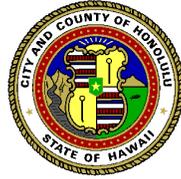


ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU

'19OCT09 AM 11:37 CITY CLERK

925 DILLINGHAM BOULEVARD, SUITE 190 • HONOLULU, HAWAII 96817
PHONE: (808) 768-9242 • FAX: (808) 768-7768 • EMAIL: ethics@honolulu.gov • INTERNET: www.honolulu.gov/ethics

KIRK CALDWELL
MAYOR



JAN K. YAMANE
EXECUTIVE DIRECTOR
AND LEGAL COUNSEL

AGENDA

Date: October 16, 2019

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
 2. For Action: Approval of Open Session Minutes of August 21, 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 – August and September 2019
 - b. Financial Disclosure Filings – None

- c. Lobbyist Registrations, Annual Reports – None
3. Budget
 - a. FY2019 Operating Budget – None
 - b. FY2020 Operating Budget Request – None
 4. Education and Outreach
 - a. Ethics Training Program (FY19–FY20) – Update
 - b. Twitter – Update
 - c. E-Newsletter – August 2019 – Update
 5. Legislation
 - a. Financial Disclosures – Clarify Reporting Year – None
 - b. Lobbyists – Delete Notary Requirement – None
 - c. Evaluation of Ethics Board of Appeals, Ordinance 17-44 (ROH 1990 Chapter 3, Article 15), Committee Report No. 218 – None
 - d. For Discussion: City Ethics Laws
 - i. Clarify Who Can Initiate a Complaint
 - ii. Clarify Definition of “Confidential”
 6. Education Opportunities – Commissioners and Staff
 - a. *Ethics in Hawai`i* Conference (State and Honolulu Ethics Commissions, Hawai`i, Kauai, and Maui Boards of Ethics, September 5, 2019) – Report
 - b. *Ethics in Hawai`i Under Siege?* (Common Cause, September 5, 2019) – Report
 - c. SCCE 18th Annual Compliance & Ethics Institute 2019 (September 15–18, 2019) – Report
 - d. COGEL 41st Annual Conference (December 15-18, 2019), Chicago Marriott Downtown, Chicago, IL – Update

III. Executive Session Determination

- A. For Discussion and Action: Whether the Ethics Commission Should Exercise Its Discretion to Consider the Evaluation of the Executive Director and Legal Counsel Where Consideration of Matters Affecting Privacy Will Be Involved, in an Executive Meeting Closed to the Public Pursuant to Section 92-5(a)(2)

- IV. 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 matters affecting privacy will be involved; or Section 92-5(a)(4), HRS, to consult with the Commission’s attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities and liabilities.)

- A. For Discussion: Executive Director and Legal Counsel Annual Evaluation (FY19)
- B. 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)?
- C. For Discussion: May the Ethics Commission:
 - 1. Create a Permitted Interaction Group (PIG) for Community Outreach and Media Response
 - 2. Delegate One Commissioner to Speak on Behalf of the Ethics Commission
 - 3. Respond to a Complainant Who Would Like to Discuss Their Case in Open Session
 - 4. Notice on Its Agenda and Consider “Matters Affecting Privacy” in Executive Session

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

VI. Adjournment

- A. For Discussion and Action: Next Reserved Meeting Date: November 13, 2019
- B. For Discussion and Action: Next Scheduled Meeting Date: December 18, 2019 (December Meeting Date Conflicts with COGEL Conference)

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Adjudicatory Matter

- I. EC No. 14-284-A and EC No. 14-284-B

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; 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 the oral testimonies of the 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 to 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 at 768-9242, via facsimile at 768-7768, or email ethics@honolulu.gov at least **4 working days** in advance of the meeting.

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