

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**



Advisory Opinion No. 270

This is an advisory opinion in response to your letter requesting advice from the Ethics Commission as to the conditions under which a City department may hold a golf tournament. The Commission understands the facts relative to your inquiry to be as follows:

For a number of years, the City department's predecessor has held a golf tournament for its employees and its vendors and consultants. Last year the City department began holding a similar event of its own. The City department would like to continue this tradition.

The tournament will be held on a Friday at a City golf course. About 700 competitors can be accommodated. Priority in registration will be given to current and retired employees of the City department. If additional space remains, the opportunity to participate will be given to some City employees from other departments as well as vendors and consultants who work with the City department.

Each City competitor will pay his or her own entry fee, and the fee will be identical for all participants. In general, prizes will be purchased from the entry fee, but donations may be solicited from businesses and persons that cannot reasonably be expected to do business with the City. Prizes will also be accepted from City officers and employees who wish to make donations.

The ethical question presented is whether a golf tournament sponsored by the City department which includes City employees along with vendors and consultants of the City department would violate the Fair and Equal Treatment provisions of the Standards of Conduct.

The general rule in relation to your question is found in the Revised Charter of the City and County of Honolulu 1973 (1994 Ed.), Section 11-104, which states as follows:

Elected or appointed officers or employees shall not use their official positions to secure or grant special consideration, treatment, advantage, privilege or exemption to themselves or any person beyond that which is available to every other person.

Based on the evidence presented, the Commission finds that the Standards of Conduct will not be violated if the City department sponsors a golf tournament provided that: 1) no tournament-related costs for City employees are paid by the private sector; 2) City employees participate on their own time (personal leave or compensatory time off); and 3) donations to the tournament are not accepted from persons or businesses that can reasonably be expected to do business with the City department. However, donations from City officers and employees can be accepted for the tournament.

Dated: May 30, 1996

GOLDIE D. BRANGMAN-DUMPSON
Chair, Ethics Commission