



**RESOLUTION**

INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO THE CREATION OF A PUBLIC TRANSIT AUTHORITY.

WHEREAS, the City and County of Honolulu has begun work on the Honolulu High-Capacity Transit Corridor Project, the purpose of which is to design and build a fixed guideway mass transit system for the City; and

WHEREAS, in studying other jurisdictions that have built fixed guideway mass transit systems, these jurisdictions have established public transit authorities to plan, build, operate, and maintain their fixed guideway mass transit systems; and

WHEREAS, it is prudent and in the best interest of the City to establish a semi-autonomous public transit authority in order to timely and efficiently manage the planning, construction, operation, maintenance, and expansion of the City's fixed guideway mass transit system; now, therefore,

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

1. That it propose, and it is hereby proposed, that the following question be placed on the 2010 general election ballot:

“Shall the revised City Charter be amended to create a semi-autonomous public transit authority responsible for the planning, construction, operation, maintenance, and expansion of the City's fixed guideway mass transit system?”

2. That it propose and it is hereby proposed, that a new Article be added to the Revised Charter of the City and County of Honolulu 1973, as amended, to read as follows:

**“ARTICLE \_\_\_\_\_  
PUBLIC TRANSIT AUTHORITY**

**Section \_\_-101. Organization --**

There shall be a public transit authority, to be known as the “Honolulu Authority for Rapid Transportation,” consisting of a board of directors, executive director, and the necessary staff.



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## RESOLUTION

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### **Section \_\_-102. Definitions --**

For the purposes of this article:

“Authority” shall mean the governmental unit known as the “Honolulu Authority for Rapid Transportation.”

“Board” shall mean the policy-making body, consisting of ten members of the board of directors, nine voting members and one non-voting member.

“Executive director” shall mean the executive director of the public transit authority.

### **Section \_\_\_-103. Powers, Duties, and Functions --**

1. The public transit authority shall have authority to develop, operate, maintain and expand the city fixed guideway system as provided in this article.

2. To perform its duties and functions, the transit authority shall have the following general powers:

(a) To make and execute contracts, project labor agreements and other instruments requiring execution by the authority on such terms as the authority may deem necessary and convenient or desirable with any person or entity in the execution and performance of its powers, duties and functions.

(b) To acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the construction, maintenance, repair, extension or operation of the fixed guideway system; provided, however that prior to commencing such action, the authority shall submit to the council, in writing, a list of the parcels and areas to be acquired. The authority shall have the right to proceed with such condemnation action so long as the council does not adopt a resolution objecting to the condemnation within 45 days of such notification. Alternatively, after receipt of the notice from the authority, the council may approve, upon a single reading of a resolution, such acquisition by eminent domain.

(c) To recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the



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## RESOLUTION

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authority. The council shall take no action to dispose of such property without the written approval of the authority, and all proceeds from the disposition shall be deposited into funds of the authority or fixed guideway system.

(d) To direct the planning, design, and construction of the fixed guideway system and operate and maintain the system thereafter.

(e) To establish all fares, fees, and charges for the fixed guideway system.

(f) To maintain proper accounts in such manner as to show the true and complete financial status of the authority and the results of management and operation thereof.

(g) To prepare annual operating and capital budgets for the fixed guideway system and the authority.

(h) To make and alter policies for its organization and internal administration.

(i) To create or abolish positions within the authority and establish a pay plan for those persons holding positions in the position classification plan in accordance with Section 6-1109 of this charter.

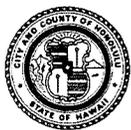
(j) To make temporary transfers of positions between subdivisions of the authority.

(k) To adopt rules in accordance with state law, when necessary, to effectuate its functions and duties.

(l) To enter into agreements with any public agency or private entity as it deems proper, including agreements for the joint use or operation of transit facilities with agencies of the city.

(m) To have full and complete control of all real and personal property used or useful in connection with the fixed guideway system, including all materials, supplies, and equipment.

(n) To promote, create and assist transit oriented development projects near fixed guideway system stations that promote transit



## RESOLUTION

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ridership, and are consistent with the intent of the adopted community plans and zoning.

(o) To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or entity, which it may use to meet capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

(p) In addition to the general powers under this subsection, other general or specific powers may be conferred upon the authority by ordinance, so long as the powers are consistent with this article of the charter.

3. The board shall:

(a) Have the authority to issue revenue bonds under the name of "Honolulu Authority for Rapid Transportation" in accordance with HRS Chapter 49, subject to council approval.

