

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL
MAYOR



JAN K. YAMANE
EXECUTIVE DIRECTOR
AND LEGAL COUNSEL

AGENDA

Date: July 19, 2017
Time: 11:30 a.m.
Place: Kapālama Hale
1st Floor Conference Room
925 Dillingham Boulevard
Honolulu, Hawaii 96817

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HONOLULU

**MEMBERS OF THE PUBLIC ARE ENCOURAGED TO SPEAK
AND/OR SUBMIT WRITTEN TESTIMONY ON ANY AGENDA ITEM**

ORDER OF BUSINESS

- I. Call to Order, Public Notice, Quorum
- II. New Business
 - A. Chair's Report
 1. Announcements, Introductions, Correspondence, and Additional Distribution
 2. For Action: Approval of Open Session Minutes of June 21, 2017
 3. For Action: Approval of Executive Session Minutes of June 21, 2017

The Commission may convene an executive session pursuant to Section 92-5(a)(4), Hawaii Revised Statutes (HRS), to consult with the Commission's attorneys regarding questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.

- B. Executive Director and Legal Counsel's Report

1. Staff Work Reports Summary
2. Statistics – FY2017 4th Quarter
3. Budget
 - a. FY2018 Operating Budget
 - b. FY2019 Operating Budget Request
4. Education and Outreach
 - a. Ethics Training Program – Update
5. 2016 General Election Charter Amendment Question No. 2 – Bill 057 (17).
Relating to Ethics Commission Staff (Pass Second Reading, City Council, July 12, 2017)
6. Audit – None
7. Legislation
 - a. State Ethics Bills
 - i. Act 50 (Session Laws of Hawaii (SLH) 2017), Relating to Ethics (Report Title: government; ethics; fine increases; settlement agreement)
 - ii. Act 51 (SLH 2017), Relating to Lobbyists (Report Title: State Ethics Commission; lobbyist law; lobbying; enforcement)
 - iii. Act 52 (SLH 2017), Relating to Ethics (Report Title: State Ethics Commission; financial disclosure statements; notice; administrative fine)
 - b. Sunshine Law – Act 65 (SLH 2017), Relating to Public Meetings (Report Title: sunshine law; public agency meetings and records) (requires board packets to be open for inspection, effective July 1, 2018)
 - c. Uniform Information Practices Act (UIPA) – SB572 SD1 HD1 CD1, Relating to Information Practices (Report Title: Office of Information Practices; freedom of information; disclosure rules) (enrolled to Governor)
 - d. City Council
 - i. Bill 050, CD1(17), Relating to City Boards and Commissions (Pass Second Reading, As Amended, City Council, July 12, 2017)
 - ii. Bill 057 (17), Relating to Ethics Commission Staff (see Item II.B.5.)
8. Education Opportunities
 - a. Society of Corporate Compliance and Ethics (SCCE), 16th Annual Compliance & Ethics Institute, October 15-18, 2017, Caesars Palace, Las Vegas, NV
 - b. Council on Government Ethics Laws (COGEL), Annual Conference, December 3-6, 2017, Sheraton Centre Toronto

- C. For Discussion: Rule-Making and Mayor’s Directives, Memoranda, and Department Policies and Circulars, Item V., Administrative Directives Manual Policy Guidance

The Commission may convene an executive session pursuant to Section 92-5(a)(4), HRS, to consult with the Commission’s attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities and liabilities.

- III. Executive Session (The following agenda items will be reviewed in executive session pursuant to Section 92-5(a)(4), HRS, to consult with the Commission’s attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities and liabilities.)
 - A. For Discussion and Action: Request for Review of Legal Counsel’s Preliminary Determination Regarding Alleged City Officer Misuse of City Resources to Provide Lunch for Individuals in Violation of Revised Charter of Honolulu Sec. 11-104 (Ethics Commission Rules of Procedure Section 5.5(2))
 - B. For Discussion: Kealoha vs. Totto, Civil No. 16-1-1166 GWBC in the Circuit Court of the First Circuit, State of Hawai’i, and Civil No. 1:16-CV-16-00682 JMS-KSC in the United States District Court for the District of Hawai’i
 - C. For Discussion and Action: Procedural Issues Concerning the Honolulu Police Commission’s Request for Advisory Opinion Regarding a Police Commissioner’s Participation in Matters Relating to a Former Chief of Police
 - D. Independent Ethics Investigator Retained Due to Conflict of Interest – None

- IV. For Discussion: Strategic Planning – Exposure Draft dated June 21, 2017

- V. Adjournment

SPEAKER REGISTRATION

Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number and agenda subject matter via email at ethics@honolulu.gov; or by calling 768-7787 or 768-7791.

On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given the opportunity to speak on an item following the oral testimonies of the registered speakers.

Each speaker is limited to a three-minute presentation on each item.

WRITTEN TESTIMONY

Prior to the Day of the Meeting: Testimony may be emailed to ethics@honolulu.gov or faxed to 768-7768.

On the Day of the Meeting: Submit 10 copies of written testimony to Commission staff.

Individuals who require special needs accommodations are invited to contact the Honolulu Ethics Commission at 768-7787, via facsimile at 768-7768, or email ethics@honolulu.gov at least **4 working days** in advance of the meeting.

All handouts will be posted at www.honolulu.gov/ethics/meetings.html