

EXECUTIVE OPERATING BUDGET: BILL 14 (2022)  
PROPOSED AMENDMENTS FOR CD1

Character of Expenditure: S = Salaries, CE = Current Expenses, E = Equipment

FUNCTION/PROGRAM/AGENCY ACTIVITY	Current Bill				Proposed Amendment					Recommendation				
	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
GENERAL GOVERNMENT														
EXECUTIVE														
Managing Director														
City Management	26.00	\$1,640,484	S	GN	Add three positions and funding for salaries for the establishment of a Chief Data Officer and support staff.	3.00	\$300,000	CE	GN	Accept, but amend position count, amount, and character of expenditure and amend description to read: "Add a position and funding for salaries for a Chief Data Officer and support staff"	1.00	\$1,000	S	GN

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
City Management		\$1,368,478	CE	GN	Add funding for current expenses. Add proviso: "At least \$5M out of current expenses to be expended for grants to qualified non-profit organizations who provide services related to assisting homeless or at-risk of being homeless individuals and families and have residential and/or inpatient services to address substance abuse and/or mental health issues."		\$5,000,000	CE	FG	Accept, but amend amount and amend proviso to read: "At least \$1,000 out of current expenses from the American Rescue Plan Act Plan of 2021 (Pub. L. 117-2) shall be appropriated for grants to qualified non-profit organizations who provide services related to assisting homeless or at-risk of being homeless individuals and families and have residential and/or inpatient services to address substance abuse and/or mental health issues."		\$1,000	CE	FG

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
City Management		\$1,368,478	CE	GN	Add funding for current expenses. Add proviso: "At least \$5M to be expended for the development of housing by the City to serve the 30% AMI and below population."		\$20,000,000	CE	FG	Accept, but amend amount and amend proviso to read: "At least \$10,000,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated for the development of City housing to service the 30% area median income and below population."		\$10,000,000	CE	FG

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City Management		\$1,368,478	CE	GN	Add funding for current expenses. Add proviso: "At least \$5M shall be expended for the development of housing by the City to serve the 50% AMI and below population.		\$10,000,000	CE	FG	Accept, but amend amount and amend proviso to read: "At least \$5,000,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated for the development of City housing to service the 50% area median income and below population."		\$5,000,000	CE	FG

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City Management		\$1,368,478	CE	GN	Add funding for current expenses. Add proviso: "At least \$5M towards advancing Resilience Strategy Action 3 including: i. Further encouraging the building of Accessory Dwelling Units (ADUs) by improving the ADU permitting process and removing impediments to ADU construction; ii. Supporting the development of mini-homes, kauhale, and other models of communal and community-based housing in districts outside of the Primary Urban Center.		\$5,000,000	CE	FG	Accept, but amend amount and amend proviso to read: "At least \$2,500,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated for the purposes of advancing Resilience Strategy Action 3, including: i. Further encouraging the building of Accessory Dwelling Units (ADUs) by improving the ADU permitting process and removing impediments to ADU construction; and ii. Supporting the development of mini-homes, kauhale, and other models of communal and community-based housing in districts outside of the Primary Urban Center."		\$2,500,000	CE	FG

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City Management		\$1,368,478	CE	GN	Add funding for current expenses. Add proviso: "At least \$10M shall be expended for property and housing acquisition by the City to serve housing needs of housing in stable households with a priority for, and rent charged affordable to, the 30% AMI and below population.		\$10,000,000	CE	FG	Accept, but amend amount and amend proviso to read: "At least \$5,000,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated for the acquisition of real property and acquisition by the City to serve the housing needs of stable households with priority given to households with 30% area median income and below."		\$5,000,000	CE	FG

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City Management		\$1,368,478	CE	GN	Add funding for current expenses. Add proviso: "At least \$10 million to advance cesspool conversions, especially to low-income owners and in areas, where deemed most hazardous to human or environmental health as recommended by the EAR-SAG."		\$10,000,000	CE	FG	Accept, but amend amount and amend proviso to read: "At least \$5,000,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated to advance cesspool conversions, especially to low-income owners, and in areas where deemed most hazardous to human or environmental health as recommended by Economic Assistance and Revitalization-Stakeholder Advisory Group; in no event shall any monies be expended unless \$5,000,000 is first obtained as a grant for property located on Hawaiian Homelands for cesspool conversion or replacement."		\$5,000,000	CE	FG

