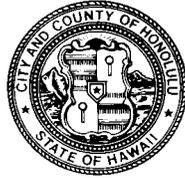


**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**

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 21, 2020

Time: 11:30 a.m.

Webex: Meeting Link: <https://cchnl.webex.com/join/ethics>

Meeting Number (Access Code): 268 451 616; or join by phone 1-408-418-9388

[Note: No Meeting Password.]

This meeting will be held via Webex Video Conferencing only. Members of the public are invited to join this meeting by downloading the Cisco Webex Meeting app using a phone or tablet with the above log-in information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

**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 September 16, 2020

3. For Action: Approval of Executive Session Minutes of September 16, 2020
- B. Executive Director and Legal Counsel’s Report
1. Staff Work Reports Summary
 2. Statistics
 - a. Website Sessions – August, September 2020
 - b. Financial Disclosure Filings – Update
 - c. Lobbyist Registrations, Annual Reports – Update
 - d. Department and Agency Reports for Fiscal Year July 1, 2019 – June 30, 2020 – Update
 3. Budget
 - a. FY2021 Operating Budget – Update
 - b. FY2022 Operating Budget Request – None
 4. Education and Outreach
 - a. Ethics Training Program (FY19–FY20) – Update
 - b. E-Newsletter, Twitter, Website – Update
 - c. Poster – Update
 5. Legislation and Election 2020
 - a. For Discussion: Honolulu Ethics Commission’s Implied Authority to Inform the Public About Charter Amendments Placed on a General Election Ballot
 - b. FAQs: 2020 Ballot Questions 3 and 4
 - i. Question 3 – “Shall the Revised City Charter be amended to allow the Honolulu Ethics Commission to control its own budget after it has been enacted?” (Resolution 19-331)
 - ii. Question 4 – “Shall the Revised City Charter be amended to require ethics commission staff to be appointed based on merit principles, but exempt them from the civil service position classification plan, and to have the salaries of all ethics commission staff set by the ethics commission, subject to specified limitations?” (Resolution 20-83, FD1)
 - c. Councilmember-elect and Candidate Advisement – Private Donations for Government Transitional and Inaugural Expenses, Advisory Opinion No. 2013-3

6. Education Opportunities – Commissioners and Staff
 - a. Society of Corporate Compliance and Ethics (SCCE) 19th Annual Compliance & Ethics Institute (September 14–16, 2020), Virtual Conference (CDT) – Report
 - b. Council on Governmental Ethics Laws (COGEL) 42nd Annual Conference (December 13–16, 2020), Virtual Meeting (Hosted by City of Atlanta) – None
7. For Discussion: Personal Use of Social Media by City Employees
 - a. Personal Use of Social Media by City Employees Policy (City and County of Honolulu, Department of Human Resources, June 17, 2019)
 - b. Political Activity – Social Media Guide (Board of Ethics, City of Philadelphia, September 7, 2020)

III. Executive Session Determination

- A. For Discussion and Action: Whether the Ethics Commission Should Exercise Its Discretion to Consider Whether There Is Probable Cause to Believe That a City Employee Violated Revised Charter of Honolulu Section 11-104

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 Decision: Whether There Is Probable Cause to Believe That a City Employee Violated Revised Charter of Honolulu Section 11-104

V. Strategic Planning

- A. Permitted Interaction Group (Chair Marks, Vice-Chair Monk, Commissioner Suemori) – Report on Gifts Research, No Gifts Legislation

VI. Adjournment

- A. Next Meeting: December 16, 2020

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.

If you need an auxiliary aid/service or other accommodation due to a disability or an interpreter for a language other than English, please call the Honolulu Ethics Commission at (808) 768-9242 between 7:45 a.m. and 4:30 p.m. or send an email to ethics@honolulu.gov at least four (4) business days before the scheduled meeting. It may not be possible to fulfill requests received after this date.

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