

# **WELCOME TO THE ETHICS COMMISSION MEETING**

*Please sign in at the testimony table.*

*As a courtesy, please silence your cell phone.*



Date: November 14, 2018  
Time: 11:30 a.m.  
Place: Kapālama Hale  
925 Dillingham Boulevard  
1<sup>st</sup> Floor Conference Room

## **ORDER OF BUSINESS**

### **I. Call to Order, Public Notice, Quorum**



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## II. NEW BUSINESS

### A. Chair's Report

1. Announcements, Introductions, Correspondence, and Additional Distribution



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## II.A. CHAIR'S REPORT (cont'd)

2. For Action: Approval of Open Session Minutes of October 17, 2018
3. For Action: Approval of Executive Session Minutes of October 17, 2018

*[exec/session if needed, HRS §92-5(a)(4)]*



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## II.B. EXECUTIVE DIRECTOR AND LEGAL COUNSEL'S (EDLC) REPORT

### 1. Staff Work Reports Summary

- Senior Clerk
- Legal Clerk III (TA)
- Investigator
- Associate Legal Counsel



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### II.B.1. STAFF WORK REPORTS – HIGHLIGHTS SENIOR CLERK

- Assisting with EC meeting administration, clerk functions; uploading docs to website
- Lobbyists - participated in process update & debrief, uploaded lists, drafting FAQs
- Conducting PAC research, laptop purchase
- Organizing, summarizing Advisory Opinions



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## II.B.1. STAFF WORK REPORTS – HIGHLIGHTS LEGAL CLERK III (TA)

- Processing meeting minutes/materials, case intake, UIPA log; compiled FY18 data
- Assisting investigations, drafting correspondence
- Managing inventory, front-office, phones
- Updating, uploading content to website
- Updated lobbyist forms; led financial disclosures debrief and updated forms, letters



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## II.B.1. STAFF WORK REPORTS – HIGHLIGHTS INVESTIGATOR

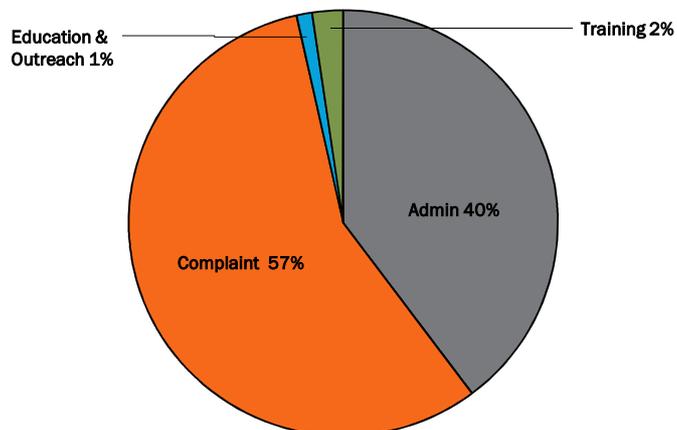
- Managing case load, attending case management meetings
- Attended, viewed training
- Working with ALC, creating SOPs, templates for investigations, reports



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## II.B.1. STAFF WORK REPORTS SUMMARY INVESTIGATOR



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## II.B.1. STAFF WORK REPORTS – HIGHLIGHTS ASSOCIATE LEGAL COUNSEL (ALC)

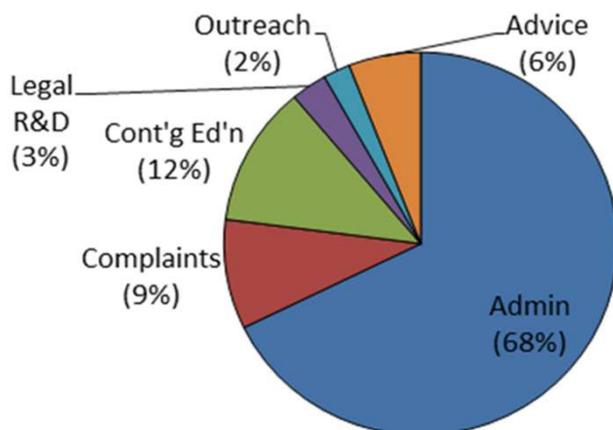
- Leading case management meetings; creating case SOPs, templates, Advisory Opinion compendium, index/database
- Investigating, prosecuting cases, strategy, training INV, LC III
- Drafting financial disclosures legislation; conducting multi-jurisdictional research for EC law, other revisions
- Handling requests for legal advice
- Preparing program of work for intern (law review, research, drafting)
- Training – creating new course; assisting with external training portal content conversion; conducted new emp’ee training; tweeting



