

ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU

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'20FEB10 PM 12:18 CITY CLERK

KIRK CALDWELL
MAYOR



JAN K. YAMANE
EXECUTIVE DIRECTOR
AND LEGAL COUNSEL

AGENDA

Date: February 19, 2020

Time: 11:30 a.m.

Place: Kapālama Hale

Conference Room 153, 1st Floor
925 Dillingham Boulevard
Honolulu, Hawai'i 96817

**MEMBERS OF THE PUBLIC ARE ENCOURAGED TO SPEAK
AND/OR SUBMIT WRITTEN TESTIMONY ON ANY AGENDA ITEM**

ORDER OF BUSINESS

- I. Call to Order, Public Notice, Quorum
- II. New Business
 - A. Chair's Report
 - 1. Announcements, Introductions, Correspondence, and Additional Distribution
 - a. Resolution 19-284 – Relating to the Reappointment of Victoria Marks to Serve on the Ethics Commission of the City and County of Honolulu
 - b. Resolution 19-322 – Relating to the Reappointment of Allene Suemori to Serve on the Ethics Commission of the City and County of Honolulu
 - c. Staffing
 - i. Senior Clerk (P/T) – Joanne Lim
 - ii. Senior Clerk (P/T) – Kristie Kato
 - iii. Private Secretary II (Dept. of the Corporation Counsel) – Jill Yamashiro
 - iv. Legal Clerk III – Pending Approval
 - 2. For Action: Approval of Open Session Minutes of November 13, 2019
 - 3. For Action: Approval of Executive Session Minutes – None

B. Executive Director and Legal Counsel's Report

1. Staff Work Reports Summary
2. Statistics
 - a. Website Sessions – November and December 2019, January 2020
 - b. Financial Disclosure Filings – Update
 - c. Lobbyist Registrations, Annual Reports – Update
 - d. City and County of Honolulu Department and Agency Reports for Fiscal Year July 1, 2018 – June 30, 2019 – Published
 - e. 2019 Service Efforts and Accomplishments Report (Office of the City Auditor) - Draft
3. Budget
 - a. FY2020 Operating Budget – None
 - b. FY2021 Operating Budget Request – Update
4. Education and Outreach
 - a. Ethics Training Program (FY19–FY20) – Update
 - b. E-Newsletter, Twitter, Website – Update
 - c. Brochure – Ethics Guidance for City Board Members (v. 1 Draft)
 - d. University of Hawai'i at Mānoa, Richardson School of Law – Panel Discussion on Government (March 2020)
5. Legislation
 - a. For Discussion: City Ethics Laws
 - i. Clarify Who Can Initiate a Complaint
 - ii. Clarify Definition of “Confidential”

The Commission may convene an executive session pursuant to Section 92-5(a)(4), HRS, to consult with the Commission's attorneys regarding questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities.
 - iii. Financial Disclosures – Clarify Reporting Year – None
 - iv. Lobbyists – Delete Notary Requirement – None
 - v. Evaluation of Ethics Board of Appeals, Ordinance 17-44 (ROH 1990 Chapter 3, Article 15), Committee Report No. 218 – Update
 - b. For Discussion: Resolution 19-331 Initiating Amendments to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), Relating to the Honolulu Ethics Commission

- c. For Discussion: Hawai'i State Legislature (2020)
 - i. HB 361, HD1, SD1 Relating to Emoluments
 - ii. HB 1927 Relating to Emoluments
 - iii. Honolulu Star-Advertiser Articles on Legislative Bills
- 6. Education Opportunities – Commissioners and Staff
 - a. COGEL 41st Annual Conference (December 15-18, 2019), Chicago Marriott Downtown, Chicago, IL – Report
 - b. Hawai'i Tribune Herald Article – *Board Asks If Ongoing Blockade of Maunakea Access Road Is Allowed under County Ethics Code*, December 20, 2019
- 7. For Discussion and Action: Request for Formal Advisory Opinion – Should the Gift Guidelines Be Amended to Prohibit City Officers and Employees from Accepting Gifts from Persons Doing Business with Their City Agency, Regardless of the Value of the Gift (i.e., Reconsider Current Exceptions that Allow Acceptance of Tokens of Aloha and Gifts of Relatively Small Value from Persons Doing Business with a City Agency)

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III. Executive Session Determination – None

IV. Executive Session – None

V. Strategic Planning

A. *Ethics Commission–2027 (Amended)*

- 1. For Discussion and Action: Delegation of Authority by Ethics Commission to Ethics Commission Investigator to Self-Initiate Investigations on Behalf of the Commission
- 2. For Discussion and Action: Community Outreach Plan (DRAFT) and Whether the Ethics Commission May Create a Permitted Interaction Group (PIG) for Community Outreach and Media Response
- 3. For Discussion: May the Ethics Commission:
 - a. Create a PIG for Community Outreach and Media Response
 - b. Delegate One Commissioner to Speak on Behalf of the Ethics Commission
- 4. PIG – Review Strategic Plan Top Priorities (Chair Marks, Vice-Chair Monk, Commissioner Suemori) – Meeting No. 1, March 2020

VI. Adjournment

SPEAKER REGISTRATION

Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number, and agenda item via email at ethics@honolulu.gov; or by calling 768-9242.

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 oral testimonies of registered speakers.

Each speaker is limited to a three-minute presentation on each item.

WRITTEN TESTIMONY

Prior to the Day of the Meeting: Testimony may be emailed to ethics@honolulu.gov or faxed 768-7768.

On the Day of the Meeting: Submit 10 copies of written testimony to Commission staff.

*Individuals who require special needs accommodations are invited to contact the Honolulu Ethics Commission
Phone: 768-9242, Fax: 768-7768, Email: ethics@honolulu.gov
at least **four (4) working days** in advance of the meeting.*

All handouts will be posted at www.honolulu.gov/ethics/meetings.html