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
City Management		\$1,368,478	CE	GN	Add funding for current expense - Object Code 3006 - Other Professional Services		\$1,000,000	CE	FG	Accept but amend amount and amend description to read: "Add funding for current expenses. Add proviso: "At least \$1,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated and distributed by the Office of Economic Revitalization to provide financial assistance (reimbursement of claims) for businesses located in Chinatown that have sustained property damages from crime-related vagrant activities during 2020 - 2021.""		\$1,000	CE	FG



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City Management		\$1,368,478	CE	GN	Add funding for current expenses. Add proviso: "At least \$2,000,000 shall be appropriated to establish a death benefits program for Honolulu residents that are citizens of the Freely Associated States who were not eligible for the Federal Emergency Management Administration reimbursement program."		\$2,000,000	CE	FG	Accept but amend amount and amend proviso to read: "At least \$1,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated to establish a death benefits program for residents who are citizens of the Freely Associated States who were not eligible for the Federal Emergency Management Administration reimbursement program."		\$1,000	CE	FG

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
Neighborhood Commission		\$325,160	CE	GN	Add funding for current expenses. Add proviso: "At least \$50,000 of current expenses shall be used for neighborhood boards to conduct community outreach and engagement activities."		\$100,000	CE	FG	Accept, but amend amount and amend proviso to read: "At least \$50,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated for neighborhood boards to conduct community outreach and engagement activities."		\$50,000	CE	FG
Department of Customer Services														
Motor Vehicle, Licensing and Permits	176.00	\$7,441,620	S		Remove one position.	(1.00)			GN	Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)		S	GN

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		AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH		FD	POS	AMOUNT	CH	FD
FINANCE														
Department of Budget and Fiscal Services														
Accounting and Fiscal Services	88.50	\$5,143,672	S		Remove one position and funding.	(1.00)	(\$55,200)	S	GN	Accept reduction in position count and amend description to read: "Reduce position"	(1.00)		S	GN
Real Property		\$916,567	CE	GN	Add funding for current expenses. Add proviso:" At least \$250,000 of current expenses shall be appropriated for upgrades to the Real Property Assessment Division system upgrades."		\$250,000	CE	GN	Accept, but amend proviso to read: "At least \$250,000 out of current expenses shall be appropriated for upgrades to the Real Property Assessment Division system."		\$250,000	CE	GN
LAW														
Department of the Prosecuting Attorney														
Administration	35.00	\$3,023,617	S		Remove one position.	(1.00)			GN	Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)		S	GN

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
Administration		\$3,879,150	CE		Add funding for current expense		\$250,000	CE	FG	Accept, but amend amount and amend description to read: "Add funding for current expenses. Add proviso: "At least \$125,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated to support the Department of the Prosecuting Attorney's Weed and Seed program in Chinatown-Kakaako and other communities.""		\$125,000	CE	FG

## EXECUTIVE OPERATING BUDGET: BILL 14 (2022) PROPOSED AMENDMENTS FOR CD1

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		AMOUNT	CH	FD		POS	AMOUNT	CH	FD		POS	AMOUNT	CH	FD
Prosecution	223.00	\$14,094,535	S		Reduce positions	(2.00)		S	GN	Accept	(2.00)		S	GN
Prosecution	223.00	\$14,094,535	S		Remove one position.	(1.00)			SP	Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)		S	SP
Victim/Witness Assistance	46.00	\$2,227,496	S		Reduce positions	(2.00)		S	GN	Accept	(2.00)		S	GN
Victim/Witness Assistance	46.00	\$2,227,496	S		Remove one position.	(1.00)			SP	Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)		S	SP
GENERAL GOVERNMENT FACILITIES AND INFRASTRUCTURE Department of Facility Maintenance														
Public Building and Electrical Maintenance	217.00	\$9,818,836	S		Reduce positions	(2.00)		S	HW	Accept	(2.00)		S	HW

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	POS	AMOUNT	CH FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
Department of Design and Construction													
Project and Construction Management	131.00	\$7,898,761	S	Remove one position.	(1.00)			HW	Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)		S	HW
Department of Land Management													
Administration	28.00	\$989,230	S	Reduce funding for salaries		(\$500,000)	S	GN	Accept		(\$500,000)	S	GN
Administration		\$2,492,705	CE	Reduce funding for current expenses		(\$200,000)	CE	GN	Accept		(\$200,000)	CE	GN
AUTOMOTIVE EQUIPMENT SERVICE Department of Facility Maintenance													
Automotive Equipment Services	120.00	\$7,113,268	S	Remove one position.	(1.00)			**	Accept, but add character of expenditure and fund code and standardize description to read: "Reduce position"	(1.00)		S	GN