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### II.B.1. STAFF WORK REPORTS SUMMARY ASSOCIATE LEGAL COUNSEL



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### II.B.2 STATISTICS

#### a. Website Sessions

- October 2018 - 409



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## II.B.4. EDUCATION AND OUTREACH

### a. Ethics Training Program

- Developing course for next biennium
- Working w/ City IT Dept. to host board, commission member training on non-domain (private) user interface



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## II.B.6. EDUCATION OPPORTUNITIES

### a. Soc. of Corp. Compliance and Ethics (SCCE)

- Oct. 21-24, 2018 (Las Vegas, NV)  
Cmmr. Amano, ALC, EDLC attended.

### a. Council on Gov'l Ethics Laws (COGEL) COGEL Conference

- Dec. 9-12, 2018 (Philadelphia, PA)



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## II.B.7. ETHICS COMMISSION MEETING SCHEDULE – CY2019

- Jan. 16
- Mar. 20
- May 15
- Jul. 17
- Sep. 18
- Nov. 13
- Feb. 20
- Apr. 17
- Jun. 19
- Aug. 21
- Oct. 16
- Dec. 18



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## III. EXECUTIVE SESSION

### A. For Discussion:

Executive Director and Legal Counsel –  
Annual Evaluation Feedback



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## IV. STRATEGIC PLANNING

### A. For Discussion: Media Policy

1. City of San Jose Media Policy  
(Revised Date June 21, 2016)



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## V. ADJOURNMENT

Next Meeting: December 19, 2018

Website: [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics) Email: [ethics@honolulu.gov](mailto:ethics@honolulu.gov)

 Twitter: @HonEthicsComm



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**Agenda Item IV.A.1.,  
Page 2  
[City of San Jose Media  
Policy,  
Revised Date June 21, 2016]**

Email sent on July 18, 2018

Chair Marks and Director Yamane,

For next month's meeting, or whenever we next take up the media policy, I'm planning to refer to the media policy of the city of San Jose:

<https://www.sanjoseca.gov/DocumentCenter/View/16106>

This six-page document is a great model, but for our Commission's purposes, the most relevant part is subsection 4 (Departments). If you'd like to distribute this to the commissioners for reading in advance of the meeting, I'd recommend calling their attention to that section in particular.

One of the features of the San Jose policy is the existence and role of a communications office under the city manager that coordinates media response with city departments. I'm going to be out of town July 20-27, but after I get back, I'd be glad to try to find out who at Honolulu Hale I can ask about coordinating our media policy and efforts with those of the City and County. (If you know, maybe you can save me some research.)

Aloha,

David Monk

**Media Policy****Section 6.1.3****1. PURPOSE**

To ensure that the public is informed about all aspects of City government by maintaining positive media relations; encouraging media coverage of the services and accomplishments of the City; and responding to the media with accurate and timely information.

**2. POLICY****2.1 RELATIONSHIP WITH NEWS MEDIA**

The news media are an important component of the City's ability to communicate with and serve the public, accomplish public policy goals, and provide high quality and responsive municipal services.

Inquiries from the news media are a high priority and must be responded to by the appropriate department or person as quickly and efficiently as possible. Every effort will be made to meet media deadlines and to ensure that all information released is accurate.

The City does not centralize media information requests through any one office. Reporters may request interviews and seek information directly from any City department or office, and departments should respond consistent with this policy and with departmental policies.

**2.2 WHAT IS NEWS MEDIA**

In general, the City should respond to reporters fairly regardless of the type of media outlet represented by a reporter.

News media has experienced radical changes in recent years, and reporters now represent a wide range of news outlets. Although traditional media such as print and broadcast remain important, new types of media such as independent bloggers, community or citizen journalists, corporate online newsrooms, online news outlets, and social media and neighborhood platforms have also emerged as essential channels for disseminating public information.

**2.3 PROACTIVE MEDIA RELATIONS**

It is the goal of the City of San José to keep the public informed about achievements and efforts of the City and staff. The City seeks opportunities to proactively communicate by notifying local, national, professional, trade media and news media outlets about City achievements, awards, accomplishments, and innovations.

