

ETHICS COMMISSION  
**CITY AND COUNTY OF HONOLULU**

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MAYOR



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**Advisory Opinion No. 2001-5**

This responds to your request for a formal advisory opinion from the Ethics Commission (Commission) regarding your concern about the actions of an employee (A) of the Department of Environmental Services. You state that A undermined your trust in government when he informed you that the sewer rates for real property you own would increase, even though you had contacted the city to inquire about having the rates reduced.

The Commission reviewed the information you and A transmitted and the informal staff opinion in this matter.

The Commission has jurisdiction over the conduct of city officers and employees regarding ethics issues. The relevant portion of § 11-101, Revised Charter of Honolulu (RCH), states:

Elected and appointed officers and employees shall demonstrate by their example the highest standards of ethical conduct, to the end that the public may justifiably have trust and confidence in the integrity of government.

We note your sincere belief that the city's sewer rates are set inappropriately and that the enforcing agency, through A, undermined your trust in city government. The Commission, however, is required to examine your complaint objectively and dispassionately. In this case, the Commission finds that A and other departmental employees followed the prescribed process in increasing the sewer charges for your property. It was indeed unfortunate that he could not comply with your desire to lower the rates as it appears you had the best of intentions in requesting lower rates to help your tenants. A was required to follow RCH § 11-104 in this matter and not give your property unwarranted special treatment by ignoring the proper sewer rate for properties in the same category.

In conclusion, the Commission does not find a violation of the ethics laws in this case.

Dated: October 24, 2001

/S/  
LOLINDA D. RAMOS, Chairperson  
Ethics Commission