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		AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD	
PUBLIC SAFETY															
POLICE PROTECTION															
Police Department															
Patrol		\$11,277,234	CE	GN	Add funding for current expenses.		\$3,000,000	CE	FG	Accept, but amend amount and add proviso to read: "At least \$1,000,000 out of current expenses from the American Rescue Plan Act of 2021 (Pub. L. 117-2) shall be appropriated for current expenses."		\$1,000,000	CE	FG	

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
Patrol		\$11,277,234	CE	GN	Add funding for equipment. Add proviso: "At least \$50,000 in current expenses shall be appropriated for the purchase of decibel meters to enforce noise ordinances."		\$50,000	E	GN	Accept, but amend character of expenditure and amend description to read: "Add funding for current expenses. Add proviso: "At least \$50,000 out of current expenses shall be appropriated for the purchase of decibel meters for each of the eight patrol districts for the enforcement of noise ordinances.""		\$50,000	CE	GN



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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
FIRE PROTECTION Fire Department														
Fire Prevention	41.00	\$5,134,632	S	GN	Add positions	2.00	\$184,000	S	GN	Accept, but amend description to read: "Add positions and funding for salaries. Add proviso: "At least \$184,000 out of salaries shall be appropriated for positions to support and increase public outreach and training in regards to Ordinance 19-4.""	2.00	\$184,000	S	GN

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
Fire Prevention		\$495,689	CE	GN	Add funding for vacant funded positions		\$95,820	S	GN	Accept, but amend character of expenditure and amend description to read: "Add funding for current expenses. Add proviso: "At least \$95,820 out of current expenses shall be appropriated to support and increase public outreach and training in regards to Ordinance 19-4.""		\$95,820	CE	GN
TRAFFIC CONTROL Department of Transportation Services														
Transportation Technology	39.00	\$2,449,413	S		Remove one position.	(1.00)			HW	Accept, but add character of expenditure and standardize description to read: "Reduce one position"	(1.00)		S	HW

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OTHER PROTECTION Department of Emergency Services														
Ocean Safety	282.00	\$17,541,403	S		Add funding for salaries. Add proviso: "At least \$584,890.00 in salaries shall be appropriated for Water Safety Officers at Kahe Point Beach Park."	7.00	\$584,890	S	GN	Accept, but amend position count, amount and amend proviso to read: "At least \$83,500 out of salaries shall be appropriated for positions assigned to beach parks located in Council District 1."	1.00	\$83,500	S	GN
Ocean Safety		\$1,176,453	CE		Add funding for current expenses. Add proviso: "At least \$40,080.00 in current expenses shall be appropriated at Kahe Point Beach Park."	0.00	\$40,080	CE	GN	Accept, but amend amount and amend proviso to read: "At least \$20,000 out of current expenses shall be appropriated for beach parks located in Council District 1."		\$20,000	CE	GN

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	POS	AMOUNT	CH	FD	DESCRIPTION	POS	AMOUNT	CH	FD	COMMENT	POS	AMOUNT	CH	FD
Ocean Safety		\$752,002	E		Add funding for equipment. Add proviso: "At least \$123,500.00 in equipment shall be appropriated for Water Safety Officers Officers at Kahe Point Beach Park."	0.00	\$123,500	E	GN	Accept, but amend amount and amend proviso to read: "At least \$60,000 out of equipment shall be appropriated for beach parks located in Council District 1."		\$60,000	E	GN
<b>HIGHWAYS AND STREETS</b>														
HIGHWAYS, STREETS AND ROADWAYS														
Department of Facility Maintenance														
Administration	66.00	\$2,891,790	S		Remove one position.	(1.00)			HW	Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)		S	HW
Road Maintenance	441.00	\$16,069,612	S		Remove five positions	(5.00)			GN	Accept, but add character of expenditure and standardize description to read: "Reduce positions"	(5.00)		S	GN
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		AMOUNT	CH	FD		POS	AMOUNT	CH	FD		POS	AMOUNT	CH	FD
Road Maintenance	441.00	\$16,069,612	S		Remove nineteen positions	(19.00)			HW	Accept, but add character of expenditure and standardize description to read: "Reduce positions"	(19.00)		S	HW
Road Maintenance		\$9,568,051	CE		Add funding for current expenses. Add proviso: "At least \$350,000 out of current expenses shall be appropriated for the enforcement of the maintenance of privately-owned streams, including support for remediation of problem areas so that enforcement can be implemented."		\$350,000	CE	GN	Accept		\$350,000	CE	GN
Road Maintenance		\$9,568,051	CE		Add funding for current expenses. Add proviso: "At least \$350,000 out of current expenses shall be appropriated to assist in the development of a comprehensive plan for the reconstruction of roadways."		\$350,000	CE	GN	Accept		\$350,000	CE	GN