**Media Policy****Section 6.1.3****2.4 OPEN GOVERNMENT**

The business conducted by the City of San José is generally public and therefore is accessible as public information. Inquiries regarding pending litigation, matters involving a significant exposure to litigation, and certain personnel-related information are exceptions under state law and City policy. The City's commitment to transparency is contained in the [Open Government Ordinance](#), Chapter 12.21 in the San Jose Municipal Code ([https://www2.municode.com/library/ca/san\\_jose/codes/code\\_of\\_ordinances?nodeId=TIT12ETOPGOPR\\_CH12.21OPGO](https://www2.municode.com/library/ca/san_jose/codes/code_of_ordinances?nodeId=TIT12ETOPGOPR_CH12.21OPGO)). The Open Government Manager in the City Manager's Communications Office and the City Attorney's Office should be consulted if there are questions whether or when certain information must be made available to the media or to the public. The City's [Public Records Policy](#) also provides guidance (<http://www.sanjoseca.gov/DocumentCenter/View/24722>)

**2.5 CITY RESPONDS ONLY ON BEHALF OF THE CITY**

City and departmental communications staffs represent only the City itself. For this reason, City staff will not respond to news media inquiries on behalf of other agencies, businesses, or organizations regarding policy, operations, or incidents. Communications staff, however, should endeavor to be helpful to reporters by referring such inquiries to other organizations as the situation requires and coordinate responses as appropriate.

**2.6 SOCIAL MEDIA POSTING, ON-LINE MONITORING, AND RESPONSE**

Increasingly reporters are using a variety of social media platforms to report, update, and share news stories. The City's [Web-Based Communications Policy](#) provides a framework for the City, including both the City Manager's Communications Office and departmental communicators, to disseminate information to the media and correct misinformation ([www.sanjoseca.gov/DocumentCenter/View/16045](http://www.sanjoseca.gov/DocumentCenter/View/16045)).

City communications staff will proactively post to and actively monitor social media and on-line news and commentary sites relevant to the City issues and operations. When online commentary becomes inaccurate, unhelpful for customers and public, or detrimental to the City and its personnel, communications staff will work with the City Manager's Communications Office to determine when or whether it is appropriate to participate in an on-line discussion or submit a correction, or develop a response suitable for the specific discussion site and issue.

**2.7 NO "PAY-TO-PLAY" MEDIA**

Occasionally representatives from certain trade, business, or commercial media seek commitments for City advertising or access to lists of contractors or vendors in consideration for publishing a story. The City will not participate in any "pay to play" media proposal, and it will not provide lists of vendors or other potential advertising contacts to publications or other media as a condition for publication of a story.

**Media Policy****Section 6.1.3****2.8 LANGUAGE ACCESS AND MEDIA**

Because of the diversity of the San José community, the City and its departments should consider steps to provide news and information in languages appropriate for residents with limited English proficiency. In addition, when appropriate and where practical, the City should develop the capacity to respond to news media inquiries that are not in English.

**3. CITY MANAGER'S COMMUNICATIONS OFFICE****3.1 ROLE**

The City Manager's Communications Office is responsible for the coordination of Citywide media relations and for ensuring accuracy, consistency, and quality in the City's overall responses to media. The Communications Office assists departments as necessary in responding to and aiding news media, and it will refer news media inquiries it receives to departments as appropriate.

**3.2 CONSULTING ASSISTANCE AND TRAINING**

The Communications Office is available for advice and consultation with departments on media relations matters. Training in media relations policy, procedures, and techniques is periodically coordinated by the Communications Office.

**4. DEPARTMENTS****4.1 DEPARTMENTAL MEDIA POLICIES**

Department directors, or a department's communications staff, will develop specific media policies for their departments that ensure that the appropriate persons respond to news media inquiries with accurate and timely information.

Departmental policies should designate which employees may respond to media inquiries, and under what circumstances. Policies also establish procedures to ensure that the department director and the City Manager's Communications Office are informed of media inquiries (see Section 4.4, Notifications and Referrals).

Departmental policies must be reviewed annually and updated as necessary, and updates must be regularly submitted to the City Manager's Communications Office.

**Media Policy****Section 6.1.3****4.2 DEPARTMENT POLICY-RELATED INQUIRIES**

News media inquiries on departmental policy issues should be answered by the department director or the director's designee for the issue. Although every effort should be made to meet reporters' deadlines, information should be released only when it is confirmed to be factually accurate.

**4.3 DEPARTMENT OPERATIONAL INQUIRIES**

With the approval of a supervisor or manager, news media inquiries regarding operations within a department may be answered by a departmental employee who has the most relevant knowledge and experience.

Although every effort should be made to meet reporter's deadlines, information should be released only when it is confirmed to be factually accurate. When in doubt, check with a manager at the department's Executive Staff level or higher, or with the City Manager's Communications Office.

