



IN REPLY REFER TO:  
CMS-AP00-00271

HONOLULU AUTHORITY for RAPID TRANSPORTATION

Daniel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

August 2, 2012

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The Honorable Ann Kobayashi, Chair  
and Members of the Budget Committee  
Honolulu City Council  
530 South King Street, Room 202  
Honolulu, Hawaii 96813

Dear Chair Kobayashi and Councilmembers:

The Honolulu Authority for Rapid Transportation is in receipt of the attached memo. We are forwarding this memo for the Council's information and appreciate the Budget Committee's deferral of Resolution 12-160 at its last meeting on July 25, 2012.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Daniel A. Grabauskas  
Executive Director and CEO

Attachment

cc: All Councilmembers  
HART Board of Directors  
Mr. Douglas S. Chin, Managing Director

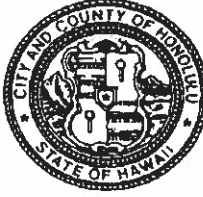
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CMS-00691

DEPARTMENT OF HUMAN RESOURCES

CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET 10<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
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MAYOR



NOEL T. ONO  
DIRECTOR  
ROBIN CHUN-CARMICHAEL  
ASSISTANT DIRECTOR

July 25, 2012

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HART

MEMORANDUM

TO: DANIEL GRABAUSKAS, EXECUTIVE DIRECTOR AND CEO  
HONOLULU AUTHORITY FOR RAPID TRANSPORTATION

VIA: NOEL T. ONO, DIRECTOR *noel ono*  
DEPARTMENT OF HUMAN RESOURCES

FROM: DENISE TSUKAYAMA, EQUAL OPPORTUNITY OFFICER *[Signature]*  
DEPARTMENT OF HUMAN RESOURCES

SUBJECT: COMPLIANCE WITH FEDERAL CIVIL RIGHTS REQUIREMENTS

The City's Equal Opportunity Office is concerned about the recent introduction of, and potential impact of City Council Resolution 12-160 on the requirement for the Honolulu Authority for Rapid Transportation (HART) to comply with federal laws and regulations that are attached to the acceptance of federal transit funds.

The Resolution urges HART to limit public relations and public involvement activity to one position and to terminate all public relations and involvement service contracts. We are concerned that limiting civil rights-based public involvement activity to the extent proposed in the Resolution may negatively affect HART's ability to comply with applicable federal laws and regulations that require recipients of federal transit funding to engage in an active, inclusive, and extensive public participation and involvement process in the planning, implementation, operation, and improvement of public transit projects.

In particular, federal regulations require recipients of federal transit funding to develop and implement a proactive and continuing public outreach process that: engages all stakeholders of the community, provides the public with a means to present

direct input on transportation issues, disseminates complete and timely public information, and provides full public access to key issues and notice of changes to transit plans. Applicable federal regulations also require recipients to reach out to female and minority populations and disadvantaged business enterprises to strengthen diversity in the recipient's workforce and the pool of eligible federally funded transportation-related contractors.

Limiting HART's public involvement activity as proposed may have the unintended consequences of compromising the public participation and outreach processes that HART is required to implement; and jeopardizing HART's overall compliance with equal opportunity and non-discrimination laws, regulations, and executive orders, including:

- Title VI of the Civil Rights Act of 1964
- U.S. Department of Transportation/Federal Transit Administration/Urban Mass Transit Administration Circular C 4704.1
- Americans with Disabilities Act (ADA) of 1990
- Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"
- Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency "

We urge you to carefully consider the initial and ongoing civil rights compliance mandates, establish a plan for meeting the requirements to include identification of necessary human and fiscal resources, and communicate to the City Council the appropriate level of staffing necessary to carry out HART's civil rights obligations that are attached to federal transit funding.

Should you have any questions, please contact Kristy Shiraishi of the Equal Opportunity Office at 768-5458.

cc: Mayor's Office