

Honolulu Authority for Rapid Transportation

RESOLUTION NO. 2011 - 9

AMENDING THE RULES AND OPERATING PROCEDURES OF THE BOARD OF DIRECTORS 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, Article XI of the Charter establishes Standards of Conduct for elected and appointed officers and employees of the City and County of Honolulu; and

WHEREAS, pursuant to Section 17-118 of the Charter, Article XI of the Charter is applicable to HART; and

WHEREAS, the Board believes that the proper development, operation, maintenance, and expansion of the Honolulu Rail Transit Project require that HART Board members be independent, impartial, and responsible only to the citizens of the City and County of Honolulu; and

WHEREAS, on July 1, 2011, the Board approved Resolution 2011-1, establishing Rules and Operating Procedures of the Board of Directors of the Honolulu Authority for Rapid Transportation; and

WHEREAS, from time to time the Board may find it necessary to amend its Rules and Operating Procedures; and

WHEREAS, the Corporation Counsel has recommended certain revisions be made to the Rules and Operating Procedures to correct an inadvertent error to conform with the Board's Ethics Policy, as amended, and Article XI of the Charter; and

WHEREAS, Rule 10 of the Rules and Operating Procedures allow for amendment of said Rules and Operating Procedures by an affirmative vote of at least seven (7) Board members;

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

1. Rule 6.2 of the Rules and Operating Procedures of the Board of Directors of the Honolulu Authority for Rapid Transportation shall be amended to read:

"Section 6.2 Voting.

- (a) A Board Member having a direct personal financial interest in the subject matter of the motion ~~may~~ shall abstain, ~~but only~~ by performing both of the following:

- (a) By responding, "I abstain due to conflict of interest;" and

(b) By having filed in accordance with Section 6.3 a written disclosure of interest on the subject matter of the measure. ~~This Section 6.2(a) shall not be construed as imposing a duty or requirement on a Board Member to abstain from voting on a matter on which the Board Member has filed a written disclosure.~~

(b)- There shall be no voting by proxy.”

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

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

_____.

Board Chair

ATTEST:

Board Administrator

DRAFT