

**ETHICS COMMISSION
CITY AND COUNTY OF HONOLULU**



Advisory Opinion No. 59

This is to advise you of our decision relative to your written request of April 12, 1976 for in advisory opinion involving the selection of Architect X as an architect for a project for the Department of Parks and Recreation.

We understand the salient facts to be as follows:

1. That Architect X was selected as an architect for Y Park sports complex by the City administration.
2. The Council enacted the executive capital budget ordinance providing for planning and engineering of the proposed Y Park sports complex.
3. In addition to your office as a Councilman for the City and County of Honolulu, you are also the Chairman of a committee of the City Council which is primarily responsible for sheperding the annual appropriation ordinances for adoption by the Council.

Our inquiry has revealed the following findings:

1. The appropriation in question became effective on May 15, 1975.
2. Architect X was selected as an architect on December 31, 1975.
3. The Chief of the Facilities Development Division of the Department of Parks and Recreation recommends the names of three architects to the Department Head. The Department Head then submits the names to the Director of Finance. He, in turn, submits the three names to the Managing Director. Subsequently, one name is submitted to the Director of Finance as the architect for the subject project.
4. There is testimony that the elected official did not contact any of the officials involved in the selection process. This is confirmed by the testimonies of said chief and Director of Finance.

In view of the foregoing, we find that the elected official did not violate any of the provisions of standards of conduct prescribed in Article X of the Revised Charter or the additional standards of conduct prescribed in Article 15 of Chapter 7, R.O. 1969, as amended.

Dated: Honolulu, Hawai'i, June 23, 1976.

ETHICS COMMISSION
Nathaniel Felzer, Chairman