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<b>SANITATION</b>								
SEWAGE COLLECTION AND DISPOSAL								
Department of Environmental Services								
Treatment and Disposal	352.00	\$25,916,098 S	Remove five positions.	(5.00)		SW Accept, but add character of expenditure and standardize description to read: "Reduce positions"	(5.00)	S SW
<b>HUMAN SERVICES</b>								
HUMAN SERVICES								
Department of Community Services								
Community Assistance	83.00	\$3,778,945 S	Remove one position.	(1.00)		SE Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)	S SE
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		AMOUNT	CH	FD		POS	AMOUNT	CH	FD		POS	AMOUNT	CH	FD
Community Based Development	18.00	\$1,048,672	S		Remove one position.	(1.00)			AF	Accept, but add character of expenditure and standardize description to read: "Reduce position"	(1.00)		S	AF
Community Based Development		\$15,620,757	CE		Add funding for current expenses for OC 4000 - Contingency for homeless services, housing first, and fair housing programs.		\$8,316,705		GN	Accept, but add character of expenditure and amend description to read: "Add funding for current expenses for homeless services, Housing First, and Fair Housing Programs"		\$8,316,705	CE	GN

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CULTURE-RECREATION PARKS AND RECREATION Department of Parks and Recreation														
Maintenance Support Services		\$5,147,050	CE		Add funding for current expenses. Add proviso: "At least \$900,000 of current expenses shall be used for canoe halau maintenance and improvements at various parks."		\$900,000	CE	GN	Accept, but amend proviso to read: "At least \$900,000 out of current expenses shall be appropriated for the maintenance of canoe halaus and other park improvements; provided that no more than \$100,000 may be expended in any one council district."		\$900,000	CE	GN
Maintenance Support Services		\$5,147,050	CE		Add funding for current expenses. Add proviso: "At least \$250,000 out of current expenses shall be appropriated to establish a dog park and make improvements to the surrounding land in the Bayview area of Kāneʻohe."		\$250,000	CE	GN	Accept		\$250,000	CE	GN
Maintenance Support Services		\$5,147,050	CE		Add funding for current expenses. Add proviso: "At least \$500,000 out of current expenses shall be appropriated for improvements to parks in Council District 3, including small buildings."		\$500,000	CE	GN	Accept		\$500,000	CE	GN
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Maintenance Support Services		\$5,147,050	CE		Add funding for current expenses. Add proviso: "At least \$750,000 out of current expenses shall be appropriated for post and chain installations at Kea'au Beach Park."	0.00	\$750,000	CE	GN	Accept		\$750,000	CE	GN
SPECIAL RECREATION FACILITIES Department of Enterprise Services														
Golf Courses	119.89	\$5,213,496	S	GC	Reduce positions	(2.00)		S	GC	Accept	(2.00)		S	GC
MISCELLANEOUS														
OTHER MISCELLANEOUS														
Provision for Vacant Positions		\$59,592,000	CE		Reduce funding for current expense for positions vacant since prior to January 1, 2011.		(\$9,846,705)		GN	Accept, but add character of expenditure and standardize description to read: "Reduce funding for current expenses for positions vacant since January 1, 2011"		(\$9,846,705)	CE	GN

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<u>PROVISOS (SECTIONS 12-18):</u>														
SECTION 12					Add proviso: "All light duty and commuter vehicles purchased under this ordinance shall be hybrid, electric, or run on renewable energy in accordance with Ordinance 20-47 to transition the City's fleet to 100% electric or renewable energy by 2035."					Accept				
SECTION 12					See attached text					Accept				
SECTION 13					See attached text					Accept				
SECTION 14					See attached text					Accept				
SECTION 15					See attached text					Accept				



## A BILL FOR AN ORDINANCE

### SECTION 12. General Provisos.

(a) As used in this ordinance:

"Agency" includes any department, office, board, commission, or other government unit of the City and County of Honolulu, as the case may be.