**4.4 NOTIFICATIONS AND REFERRALS BY DEPARTMENTS**

- a. Whenever a news media inquiry concerns a matter of broad community significance, is likely to result in controversy, could have a practical and/or political impact on a large segment of the community, or relates to an emergency situation, the City Manager's Communications Office will be notified immediately.
- b. When a department receives an inquiry from the news media regarding issues involving more than one department, responses will be coordinated with the other relevant department(s) and with the City Manager's Communications Office.

**4.5 NEWS CONFERENCES/EVENTS PLANNING**

News conferences or other efforts to attract media attention about a departmental issue or event should be coordinated with the City Manager's Communications Office. Depending on the issue or event, the Mayor's Public Information Officer and/or the affected City Councilmember(s) should also be included in the coordination.

Requests from the office of the Mayor and/or a City Councilmember for assistance with, or participation in, a news conference or other efforts to attract media attention should be coordinated with the City Manager's Communications Office. When in doubt, check with the City Manager's Communications Office.

**Media Policy****Section 6.1.3****5. PUBLIC RECORDS REQUESTS**

Requests from the media for public records should be handled promptly and consistent with the City's Public Records Policy. When there are questions about whether the information requested can be released, departments should consult with the City Attorney's Office and the Open Government Manager in the City Manager's Office.

In addition, the City Manager's Communications Office should be notified whenever such a request is an unusual, extensive, affects multiple departments, or appears to be related to a news media investigative effort. This requirement is in addition to any notification requirements contained in the City's Public Records Policy ([www.sanjoseca.gov/DocumentCenter/View/24722](http://www.sanjoseca.gov/DocumentCenter/View/24722)).

**6. CORRECTIONS, COMMENTARY, LETTERS**

The City has an obligation to help the news media provide accurate information to the public. Therefore, factual errors should be corrected in an appropriate and timely way.

Commentary, opinion columns, and letters to the editor that are written to represent the City's view regarding operations, policies, or City positions must be coordinated with the City Manager's Communications Office.

Individual City employees may express personal opinions with "letters to the editor," but not as representatives of the City unless they have prior approval by their department director and the City Manager's Communications Office.

**7. MAYOR AND COUNCIL ROLES****7.1 MAYOR AND COUNCIL OFFICES AS A MEDIA RESOURCE**

The Mayor and City Councilmembers can be valuable resources for providing policy and political perspectives in response to specific news media inquiries; helping to disseminate City news and information to constituents and identifying stakeholders who should be informed; participating in news media events; and providing statements for news releases.

Departments should coordinate their requests for participation from the City Council with the Mayor's Public Information Officer or the relevant Council office.

**7.2 NOTIFICATIONS**

Whenever a major event of unusual significance occurs, either citywide or for a Council district, the City Manager's Office should be notified immediately. As much as practical, notification must be made to a live body; voicemail, email, or text messages can supplement that notification. The notifying party and the City Manager's Office will coordinate appropriate and timely notifications to the Mayor and appropriate Councilmembers.

**Media Policy****Section 6.1.3**

Events of citywide or district significance have or could have a substantial practical or political impact on the city as a whole, on a significant portion of the community, or on a neighborhood. This includes but is not limited to any incident or issue that is likely to attract substantial news media interest, including major police and fire incidents.

**7.3 MEDIA INQUIRIES TO THE MAYOR'S OFFICE**

Media inquiries are frequently directed to the Mayor's Public Information Officer. When such a request involves operational issues; the Mayor's Office refers calls to the CMO Communications Office or to appropriate department staff. In responding to such a referral, the department should comply with its media policy and ensure the request is responded to with accurate and timely information.

**8. EMERGENCY PUBLIC INFORMATION**

In the event of an emergency, the City's *Emergency Operations Plan* designates the City Manager's Director of Communications as the Emergency Public Information Officer. The plan also designates a line of succession to this responsibility when the Director of Communications is absent or when additional shifts are required.

As part of their normal responsibilities, communications staff in the departments are also members of the City's Emergency Public Information Team. The City Manager's Communications Office coordinates regular training and exercises for staff involved in the emergency public information function.

Department directors should ensure that departmental emergency operations plans address the essential communications component of any departmental vulnerabilities. Plans should address who speaks for the department in an emergency, off-hour availability and contact information of key staff, and training. Departmental plans also should include the development of fact sheets and similar materials on operations, issues, and services that are likely to be of concern in an emergency.

**Approved:**

/s/ David Vossbrink  
David Vossbrink  
Director of Communications

June 21, 2016  
Date

**Approved for Posting:**

/s/ Jennifer Schembri  
Jennifer Schembri  
Director of Employee Relations  
City Manager's Office

June 21, 2016  
Date