(b) Review, modify as necessary, and adopt annual operating and capital budgets submitted by the executive director of the authority.

(c) Appoint and may remove an executive director, who shall be the chief executive officer of the public transit authority. The qualifications, powers, duties, functions, and compensation of the executive director shall be established by the board.

(d) Evaluate the performance of the executive director at least annually; and submit a report thereon to the mayor and the council.

(e) Review, modify as necessary, and adopt a six-year capital program within six months of the creation of the authority and annually update the six-year capital program, provided that such capital programs shall be submitted by the executive director.

(f) Have the authority to enter into such arrangements and agreements for the joint, coordinated or common use with any other public entity or utility owning or having jurisdiction over rights-of-way, tracks,



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## RESOLUTION

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structures, subways, tunnels, stations, terminals, depots, maintenance facilities, and transit electrical power facilities.

(g) Determine the policy for the planning, construction, operation, maintenance, and expansion of the fixed guideway system. Except for purposes of inquiry or as otherwise provided in this article, neither the board nor its members shall interfere in anyway with the administrative affairs of the authority.

(h) Prescribe and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of the charter.

(i) Submit an annual report to the mayor and council on its activities.

(j) In addition to the general powers under this subsection, other general or specific powers may be conferred by ordinance upon the board, so long as the powers are consistent with this article of the charter.

### **Section \_\_-104. Powers, Duties and Functions of the Executive Director --**

The executive director shall:

(a) Administer all affairs of the authority, including the rules, regulations and standards adopted by the board.

(b) Have at least five years of fixed guideway system experience.

(c) Sign all necessary contracts for the authority, unless otherwise provided by this article.

(d) Recommend to the board the creation or abolishment of positions.

(e) Enforce the collection of fares, tolls, rentals, rates, charges and other fees.

(f) Prepare payrolls and pension rolls.



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## RESOLUTION

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- (g) Maintain proper accounts in such manner as to show the true and complete financial status of the authority and the results of management and operation thereof.
- (h) Prepare annual operating and capital budgets.
- (i) Prepare and maintain a six-year capital program.
- (j) Prescribe rules and regulations as are necessary for the organization and internal management of the authority.
- (k) Recommend rules and regulations for adoption by the board.
- (l) Request, and accept appropriations from the city, and request and accept grants, loans and gifts from other persons and entities.
- (m) Administer programs promoting appropriate developments near transit stations, including compilation of city incentive programs.
- (n) Review development projects having significant impact on the operation of the fixed guideway system.
- (o) Plan, administer and coordinate programs and projects of the fixed guideway system that are proposed to be funded, wholly or partially, under federal or state law and required to be transmitted to the Oahu metropolitan planning organization.
- (p) Attend all meetings of the board unless excused.
- (q) In addition to the general powers under this section, other general or specific powers may be conferred upon the executive director by ordinance, so long as the powers are consistent with this article of the charter.

**Section \_\_\_-105. Board of Directors --**

- 1. The board shall:
  - (a) Be the policy making body of the authority;



## RESOLUTION

- (b) Be responsible for establishing policies for the development, operation, and maintenance of the public transit system; and
- (c) Perform other duties and functions assigned to it or to the authority by ordinance in accordance with Section \_\_\_-103.3(j).

The board shall consist of ten members, nine voting members and one non-voting member. All members shall serve part-time. The board shall be governed by the provisions of Section 13-103 of this charter, except that subsections (b) and (e) shall not apply and as otherwise provided herein.

2. Appointed members. There shall be seven appointed members. The mayor shall appoint three members. The council shall appoint three members. The six appointed and two ex officio voting members shall appoint, by majority vote, a ninth member.

The initial appointments of the seven appointed members shall be as follows: One member from each mayoral or council appointment shall be designated to serve a five-, four-, and three-year term. The ninth member appointed by the voting members shall serve a two-year term.

3. Ex officio members. The state director of transportation and the city director of transportation services shall be ex officio voting members of the board. The director of the department of planning and permitting shall be the ex officio non-voting member of the board. The ex officio members of the board shall not be subject to any term limit.

### **Section \_\_\_-106. Rates, Revenues and Appropriations --**

The board shall fix and adjust reasonable rates and charges for the fixed guideway system so that the revenues derived therefrom, in conjunction with revenues received from the general excise and use tax surcharge, from the federal government, and from the revenue-generating properties of the authority, shall be sufficient or as nearly sufficient as possible, to support the fixed guideway system and the authority. The authority shall submit a line-item appropriation request for each of its proposed operating and capital budgets for the ensuing fiscal year to the council through the office of the mayor by December 1st of each year. The office of the mayor shall submit the authority's line-item appropriation requests without alteration or amendment. The council shall, with or without amendments, approve the authority's appropriation requests.