"Charter" means the Revised Charter of the City and County of Honolulu 1973, (Amended 2017 Edition), as amended.

"City" means the City and County of Honolulu.

"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.

"ROH" means the Revised Ordinances of Honolulu 1990~~[, as amended,]~~ or any recodification of the Revised Ordinances of Honolulu.

(b) ~~[Limited purpose monies.]~~ The City 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. These monies shall include funds from the Federal government and State government to assist the City with Coronavirus related expenses except for monies received from the Coronavirus Aid, Relief, and Economic Security Act (Pub. L. 116-136), even if such monies are deemed multi-purpose federal monies. When such monies are received, the Director of Budget and Fiscal Services 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 through 10 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 through 10 of this ordinance and which are ~~[limited purpose]~~ monies as described in the preceding paragraph are appropriated and may be expended by the City agencies included in this ordinance if the monies are approved as provided in subsection (d). Should revenues from this ordinance or from elsewhere exceed the amounts specified, the excess is hereby appropriated and may be expended in accordance with the provisions of the monies' source and of this section; provided that: (1) the scope of the funded activity or project shall not be increased unless approved in accordance with subsection (d); (2) the excess monies are reported to the Council; and (3) when the funded activity or project is financed by both City and non-City funds and the revenues from a non-City fund source exceed the amount approved in this ordinance, the City fund appropriation shall be decreased by the amount of the excess revenues unless such decrease would jeopardize the receipt of the increased amount from the non-City fund source or the award of the contract.



## A BILL FOR AN ORDINANCE

The Director of Budget and Fiscal Services shall report to the Council no later than 30 days after June 30, detailing for the fiscal year just ended, the amount of any excess monies received, and the function, program, and activity to which the monies have been allotted for expenditure.

(c) Monetary gifts for unspecified purposes. The City may receive monetary gifts whose use is not specified or otherwise limited by the donor. All such monies are appropriated and may be expended by the City agencies included in this ordinance if the monies are approved in accordance with the gift approval requirement as provided in subsection (d).

(d) Expenditure of all monies received pursuant to subsections (b) or (c), including appropriations or grants by the federal or State government to the City and private grant agreements, shall be deemed approved, and the designated City official shall be deemed authorized to receive and expend the funds provided pursuant to the agreement, 15 days after notice of receipt of such monies is filed with the City Clerk and distributed to all members of the [City] Council, unless a councilmember files a written objection with the City Clerk prior to the ~~[15<sup>th</sup>]~~ 15<sup>th</sup> day. ~~[Limited purpose] Such~~ monies that have been objected to shall be subject to Council approval by way of a formal resolution. ~~[Any such monies that were previously approved or deemed approved, and the receipt and expenditure of which were authorized, in a prior fiscal year, but that were not received until the fiscal year covered by this Ordinance, shall be appropriated and may be expended in accordance with subsection (b) without further approval by the Council.]~~ Intergovernmental and private agreements must comply with ROH Chapter 1, Article 8, and may be executed by the director of the department incurring the obligation. Gifts shall be approved by the Council in accordance with Charter Section 13-113 and Council Resolution 05-349, CD1, FD1, or successor Council policy. The Council reserves the right to require any monies to be approved by an appropriate budget ordinance.

(e) Multi-purpose federal monies. Multi-purpose federal monies are monies from the United States of America, which are allocated by formula entitlements and may be expended for multiple purposes. Such monies include Community Development Block Grant monies, HOME Investment Partnerships Program monies, Federal Transit Administration operating assistance monies, and monies via similar federal and state assistance programs, which Congress or the Legislature may enact from time to time.

No expenditure of such monies shall be made unless the Council has authorized such expenditure by enactment of or an amendment to a budget ordinance appropriating such monies in accordance with applicable Charter provisions, ordinances, and other legal requirements. If such monies are received prior to an enactment of or amendment to a budget ordinance, the Director of Budget and Fiscal Services shall maintain such monies in special accounts showing the monies so received and specifying the purposes for which they have been received and temporarily held. The Director of Budget and Fiscal Services shall submit to the Council, a bill for an ordinance appropriating such monies as soon as possible following the receipt of such monies.



