17	PUBLISH	PUBLIC HEARING NOTICE PUBLISHED IN ANTICIPATION OF COMMITTEE ACTION IN THE HONOLULU STAR ADVERTISER.
05/03/17	BUDGET	CR-175 – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.
05/10/17	COUNCIL/PUBLIC HEARING	PUBLIC HEARING CLOSED. CR-175 AND BILL 42 (2017) WERE DEFERRED. 5 AYES: ANDERSON, ELEFANTE, MANAHAN, MENOR, PINE. 4 NOES: FUKUNAGA, KOBAYASHI, MARTIN, OZAWA.
02/28/18	COUNCIL	CR-175 AND BILL 42 (2017) WERE RECOMMITTED TO COMMITTEE ON BUDGET. 8 AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE. 1 ABSENT: OZAWA.  <u>CC-272(18) OZAWA – RE-REFERRAL FROM COMMITTEE ON BUDGET TO COMMITTEE ON LEGISLATIVE MATTERS.</u>
10/17/18	SPECIAL LEGISLATIVE MATTERS	CR-335(18) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING AS AMENDED IN CD1 FORM.
10/17/18	SPECIAL COUNCIL	CR-335(18) ADOPTED. BILL PASSED SECOND READING AS AMENDED, PUBLIC HEARING CLOSED AND REFERRED TO COMMITTEE ON LEGISLATIVE MATTERS. 7 AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, MARTIN, MENOR, PINE. 2 NOES: KOBAYASHI, OZAWA.
10/23/18	PUBLISH	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR-ADVERTISER.
10/30/18	SPECIAL LEGISLATIVE MATTERS	CR-368(18) – BILL REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD2 FORM.
10/30/18	SPECIAL COUNCIL	CR-368(18) ADOPTED AND BILL 42 (2017), CD2 PASSED THIRD READING AS AMENDED. 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 BILL.

  
GLEN I. TAKAHASHI, CITY CLERK

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER

18-39