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## RESOLUTION

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**Section \_\_\_-107. Public Hearings --**

The board shall hold public hearings prior to fixing and adjusting rates and adopting a proposed budget.

**Section \_\_\_-108. Receipt and Disbursement of Funds --**

The authority shall make its own collections, but all receipts shall be paid daily into the city treasury and maintained in a fund separate and apart from any other funds of the city.

All moneys expended by the authority shall be disbursed with the written approval of the authority according to the procedures prescribed by the director of budget and fiscal services.

The authority shall have management and control over the moneys made available to the authority in the special transit fund established to receive the county surcharge on state tax.

The authority shall have the authority to receive and expend federal funds authorized for the planning, construction, and operation and maintenance of fixed guideway system projects.

**Section \_\_\_-109. Bond Sales --**

All bond sales shall be subject to council approval. At the request of the authority, the council may, by resolution, approve and the director of budget and fiscal services, when so directed by the board, shall sell such bonds for the acquisition, construction, replacement, rehabilitation, approved extensions or completion of the fixed guideway system in accordance with the procedures prescribed by law for such sales. The proceeds from such sales shall be kept by the director of budget and fiscal services in a separate fund to be used only for the purposes for which the bonds are sold.

**Section \_\_\_-110. Personnel; Purchasing --**

1. Subject to the availability of funds and the creation of positions by and authorization from the board, the executive director may hire personnel necessary to perform the duties and functions of the public transit authority.



**RESOLUTION**

- 2. The authority shall be subject to the civil service provisions of this charter.
- 3. The authority shall be subject to the centralized purchasing and disposal of personal property provisions of this charter.
- 4. Pensions for officers and employees shall be governed by law.

**Section \_\_\_-111. Audits --**

- 1. The accounts and financial status of the authority shall be examined annually by a certified public accountant whose services shall be contracted for by the board and whose fees shall be paid as an expense of the authority. The result of such examination shall be reported to the board, the council and the mayor.
- 2. The authority shall come within the purview of the performance audit conducted by the managing director and such audits as may be required by the council or conducted by the city auditor.

**Section \_\_\_-112. Legal Counsel --**

The corporation counsel of the city shall be the legal adviser of the authority and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the authority. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the authority.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the authority.

The authority may employ an attorney to act as its legal adviser and to represent the authority in any litigation to which the authority is a party.

**Section \_\_\_-113. Service of Process; Claims --**

The authority may sue and be sued under the name of the "Honolulu Authority For Rapid Transportation, City and County of Honolulu." Service of process in all matters affecting the authority or any property under its jurisdiction may be made by service upon any member of the board or on the executive director. Any action commenced or prosecuted for the recovery of damages for



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## RESOLUTION

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any injury to persons or property by reason of negligence of the board or of any agents or employees of the authority, shall be commenced and prosecuted against the authority. No action shall be maintained for the recovery of damages unless a written statement verified by oath of claimant, setting forth the nature and items of the claim and the time and place where the alleged injury occurred, has been filed with the authority within two years after the date of sustaining the injury.

**Section \_\_\_-114. Transit Fund --**

There shall be established a special fund into which shall be transferred the county surcharge on state tax and all revenues generated by the fixed guideway system, including interest earned on the deposits and all other receipts dedicated for the fixed guideway system. All moneys collected from the county surcharge on state excise and use tax and received by the city shall be promptly deposited into the special fund. Expenditures from the special fund shall be for the operating or capital costs of the fixed guideway system and for expenses in complying with the Americans with Disabilities Act of 1990 as it may be amended.

**Section \_\_\_-115. Reserve Funds --**

The board may provide for the accumulation of funds for the purpose of financing major replacements, or extensions and additions to the fixed guideway system, the average estimated annual increment to which, for a period of ten years, shall not exceed fifteen percent of the gross revenues of the fixed guideway system of the authority in any fiscal year.

**Section \_\_\_-116. Performance Bonds --**

The board may require an individual or blanket bond in such amount as it shall deem proper for any or all employees, which bond shall be duly conditioned for the faithful performance of duties, and the board may provide that the premium on the bond be paid out of the revenues of the authority.