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## A BILL FOR AN ORDINANCE

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(f) The Council finds that the delay in program implementation incident to any reprogramming action pursuant to certain Charter provisions involving Community Development Block Grant funds and/or HOME Investment Partnerships Program funds or incident to any receipt of funds for these and via similar federal and state assistance programs, which Congress or the Legislature may enact from time to time, will jeopardize the availability and receipt of those funds. Accordingly, notwithstanding subsection (e) and pursuant to Charter Section 13-122, the Council hereby waives Charter Sections 3-204, 9-105, and 9-106, and authorizes all such reprogramming actions, including reprogramming or reinstating funds pursuant to this ordinance that have been appropriated in the current fiscal year executive capital budget ordinance, or in any previous capital or operating budget ordinance, and have not been expended or receipt and expenditure of such funds in excess of the total amount appropriated by this ordinance.

The Council must approve all reprogramming actions for such funds or the receipt and expenditure of such funds by resolution. Alternatively, such reprogramming actions or the receipt and expenditure of such funds may be deemed approved 15 days after notice thereof is filed with the City Clerk and distributed to all members of the Council, unless a Councilmember files a written objection with the City Clerk prior to the 15th day. Reprogramming actions or receipt and expenditure of such funds in excess of the total amount appropriated by this ordinance that have been objected to shall be subject to Council approval by way of a resolution.

Notwithstanding ROH Section 1-8.3, if said reprogramming actions or receipt and expenditure of such funds are deemed approved in accordance with a notice filed with the City Clerk as specified in this subsection, any corresponding amendments made to any Annual Action Plan, as that term is defined in ROH Section 1-8.1, that would reflect said reprogramming actions or receipt and expenditure of such funds will be deemed approved, and the designated City official shall be deemed authorized to: (i) reprogram, receive, and/or expend said funds in accordance with the notice; (ii) execute and submit to ~~[HUD]~~ the United States Department of Housing and Urban Development any corresponding amendments made to any Annual Action Plan that would reflect said reprogramming actions or receipt and expenditure of such funds; and (iii) execute any incidental or related amendments, agreements, or documents in furtherance of any such amended Annual Action Plan, including, but not limited to, any subrecipient agreements with governmental and nongovernmental subrecipients.

(g) For the purposes of this subsection, "City fund" excludes pension or retirement funds, funds under the control of any independent board or commission, funds set aside for the redemption of bonds or the payment of interest thereon, park dedication funds, or private trust funds.

In the event there are monies in any City fund that, in the judgment of the Director of Budget and Fiscal Services, are in excess of the amounts necessary for the immediate requirements of the respective funds, and where, in the judgment of the Director of Budget and Fiscal Services, such action will not impede the necessary or desirable financial operations of



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## A BILL FOR AN ORDINANCE

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the City, the Director of Budget and Fiscal Services may make temporary transfers or loans therefrom to the other funds of the City.

Within 14 days of the transfer or loan, the Director of Budget and Fiscal Services shall report to the Council on: (1) the amount of transfer or loan required; (2) the reason or justification for the transfer or loan; (3) the total amount outstanding and unreimbursed in temporary transfers and loans after making the subject transfer or loan; and (4) the anticipated date of the reimbursement or repayment. The Director of Budget and Fiscal Services shall notify the Council of the reimbursement or repayment of the temporary transfer or loan as soon as such reimbursement or repayment is made. Such notification shall identify the source of funding of the reimbursement or repayment of the temporary transfer or loan.

All transfers or loans under this section shall be reimbursed or repaid no later than 12 months from the date on which the transfer or loan was made, unless a later date is approved by the Council by resolution adopted on one reading without publication. Interest may be charged if the monies originate from enterprise funds.

(h) At the close of each quarter, the Director of Budget and Fiscal Services 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.

(i) No transfer of funds shall be made from any activity, including the Provision for Salary Adjustments and Accrued Vacation Pay activity, unless such transfer complies with the requirements set forth in ROH Section 2-17.2(c).

(j) Notwithstanding the provisions of ROH Section 2-17.2(c), transfers of funds from the Provision for Vacant Positions activity to any department activity may be executed without Council approval if the funds are used for any of the following purposes: (1) the regular pay for any position; (2) increases in regular and premium pay; and (3) any fringe benefits costs associated with increases in regular or premium pay. Council approval by resolution is required prior to any other transfers of funds from the Provision for Vacant Positions activity.

