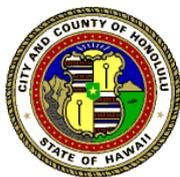


ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU

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PETER B. CARLISLE
MAYOR



CHARLES W. TOTTO
EXECUTIVE DIRECTOR & LEGAL COUNSEL

Advisory Opinion No. 2011-4

The Honolulu Ethics Commission (Commission) approved a stipulation between the Complainant, represented by Commission staff, and the Respondent to resolve the issues in a contested case. The Commission had found probable cause that the Respondent, a city employee, either unlawfully received a gift in the course of his/her city duties or misused city property. Because there is a significant question whether the city employee's actions were contrary to the ethics laws, the parties agreed that the city employee would disgorge the value of the gift or misused city property by making a donation to a non-profit organization in the value of the gift or property. As part of the stipulation, the parties recommend no finding of misconduct on the part of the city employee.

The Commission adopts the stipulation entered into by the parties. The claim is disputed and both parties believe they have evidence to support their position. The facts and circumstances of the case are unique and very unlikely to recur. Because we adopt the stipulation, there are no findings of fact or conclusions of law in this case, nor is there a finding of misconduct. As a result, the Commission will not disclose the identity of the city employee.

Dated: July 15, 2011

By: /S/
CHARLES W. GALL, Chairperson
Honolulu Ethics Commission