**Section \_\_\_-117. Personnel --**

The mayor may transfer a civil service position existing on July 1, 2011 within any department to the authority, if the position is necessary for the administration or operation of the authority or the performance of another duty or function assigned to the authority. The civil service employee holding a



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**RESOLUTION**

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permanent appointment in a position that is to be transferred shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this section, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.

**Section \_\_-118. Standards of Conduct --**

Article XI of the charter shall be applicable to the authority.

**Section \_\_-119. Fixed Guideway Alignments, Extensions and Additions --**

The authority shall adhere to the fixed guideway system alignment of the locally preferred alternative approved by the council. Any new alignment, extension or addition to the fixed guideway system alignment shall be subject to council approval by ordinance, except that any adjustment of the alignment necessitated by the impact mitigation shall not constitute a new alignment for purposes of this section.

**Section \_\_-120. Applicability of Charter Provisions --**

Except as otherwise provided, no provision of this charter, other than those set forth in this article of the charter, shall be applicable to the authority.”

3. That it propose and it is hereby proposed, that Section 6-203, Revised Charter of the City and County of Honolulu 1973, as amended, be amended to read as follows:

**“Section 6-203. Powers, Duties and Functions --**

The director of budget and fiscal services shall be the chief accounting officer of the city and shall:

- (a) Prepare bills for the collection of moneys due the city or authorize the preparation thereof by other executive agencies of the city government under the director’s general supervision.
- (b) Collect and receive moneys due to or receivable by the city and issue receipts therefor or authorize other executive agencies to do so under conditions prescribed by the director of budget and fiscal services.



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## RESOLUTION

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(c) Keep accurate and complete account of receipts and disbursements.

(d) Maintain the treasury and, with the approval of the mayor, deposit moneys belonging to the city in depositories authorized by law which fulfill all conditions prescribed for them by law.

(e) Contract for services of independent contractors, purchase materials, supplies and equipment and permit disbursements to be made only pursuant to rules and regulations adopted under the terms of this charter.

(f) Have the responsibility for issuing, selling, paying interest on and redeeming bonds of the city.

(g) Prepare and issue warrants.

(h) Prepare payrolls and pension rolls.

(i) Be responsible for the management of city funds.

(j) Sell real property upon which improvement assessments are not paid within the period prescribed and dispose of personal property not needed by any agency of the city, pursuant to policies established by the council.

(k) Rent or lease city property, except property controlled by the board of water supply[,] and the public transit authority, and award concessions, pursuant to law and to policies established by the council.

(l) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city.

(m) Prepare and maintain a perpetual inventory of equipment owned or controlled by the city and materials and supplies in central city storerooms.

(n) Review assessment rolls for assessable public improvements prior to approval by the council and issue bills therefor after such approval has been given.



**RESOLUTION**

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(o) Have custody of all official bonds, except the bond of the budget and fiscal services director, which shall be in the custody of the mayor.

(p) Review the manner in which public funds are received and expended and report to the mayor on the integrity with which said funds are accounted for and on the financial responsibility of officers and employees administering said funds.

(q) Provide information pertaining to the financial affairs of the city and make financial reports at least quarterly to the mayor and the council.

(r) Prepare the operating and capital program and budget and necessary budget ordinances and amendments or supplements thereto under the direction of the mayor.

(s) Review the operating and capital budget program schedules of each executive agency and make budgetary allotments for their [accomplishments] accomplishment with the approval of the mayor.

(t) Review all executive agency requests for the creation of new positions.”

4. That it propose and it is hereby proposed, that Section 6-1103, Revised Charter of the City and County of Honolulu 1973, as amended, be amended to read as follows:

**“Section 6-1103. Civil Service and Executive Branch Exemptions --**

The provisions of this chapter of the charter shall apply to all positions in the service of the executive branch. This section shall apply to semi-autonomous agencies as though they are departments of the executive branch. The following positions shall be exempt from the provisions of this chapter of the charter:

(a) Positions of officers elected by public vote; positions of heads of departments; the position of the band director of the Royal Hawaiian Band; the position of the manager and chief engineer of the board of water supply and the manager of any semi-autonomous agency created by ordinance.



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## RESOLUTION

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(b) Positions in the office of the mayor, but such positions shall be included in the position classification plan. Employees of the civil defense agency and Royal Hawaiian Band, other than the band director, shall not be exempted from civil service.

(c) Positions of deputies of the corporation counsel, deputies and administrative or executive assistants of the prosecuting attorney and law clerks.

(d) Positions of members of any board, commission or equivalent body.

(e) Positions of a temporary nature filled by students.