The Director of Budget and Fiscal Services shall submit quarterly reports concerning all transfers made from the Provision for Vacant Positions activity. In the event the transfer is to pay for vacant positions, for each vacant position, the notification shall include:

- a. The Department and Activity;
- b. The Job Title;
- c. The Date of Vacancy;
- d. The Projected Date of Hire;
- e. The Salary; and
- f. Identify if the position is to be filled via contract or through the civil service process.



## A BILL FOR AN ORDINANCE

In the event the transfer is for increases in regular or premium pay and/or any fringe benefit costs associated with the increases, for each transfer, the notification shall include~~[-]~~ the:

- a. Department and Activity;
- b. Specific use of the monies to be transferred; and
- c. Transfer Amount.

(k) Notwithstanding the provisions of ROH Section 2-17.2(c), transfers of funds from the Provision for Energy Costs activity to any department activity for electricity or fuel costs, may be executed without Council approval; provided that a quarterly report shall be submitted to the Council.

(l) 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.

(m) ~~[The Council finds that certain funds from the federal government and State government for programs to assist the City with coronavirus-related expenses must be received and expended in a timely manner. Such funds include funding from the Coronavirus Aid, Relief, and Economic Security Act (Pub. L. 116-136), American Rescue Plan Act of 2021 (Pub. L. 117-2), and any other subsequent act or similar act enacted by Congress or the Hawaii State Legislature that may be used to address needs arising from the coronavirus pandemic, or to relieve its impacts. Certain funds from the federal government and state government for infrastructure needs and other similar needs must also be received and expended in a timely manner, including the Infrastructure Investment and Jobs Act (Pub. L. 117-58) and other subsequent or similar acts enacted by the federal government or the state government.]~~ Should monies from the State of Hawaii for collection of the county surcharge on general excise and use tax exceed the amounts specified hereinbefore in Sections 1 and 10, the excess is hereby appropriated to the General Fund and shall be transferred from the General Fund to the Transit Fund. Within 14 days of the transfer, the Director of Budget and Fiscal Services shall report to the Council on the excess amount(s) appropriated and transferred to the Transit Fund.

~~[Accordingly, notwithstanding]~~ (n) Notwithstanding any other section of this ordinance or ROH Section 1-8.3 and pursuant to Charter Section 13-122, the Council hereby waives Charter Sections 3-204, 9-105, and 9-106, and authorizes and approves the receipt, expenditure, and reprogramming of ~~[such funds.]~~ funding from the Coronavirus Aid, Relief, and Economic Security Act (Pub. L. 116-136). Additionally, any corresponding amendments made to any Consolidated Plan or Annual Action Plan as those terms are defined in ROH Section 1-8.1, that would authorize or reflect the receipt, expenditure, or reprogramming of such funds will be deemed approved and the designated City official shall be deemed authorized to: (i) receive, expend, or reprogram said funds; (ii) execute and submit to ~~[HUD]~~ the United States Department of Housing and Urban Development any corresponding amendments made to any



## A BILL FOR AN ORDINANCE

Consolidated Plan or Annual Action Plan that would authorize or reflect the receipt, expenditure, or reprogramming of such funds; and (iii) execute any incidental or related amendments, agreements, or documents in furtherance of any such amended Consolidated Plan or Annual Action Plan, including, but not limited to, any subrecipient agreements with governmental and nongovernmental subrecipients. The funds approved and appropriated pursuant to this subsection shall not lapse by operation of Charter Section 9-106 and may be received, expended, and reprogrammed for so long as the funds remain available from their source.

### SECTION 13. Specific Provisos.

#### (a) Business improvement district.

For the purposes of this section:

- (1) "Business improvement district" or "district" means a special improvement district established during the fiscal year 2022-23 pursuant to an ordinance enacted in accordance with the ROH.
- (2) "Special assessment revenues" means the revenues derived from any special assessment imposed on real property in a business improvement district.

All special assessment revenues from a business improvement district which become available during the fiscal year 2022-2023 are hereby appropriated to the district for that fiscal year, notwithstanding the absence of a specific appropriation in Sections 2 through 10 of this ordinance. The appropriated special assessment revenues shall be expended, without necessity of Council approval, in conformance with the ordinance establishing the district and the ROH.

Any General or Highway Fund appropriation under Section 4 for a maintenance assessment district which is dissolved and succeeded by a business improvement district during the fiscal year 2022-23 shall be transferred and appropriated to the successor district in the amount specified in the ordinance establishing the successor district.

Any transferred appropriation shall be expended, without necessity of Council approval, for the successor business improvement district in conformance with the ordinance establishing the district and the ROH.

