

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**



Advisory Opinion No. 271

This is an advisory opinion in response to your request for advice from the Ethics Commission as to whether a proposed investment in a professional athletic team of which you were recently general manager by a corporation that does business with your division would violate the City's Standards of Conduct.

The Commission understands the facts relative to your inquiry to be as follows:

You are a division chief. Among your responsibilities is oversight of a City facility which is operated under a 20 year contract with a wholly owned subsidiary of a company ("XYZ").

In addition to your City employment, you served for the past three years as the unsalaried General Manager of a professional soccer team and as a member of its Board of Governors. During that time you made financial contributions to the team, as well. However, effective May 30, 1996, you resigned from all positions with the soccer team and severed all financial ties with the organization.

The ethical question presented is whether an investment in the professional soccer team by XYZ would create a conflict of interest since you oversee XYZ's contract to operate the City facility and you were formerly very involved in the management of the team.

The general rule in relation to your question is found in the Revised Charter of the City and County of Honolulu 1973 (1994 Ed.), Section 11-102(c) which states in pertinent part:

No elected or appointed officer or employee shall... [e]ngage 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.

Based on the evidence presented, the Commission finds that you no longer have a direct or indirect financial relationship with the soccer team. Therefore, no violation of the Standards of Conduct will be created if XYZ financially invests in the professional soccer team.

Dated: July 22, 1996

GOLDIE D. BRANGMAN-DUMPSON  
Chair, Ethics Commission