(f) Personal services obtained by contract where the director has certified that the service is special or unique, is essential to the public interest and that, because of circumstances surrounding its fulfillment, personnel to perform such service cannot be obtained through normal civil service recruitment procedures. Any such contract may be for any period not exceeding one year.

(g) Personal services of a temporary nature needed in the public interest where the need for the same does not exceed one year, but before any person may be employed to render such temporary service, the director of human resources shall certify that the service is of a temporary nature and that recruitment through normal civil service recruitment procedures is not practicable.

(h) Personal services performed on a fee, contract or piecework basis by persons who may lawfully perform their duties concurrently with their private business or profession or other private employment, if any, and whose duties require only a portion of their time, where it is impracticable to ascertain or anticipate the portion of time devoted to the service of the city and when such fact is certified to by the director of human resources.

(i) Positions of one first deputy; and for the Honolulu Police Department one additional deputy; private secretaries to heads of departments and their deputies; and the position of managing director, one first deputy and private secretaries to each; but private secretarial positions shall be included in the position classification plan. The first



**RESOLUTION**

deputy in the department of human resources, however, shall not be exempt from civil service.

(j) Positions or personal services in demonstration programs and joint participation and special projects which serve the community; provided that such exemptions are required by federal law or rules and regulations and then in accordance with procedures established by ordinance.

(k) The following positions of the public transit authority:

(1) The executive director, deputy director(s), private secretaries to the executive director and deputy director(s); and

(2) Positions certified by the director of human resources that require specialized knowledge and experience in fixed guideway system planning, development, operations, maintenance, and management, or transit-oriented development;

provided that, except for private secretarial positions, such positions shall not be included in the position classification plan and salaries for such positions shall be set by the public transit authority.

The director of human resources shall determine the applicability of this section of the charter to specific employment or services in the executive branch.”

5. That it propose and it is hereby proposed, that Section 6-1703, Revised Charter of the City and County of Honolulu 1973, as amended, be amended to read as follows:

**“Section 6-1703. Powers, Duties and Functions --**

1. The director of transportation services shall:

(a) Plan, operate and maintain transportation[, including transit and bikeway,] systems, including bikeways, except for activities relating to the fixed guideway system as defined in Section -102, to meet public transportation needs, in accordance with the general plan and development plans, and advise on the design and construction thereof.



## RESOLUTION

- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Establish a steel wheel on steel rail transit system, provided that nothing in this subsection shall preclude the director from utilizing technologies other than steel wheel on steel rail technology to complement or extend the rail transit system.
- (e) Promulgate rules and regulations pursuant to standards established by law.

2. The director of transportation services shall have no power, duty, or function with respect to transportation systems, facilities, or programs which are under the jurisdiction of the public transit authority."

6. That it propose and it is hereby proposed, that a new section be added to the Revised Charter of the City and County of Honolulu 1973, as amended, to read as follows:

**"Section 16- . Transition Provisions Concerning the Establishment of the Honolulu Authority for Rapid Transportation --**

1. All civil service officers and employees holding positions with the rapid transit division, department of transportation services, on June 30, 2011, shall be transferred to the Honolulu Authority for Rapid Transportation on July 1, 2011. The civil service officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.

2. All lawful obligations and liabilities owed by or to the City and County of Honolulu relating to the fixed guideway system as defined in Section -102 of this charter on June 30, 2011 shall remain in effect on July 1, 2011. The obligations and liabilities shall be assumed by the authority.

3. All records, property, and equipment whatsoever of any office, division, department, board, commission, authority, or agency, the functions of



## RESOLUTION

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which, or some of the functions of which, are assigned to any other agency by the amendments to this charter approved on November 2, 2010, shall be transferred and delivered to the agency to which such functions are assigned.”

7. In Sections 3 to 6 of this resolution, charter material to be repealed is bracketed; new charter material is underscored. When revising, compiling, or printing these charter provisions for inclusion in the Revised Charter of the City and County of Honolulu 1973, as amended, the revisor of the Charter need not include the brackets, the bracketed material, or the underscoring.
8. That if these Charter provisions are amended by any other Charter amendment approved by the electors in the 2010 general election, the revisor of the Charter, in revising, compiling or printing the Charter: (1) may designate or redesignate articles, chapters, sections or parts of sections, and rearrange references thereto; and (2) shall, except as otherwise expressly provided in this resolution or in the other resolution(s) amending these Charter provisions, give effect, to the extent possible, to all of the amendments approved. The revisor of the Charter may also change capitalization or the forms of numbers and monetary sums for the sake of uniformity.
9. That the City Clerk be and is hereby directed:
  - A. To prepare the necessary ballots with the question contained in this resolution and with spaces for “yes” and “no” votes on the question for presentation to the electors at the 2010 general election. The City Clerk may make technical and non-substantive changes to the form of the question presented in order to conform it to the form of other Charter amendment questions presented to the electors at the same election; and
  - B. To publish the above-proposed Charter amendments at length in a daily newspaper of general circulation in the City and County of Honolulu at least 45 days prior to their submission to the electors at the 2010 general election.



