

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**



Advisory Opinion No. 29

This is in reference to the conflict of interest disclosure of Employee X, Civil Engineer with the Department of Public Works, relative to his real estate salesman's license.

A capsule summary of the job description of Employee X is as follows:

1. Responsible for the development of major improvement district projects and other projects as assigned by the engineer-in-charge of the section.
2. Engineer in direct and responsible charge of the preliminary survey, design, site location, and coordination of other details for improvement district sewers.
3. Perform preliminary surveys and present engineering data to determine extent of drainage areas, and the proposed alignment and hydraulic requirements of complex trunk sewers or interceptor sewers requiring advanced knowledge of construction practice and sewerage planning.

Based on the foregoing, we are of the opinion that there is no conflict of interest in the case of Employee X because he has no authority to take "official action" as defined in Ordinance 3442 with respect to the improvement district programs developed by the Department of Public Works.

We recommend, however, that his real estate activity shall not include real property situated within improvement districts which are still in the planning and development stages in the Department of Public Works.

Dated: Honolulu, Hawai'i, December 28, 1971.

ETHICS COMMISSION
Very Rev. Robert R. Mackey, S.M., Chairman