

ETHICS COMMISSION  
**CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL  
MAYOR



CHARLES W. TOTTO  
EXECUTIVE DIRECTOR & LEGAL COUNSEL

**AGENDA**

Honolulu Ethics Commission  
**May 18, 2016 – 11:30 a.m.**  
Standard Financial Plaza  
Conference Room, Suite 211  
715 South King Street  
Honolulu, Hawaii 96813

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**THE PUBLIC IS ENCOURAGED TO SUBMIT WRITTEN TESTIMONY AND/OR  
SPEAK ON ANY AGENDA ITEM BELOW.**

**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](mailto:ethics@honolulu.gov); or 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 three minute presentations on each item.

**WRITTEN TESTIMONY**

- Prior to the Day of the Meeting: Testimony may be emailed to [ethics@honolulu.gov](mailto:ethics@honolulu.gov) or faxed to 768-7768.
- On the Day of the Meeting: 10 copies are requested if written testimony is submitted on-site.

**ORDER OF BUSINESS**

- I. CALL TO ORDER
- II. NEW BUSINESS

- A. For Action: Motion to Approve the Open Session Minutes of the April 20 and May 2, 2016 Meeting.
- B. Executive Director and Legal Counsel's Administrative Report.
  - 1. Work Reports from Staff Members.
  - 2. General Statistics (Pending Complaints Requiring Investigation and Requests for Advice, Ethics Training, Website Hits).
  - 3. FY 2016 Budget Report.
  - 4. FY 2017 Budget Report.
  - 5. Move to Kapalama Hale.
  - 6. Charter Amendments Report re Ethics Laws.
  - 7. Considerations Regarding Hiring to Replace the Associate Legal Counsel and the Investigator.
- C. For Discussion and Action: Modification of Personnel Evaluation Form for the Executive Director and Legal Counsel.

III. EXECUTIVE SESSION (The following agenda items will be reviewed in executive session pursuant to Section 92-5(a)(2), Hawaii Revised Statutes (HRS), to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of the matters affecting privacy will be involved; HRS Section 92-5(a)(4), to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities; or HRS Section 92-5(a)(8) to deliberate or make a decision upon a matter that requires consideration of information that must be kept confidential pursuant to state or federal law or court order.)

- A. For Action: Pursuant to HRS Sec. 92-5(a)(2) and (a)(4), Motion to Approve the Minutes of the Executive Session of the April 20 and May 2, 2016 Meeting.
- B. For Discussion and Action (The following agenda items will be reviewed in executive session pursuant to Section 92-5(a) (2), Hawaii Revised Statutes (HRS), to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of the matters affecting privacy will be involved and/or; HRS Section 92-5(a)(4), to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.):

1. Pursuant to HRS Sec. 92-5(a)(2) and HRS Sec. 92-5(a)(4), Consultation with the Commission's Attorney Regarding Questions and Issues Pertaining to the Commission's Powers, Duties, Privileges, Immunities, and Liabilities Regarding the Procurement of an Independent Ethics Investigator to Conduct Investigations Regarding the Hire, Evaluation, Dismissal, or Discipline of an Officer or Employee Due to a Conflict of Interest; and
2. Pursuant to HRS Secs. 92-5(a)(4), Consultation with the Commission's Attorney Regarding Questions and Issues Pertaining to the Commission's Powers, Duties, Privileges, Immunities, and Liabilities Related to Charges Received by the Equal Employment Opportunity Commission on April 12, 2016 against the Ethics Commission; and
3. Pursuant to HRS Sec. 92-5(a)(4) Consultation with the Commission's attorney regarding questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities with respect to the Ethics Commission's position regarding a possible civil claim against the Ethics Commission.

#### IV. ADJOURNMENT