

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Calvin K.Y. Say, Chair; Radiant Cordero, Vice-Chair;
Brandon J.C. Elefante, Esther Kia'āina, Heidi Tsuneyoshi, Andria Tupola

Committee Meeting Held
March 30, 2022

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Budget, which considered Bill 19 (2022) entitled:

"A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY
FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL
YEAR JULY 1, 2022 TO JUNE 30, 2023,"

transmitted by Departmental Communication 133 (2022), dated February 22, 2022, by
the Honolulu Authority for Rapid Transportation ("HART"), which passed first reading at
the March 16, 2022 Council meeting, reports as follows:

The purpose of the bill is to appropriate \$1,668,000,000 for projects and public
improvements in the Utilities or Other Enterprises function for the HART Capital Budget
for Fiscal Year July 1, 2022 to June 30, 2023.

The HART Executive Director and Chief Executive provided comments on the bill
and answered questions from the Committee.

Your Committee received testimony in opposition to the bill from two individuals.

Your Committee amended the bill based on the Committee Chair's
recommendations after discussion and deliberation on proposed amendments.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

APR 13 2022

COMMITTEE REPORT NO.

83

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Voting Members:

Calvin K.Y. Say, Chair; Radiant Cordero, Vice-Chair;
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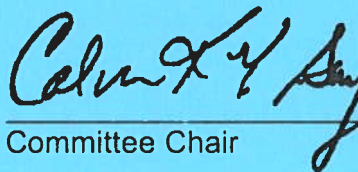
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The proposed CD1 makes the following amendments:

- A. Appropriates \$531,912,589 for the Honolulu Authority for Rapid Transportation Capital Budget for Fiscal Year 2023.
- B. Makes various substantive changes, which are noted in the Amendment List contained within the bill.
- C. Makes various technical and nonsubstantive amendments.

Your Committee on Budget is in accord with the intent and purpose of Bill 19 (2022), as amended herein, and recommends that it pass second reading, be scheduled for a public hearing, and be referred back to Committee in the form attached hereto as Bill 19 (2022), CD1. (Ayes: Cordero, Elefante, Kia'āina, Say, Tupola – 5; Noes: None; Absent: Tsuneyoshi – 1.)

Respectfully submitted,


Committee Chair

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

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CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____
BILL **19 (2022), CD1** _____

A BILL FOR AN ORDINANCE

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR
JULY 1, 2022 TO JUNE 30, 2023.

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, 2022 to June 30, 2023 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	\$500,000	\$500,000
GENERAL OBLIGATION BONDS:			
TF	Transit Improvement Bond Fund	\$100,000,000	\$100,000,000
TRANSIT FUND:			
TR	Transit Fund	\$431,412,589	\$431,412,589
TOTAL ALL FUNDS			\$531,912,589



CITY COUNCIL
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ORDINANCE _____
BILL **19 (2022), CD1**

A BILL FOR AN ORDINANCE

SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2022 to June 30, 2023 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
<u>UTILITIES OR OTHER ENTERPRISES</u>				
MASS TRANSIT				
<u>HONOLULU AUTHORITY FOR RAPID TRANSPORTATION</u>				
2007005	HONOLULU HIGH CAPACITY TRANSIT PROJECT	1,000 L	500,000 FG	531,912,589
		1,000 P	100,000,000 TF	
	Plan, design, construct, inspect, relocate, acquire land, equipment and artwork for the Locally Preferred Alternative.	1,000 D	431,412,589 TR	
		531,904,589 C		
		1,000 I		
		1,000 E		
		1,000 R		
		1,000 X		
		1,000 A		
TOTAL UTILITIES OR OTHER ENTERPRISES		\$531,912,589	\$531,912,589	\$531,912,589

UTILITIES OR OTHER ENTERPRISES

SOURCE OF FUNDS

FG Federal Grants Fund	\$500,000
TF Transit Improvement Bond Fund	100,000,000
TR Transit Fund	431,412,589

TOTAL SOURCE OF FUNDS	\$531,912,589
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WORK PHASE

L Land	\$1,000
P Planning	1,000
D Design	1,000
C Construction	531,904,589
I Inspection	1,000
E Equipment	1,000
R Relocation	1,000
X Other	1,000
A Art	1,000

TOTAL WORK PHASES	\$531,912,589
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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 balances 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, 2022 to June 30, 2023 and 12 months thereafter. Any part of such appropriation which is not expended or encumbered shall lapse on June 30, 2024.



A BILL FOR AN ORDINANCE

(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) Except for the expenditure of limited purpose monies pursuant to subsection (b), 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.

(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.

(h) In Section 2 of this ordinance, if there is a conflict between the work phases set forth in the narrative description of a project and the work phases set forth in the work phase column for the project, the work phases set forth in the work phase column shall prevail.

SECTION 4. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1, 2022 to June 30, 2023, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2023, 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.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 19 (2022), CD1

A BILL FOR AN ORDINANCE

SECTION 5. HART Project Adjustment Account.

The funds provided from the HART Project Adjustments Account may be expended 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 miscellaneous costs. The 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 or from the account to the Council within 30 days from the date the transfer was approved.

SECTION 6. 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.



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CITY AND COUNTY OF HONOLULU
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ORDINANCE _____

BILL 19 (2022), CD1

A BILL FOR AN ORDINANCE

SECTION 7. This ordinance takes effect on July 1, 2022.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

March 3, 2022
Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 2022

RICK BLANGIARDI, Mayor
City and County of Honolulu



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 19 (2022), CD1

A BILL FOR AN ORDINANCE

AMENDMENTS TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET

CD1 Amendments = Plain Text

<u>FUNCTION/PROGRAM/PROJECT</u>	<u>AMENDMENT</u>	<u>AMOUNT</u>	<u>PH</u>	<u>AMOUNT</u>	<u>FD</u>
<u>UTILITIES OR OTHER ENTERPRISES</u>					
MASS TRANSIT					
<u>HONOLULU AUTHORITY FOR RAPID TRANSPORTATION</u>					
2007005 HONOLULU HIGH CAPACITY TRANSIT PROJECT	Reduce funds		L	(69,500,000)	FG
			P	(150,000,000)	TF
			D	(916,587,411)	TR
		(1,136,087,411)	C		

SECTION 3. General Provisos

Amend subsections (c) and (d) as follows:

(c) At the close of each quarter, the Authority shall submit to the Council a Statement of ~~[Cash Receipts and Disbursements]~~ Cash 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]~~ period.

(d) Any appropriation authorized in this ordinance or any amendment thereto shall be valid for the fiscal year July 1, 2022 to June 30, 2023, and 12 months thereafter. Any part of such appropriation which is not expended or encumbered shall lapse on June 30, ~~[2023]~~ 2024.

Add new subsections (g) and (h) as follows:

(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.

(h) In Section 2 of this ordinance, if there is a conflict between the work phases set forth in the narrative description of a project and the work phases set forth in the work phase column for the project, the work phases set forth in the work phase column shall prevail.

SECTION 6.

Add a new SECTION 6 to read as follows:

SECTION 6. 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."

Renumber SECTION 6 as SECTION 7.

- END OF BILL -