

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

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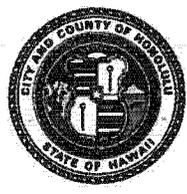
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MELVIN N. KAKU
DIRECTOR

MUFI HANNEMANN
MAYOR



September 6, 2006

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HONOLULU, HAWAII

The Honorable Donovan Dela Cruz, Chair
and Members of the City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Councilmembers:

I am testifying in support of Resolution 06-292, CD1, with one exception on the Task Force membership.

The resolution establishes a Transit Advisory Task Force to assist the Council in selecting the locally preferred alternative after reviewing the Alternatives Analysis report that will be submitted to the Council by the Administration.

We believe there is a direct conflict of interest with the appointment of Ms. Cindy McMillan because her employer, Communications-Pacific, Inc., is in an active lawsuit with the City and County of Honolulu.

In December 2005, Communications-Pacific, Inc. filed a lawsuit against the City and County of Honolulu; Mary Patricia Waterhouse, Director of the Department of Budget and Fiscal Services and Chief Procurement Officer, in her official capacity; Toru Hamayasu, Chief Planner, Transportation Planning Division, Department of Transportation Services, in his official capacity; over the procurement of consultant services for the preparation of an Alternatives Analysis report.

The lawsuit was dismissed by the State First Circuit Court on March 29, 2006. However, the plaintiff, Communications-Pacific, Inc. has filed a Notice to Appeal on June 28, 2006. Thus, the lawsuit is still active.

The Honorable Donovan Dela Cruz, Chair
and Members of the City Council

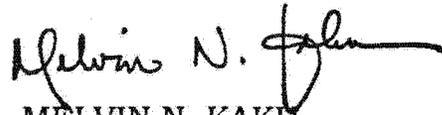
Page 2

September 6, 2006

Therefore, although we believe Ms. McMillan is an honorable person, because of the conflict of interests, we believe Ms. McMillan should not be serving in the Task Force because of her employment with the plaintiff in the lawsuit.

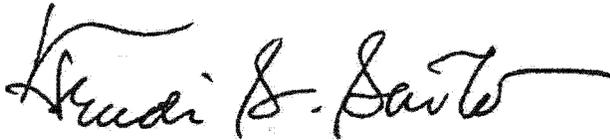
Thank you for the opportunity to testify on Resolution 06-292, CD1.

Sincerely,



MELVIN N. KAKU
Director

APPROVED:



TRUDI S. SAITO
Deputy Managing Director

dc (T. Hamayasu/D. Woo)





RESOLUTION

ESTABLISHING A TRANSIT ADVISORY TASK FORCE TO ASSIST THE COUNCIL IN SELECTING THE LOCALLY PREFERRED ALTERNATIVE FOR THE CITY AND COUNTY OF HONOLULU.

WHEREAS, the establishment of a new transportation infrastructure is potentially the largest and most decisive public works project ever considered by the City and County of Honolulu; and

WHEREAS, on August 10, 2005, the Council passed Ordinance 05-027, which established a general excise and use tax surcharge of one-half percent as an expression of the city's firm financial commitment to address and manage Oahu's traffic problems; and

WHEREAS, Ordinance 05-027 expressly provides that the excise and use tax shall be levied beginning January 1, 2007 and that prior to the expenditure of the tax surcharge monies, the Council shall approve by resolution a Locally Preferred Alternative, which represents Honolulu's selected long-term transportation solution for the purpose of receiving federal transit funds; and

WHEREAS, the Council's selection of a Locally Preferred Alternative will be based in large part on the information contained in an Alternatives Analysis (AA), which is a detailed study and assessment of the various transit options available for the purpose of selecting Honolulu's preferred transit solution; and

WHEREAS, the AA will compare the following: (1) A "No-Build Alternative"; (2) A "Transportation System Management" Alternative; (3) A "Bus in Managed Lane" Alternative; and (4) A "Fixed Guideway" Alternative; and

WHEREAS, in the AA, each alternative will be analyzed according to its forecast ridership; transportation, social, and environmental impacts; estimated capital and operating costs; and applicable financing strategies, based on the projected routing, station locations, vehicle type, and other characteristics of each alternative, as applicable; and

WHEREAS, on October 27, 2005, the Council adopted Resolution 05-377, CD1, which urged the city administration to complete the AA no later than November 1, 2006 so that the Council may select a Locally Preferred Alternative by December 31, 2006; and



RESOLUTION

WHEREAS, the Council desires the formation of an advisory task force to review the AA and to make findings and recommendations to assist the Council in the selection of a Locally Preferred Alternative; and

WHEREAS, members of the task force are persons possessing the necessary independence and knowledge of transit matters to advise the Council in this most important decision; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that a transit advisory task force is established to advise and assist the Council in its selection of a Locally Preferred Alternative and enactment of related implementing legislation; and

BE IT FURTHER RESOLVED that the Council be advised and assisted by the task force primarily through its Committee on Transportation and Planning, and the Council shall provide direction to the task force as needed through that committee; and

BE IT FURTHER RESOLVED that the task force shall be established for 12 months from the date of this Resolution's adoption and be composed of the following seven members: Randal Ikeda, Kazu Hayashida, Ed Hirata, Karl Kim, Cindy McMillan, Owen Miyamoto, and Panos Prevedouros; and

BE IT FURTHER RESOLVED that the task force shall select a chair from among its membership; and

BE IT FURTHER RESOLVED that the initial charge of the task force shall include but not be limited to examining the information contained in the Alternatives Analysis and making findings and recommendations to the Council regarding:

- (1) Whether each alternative in the AA is presented fairly and accurately;
- (2) Whether the AA's forecast of ridership, impacts, costs and financing for each alternative is reasonable, whether the data provided is comparable to historical data from operating systems in other jurisdictions, and whether the alternatives can be fairly compared on the basis of those forecasts; and
- (3) Whether any additional information must be obtained to enable the Council to select a Locally Preferred Alternative, and if so, where and how such information can be expeditiously obtained;



RESOLUTION

and

BE IT FURTHER RESOLVED that the task force shall work expeditiously and report its findings and recommendations orally to the Council in time to assist in the Council's selection of a Locally Preferred Alternative, provided that a formal written report of its findings and recommendations relating to that selection shall be submitted no later than December 31, 2006, and that subsequent written reports, if any, shall be submitted no later than 12 months from the date of this Resolution's adoption; and

BE IT FURTHER RESOLVED that the task force shall be entitled to receive reasonable reimbursement or per diem for its service; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to each member of the City Council and to the transit task force members.

INTRODUCED BY:

Donovan Dela Cruz

Ann Kobayashi

Romy Cachola

DATE OF INTRODUCTION:

August 22, 2006
Honolulu, Hawaii

Councilmembers