Within 30 days of June 30, 2023, the Director of Budget and Fiscal Services shall report to the Council the special assessment revenue amount appropriated and General or Highway Fund amount transferred pursuant to this section. The report also shall identify the business improvement district which received the appropriated revenues or transferred funds.

#### (b) Transfer to Federal Grants Fund for grant advances.

General Fund monies transferred to the ~~[Department of Emergency Management]~~ Federal Grants Fund for grant advances may be appropriated and expended from the



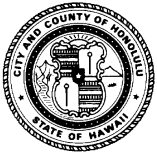


## A BILL FOR AN ORDINANCE

~~[Department of Emergency Management]~~ Federal Grants Fund by the Director of Budget and Fiscal Services should advance funding be required to expedite federal grant program expenditures. Reimbursements for General Fund advance funding expenditures will be deposited to the ~~[Department of Emergency Management]~~ Federal Grants Fund to fund future advancements in the current and subsequent fiscal years. The Director of Budget and Fiscal Services shall maintain special accounts showing the monies advanced and reimbursed for the purposes authorized. General Fund monies in the ~~[Department of Emergency Management]~~ Federal Grants Fund for grant advances shall be transferred back to the General Fund when the Director of Budget and Fiscal Services determines that such monies are no longer needed for this purpose.

SECTION 14. 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, attached hereto and made a part hereof, 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, ~~[or]~~ 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, and the provisos contained therein shall have the same force and effect as the provisos contained in this ordinance.

SECTION 15. Monies in the Grants in Aid Fund shall be used first for those projects selected by the Grants in Aid Advisory Commission in Departmental Communication ~~[XXX-~~ (2022) ("D-XXX"), ~~Exhibit X, Appendix X,]~~ 181 (2022) ("D-181"), Exhibit A, Appendices 1 through 3, and for administrative expenses; and second, in the event the amount appropriated from the Grants in Aid Fund for projects exceeds the funding necessary for the ~~[projected]~~ projects listed in ~~[D-XXX, Exhibit X, Appendix X,]~~ D-181, Exhibit A, Appendices 1 through 3, the excess amount shall be appropriated for the highest scored projects not recommended for funding as ranked in ~~[D-XXX, Exhibit X, Appendix X,]~~ D-181, Exhibit A, Appendix 5; and third, in the event the amount appropriated from the Grants in Aid Fund is less than the amount necessary for all the projects recommended for funding in D-181, Appendices 1 through 3, the decreased amount shall be applied to the funding for the lowest scored projects recommended for funding by the Grants in Aid Commission, provided that such decreased amounts do not conflict with Resolution 17-201, as may be amended. The amount appropriated from the Grants in Aid Fund for each project shall be the amount recommended by the Grants in Aid Advisory Commission as set forth in the report attached to ~~[D-XXX,]~~ D-181. The Director of Community Services and the Director of Budget and Fiscal Services are hereby authorized to enter into grant agreements relating to appropriations from the Grants in Aid Fund and the use and administration of said appropriations as well as any other incidental agreements in connection



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 14 (2022), CD1 (Proposed)

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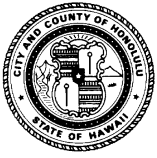
## A BILL FOR AN ORDINANCE

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therewith, or amendments thereto, as may be reasonably required and to expend such appropriations for the purpose described above.

SECTION 16. In the event monies from the Reserve for Fiscal Stability Fund need to be expended pursuant to an emergency as described in ROH Section 6-56.2(3)(A), such monies are deemed appropriated and may be expended without Council approval. Monies may also be expended without Council approval from the Reserve for Fiscal Stability Fund to reimburse another fund if such expenditures from the other fund were expended pursuant to an emergency as described in ROH Section 6-56.2(3)(A).

SECTION 17. References to any ROH section in this ordinance include a reference to that section as it may be amended or to any successor section in a recodification of the ROH.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

ORDINANCE \_\_\_\_\_

BILL 14 (2022), CD1 (Proposed)

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**A BILL FOR AN ORDINANCE**

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SECTION 18. This ordinance takes effect on July 1, 2022.

INTRODUCED BY:

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DATE OF INTRODUCTION:

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\_\_\_\_\_  
Honolulu, Hawai'i

\_\_\_\_\_  
Councilmembers

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Deputy Corporation Counsel

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
RICK BLANGIARDI, Mayor  
City and County of Honolulu