

Honolulu Authority for Rapid Transportation

RESOLUTION NO. 2011 - 10

AMENDING THE ETHICS POLICY FOR THE BOARD OF THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION

WHEREAS, the Honolulu Authority for Rapid Transportation (HART) has been established pursuant to Article XVII of the Revised Charter of the City and County of Honolulu 1973, as amended (Charter); and

WHEREAS, Section 11-102(c) of the Charter provides that no elected or appointed officer or employee shall “engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties”; and

WHEREAS, Section 11-102(e) of the Charter provides that no elected or appointed officer or employee shall “Represent private interests in any action or proceeding against the interests of the city or appear in behalf of private interests before any agency, except as otherwise provided by law”; and

WHEREAS, pursuant to Section 17-118 of the Charter, the provisions of Section 11-102(c) and Section 11-102(e) of the Charter are applicable to HART; and

WHEREAS, the Board established an Ethics Policy on July 1, 2011 by adopting Resolution No. 2011-4; and

WHEREAS, from time to time, the Board may find it desirable to amend its Ethics Policy so the public may be further assured that the actions of the Board and HART staff serve only the public's best interests; and

WHEREAS, the Corporation Counsel has reviewed Resolution No. 2011-4 and has recommended certain revisions be made to correct inadvertent omissions; and

WHEREAS, Interim Executive Director Toru Hamayasu and the Board, believing that public trust in the contracting for and management of the Rail Transit Project is critical and that ethics training is a key component of maintaining that trust, propose a new provision on training in the Policy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of HART as follows:

1. Item 5 of Resolution 2011-4 shall be amended to read:

“5. Board Members shall not engage in any business transaction or activity or have a financial interest which is incompatible with the proper discharge of their duties as a Member of the Board or which may tend to impair their independence of judgment in the performance of their official duties; and”

2. Item 7 of Resolution 2011-4 shall be amended to read:

“7. Board Members shall not represent private interests in any action or proceeding against the interests of HART or appear on behalf of private interests before HART or a City agency except as otherwise provided by law; and”

3. A new Item 10 shall be inserted into Resolution 2011-4 to read:

“10. All Board members shall receive training on the standards of conduct applicable to their position as members of the Board of Directors as soon as practicable upon assuming office, and retraining at periodic intervals thereafter, and the Executive Director of HART shall ensure that all staff of the Board and HART shall also receive such training as soon as practicable upon commencement of their employment or appointment and retraining periodically thereafter.”

4. The previous Item 10 of Resolution 2011-4 shall be renumbered as Item 11.

5. This Resolution shall take effect immediately upon its adoption.

ADOPTED by the Board of the Honolulu Authority for Rapid Transportation on

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Board Chair

ATTEST:

Board Administrator