RESOLUTION

10. That upon approval of the Charter amendment question posed in this resolution by a majority of electors voting thereon, as duly certified, the Charter amendments proposed in this resolution shall take effect on July 1, 2011.

INTRODUCED BY:

Charles Djou

Todd Apo

Ikaika Anderson

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DATE OF INTRODUCTION:

August 20, 2009  
Honolulu, Hawaii

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Councilmembers

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

**RESOLUTION 09-252, CD1**

Introduced: 08/20/09 By: CHARLES DJOU

Committee: EXECUTIVE MATTERS  
AND LEGAL AFFAIRS

Title: RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO THE CREATION OF A PUBLIC TRANSIT AUTHORITY.

Links: [RES09-252](#)  
[RES09-252, CD1](#)  
[CR-305](#)  
[CR-398](#)

NOTE: COUNCILMEMBER DUKE BAINUM PASSED AWAY ON TUESDAY, JUNE 9, 2009. ALTHOUGH THERE IS A VACANCY, THE COUNCIL CONTINUES TO OPERATE IN ACCORDANCE WITH THE 9 MEMBERS IT IS ENTITLED TO PURSUANT TO SECTION 3-102, REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED. HOWEVER, THE CERTIFICATE WILL NOT REFLECT THE VACANCY ON THE VOTE RECORDED FOR THIS ITEM.

COUNCIL	08/26/09	RESOLUTION PASSED FIRST READING AND REFERRED TO THE COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS.							
ANDERSON	Y	APO	Y	CACHOLA	Y	DELA CRUZ	Y	DJOU	Y
GARCIA	Y	OKINO	Y	TAM	Y				

NOTE: ANN KOBAYASHI WAS SWORN IN AND TOOK OFFICE AS A MEMBER OF THE HONOLULU CITY COUNCIL ON FRIDAY, AUGUST 28, 2009 REPRESENTING DISTRICT V.

EXECUTIVE MATTERS AND LEGAL AFFAIRS	09/02/09	CR-305 – RESOLUTION REPORTED OUT OF COMMITTEE FOR PASSAGE ON SECOND READING AND SCHEDULING OF A PUBLIC HEARING.							
PUBLISH	09/05/09	PUBLIC HEARING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.							
COUNCIL/PUBLIC HEARING	09/16/09	CR-305 ADOPTED. RESOLUTION 09-252 PASSED SECOND READING, PUBLIC HEARING CLOSED AND REFERRED TO EXECUTIVE MATTERS AND LEGAL AFFAIRS COMMITTEE.							
ANDERSON	Y	APO	Y	CACHOLA	Y	DELA CRUZ	Y	DJOU	Y
GARCIA	Y	KOBAYASHI	Y	OKINO	Y	TAM	Y		

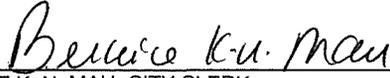
PUBLISH	09/24/09	SECOND READING NOTICE PUBLISHED IN THE HONOLULU STAR BULLETIN.			
EXECUTIVE MATTERS AND LEGAL AFFAIRS	12/02/09	CR-398 – RESOLUTION REPORTED OUT OF COMMITTEE FOR PASSAGE ON THIRD READING AS AMENDED IN CD1 FORM.			

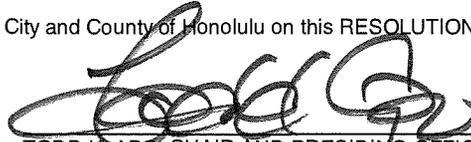
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COUNCIL	12/16/09	CR-398 ADOPTED AND RESOLUTION 09-252, CD1 PASSED THIRD READING, AS AMENDED.							
ANDERSON	Y	APO	Y	CACHOLA	A	DELA CRUZ	Y	DJOU	Y
GARCIA	Y	KOBAYASHI	Y	OKINO	Y	TAM	Y		

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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.

  
BERNICE K. N. MAU, CITY CLERK

  
TODD K. APO, CHAIR AND PRESIDING OFFICER