

REPORT OF THE COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

Voting Members

Ron Menor, Chair; Carol Fukunaga, Vice-Chair,
Ikaika Anderson, Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan,
Ernest Y. Martin, Trevor Ozawa, Kymberly Marcos Pine

Committee Meeting Held
August 23, 2016

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Executive Matters and Legal Affairs, to which was referred Resolution 16-164 entitled:

"RESOLUTION REQUESTING THE CITY AUDITOR TO PERFORM A COMPREHENSIVE MANAGEMENT AND PERFORMANCE AUDIT OF THE HONOLULU ETHICS COMMISSION,"

introduced on July 29, 2016 reports as follows:

The purpose of this Resolution is to request the City Auditor to perform a comprehensive management and performance audit of the Honolulu Ethics Commission.

The City Auditor and the Executive Director and Legal Counsel of the Honolulu Ethics Commission testified in support of the Resolution.

Your Committee received three testimonies from individuals in support of the Resolution. Comments were received by one individual.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

SEP 07 2016

COMMITTEE REPORT NO.

251

REPORT OF THE COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

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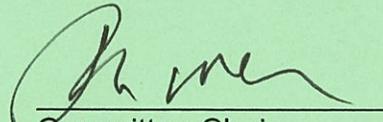
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Your Committee amended the Resolution to a CD1 version that makes the following changes:

- A. Changes "Executive Director" to "former Executive Director" of the Ethics Commission in the fourth Whereas clause and the fifth Whereas clause, points B and D.
- B. Makes miscellaneous technical and non-substantive amendments.

Your Committee on Executive Matters and Legal Affairs is in accord with the intent and purpose of Resolution 16-164, as amended herein and recommends its adoption in the form attached hereto as Resolution 16-164, CD1. (Ayes: Menor, Anderson, Elefante, Fukunaga, Kobayashi, Martin, Ozawa, Pine - 8; Noes: None; Excused: Manahan - 1).

Respectfully submitted,



Committee Chair

SEP 07 11 22 AM '16
CITY OF HONOLULU
CITY CLERK

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON SEP 07 2016

COMMITTEE REPORT NO. 251



RESOLUTION

REQUESTING THE CITY AUDITOR TO PERFORM A COMPREHENSIVE MANAGEMENT AND PERFORMANCE AUDIT OF THE HONOLULU ETHICS COMMISSION.

WHEREAS, Section 11-107 of the Revised Charter of the City and County of Honolulu 1973, as amended ("Charter"), establishes an Ethics Commission ("Commission"), within the Department of the Corporation Counsel for administrative purposes, comprised of seven members appointed by the Mayor and confirmed by the Council to five-year terms; and

WHEREAS, the Commission has the basic duties of rendering advisory opinions and conducting investigations concerning the application of the City's standards of ethical conduct and recommending appropriate disciplinary action against City officers and employees who violate the standards; and

WHEREAS, the Commission's stated goal is to establish and build an ethical culture in City government so that the public may justifiably trust City government officers and employees and their respective actions; and

WHEREAS, recent events have strained the relationship between the Commission's former Executive Director and staff members, Commissioners, and the City administration; and

WHEREAS, the public's trust in the Commission's ability to carry out its duties has been undermined, as media reports have indicated, by events such as:

- A. The imposition of a media policy that, among other things, prohibited the Commission's staff members from engaging in media activities to air their concerns or grievances regarding the Commission's operations or comment on the Commission's decisions and opinions;
- B. The suspension of the Commission's former Executive Director following an internal personnel investigation;
- C. The implementation of a requirement for Commission's staff members to complete daily timesheets that detail by tenth-of-an-hour increments legal and administrative tasks performed; and
- D. The resignation of the Commission's former Executive Director and staff members; and



RESOLUTION

WHEREAS, the City Council finds that, given the current state of the Commission, a comprehensive management and performance audit is necessary to determine how to improve the Commission's operations and efficiency in carrying out its duties and to help restore the public's trust in the Commission; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the City Auditor is requested to perform a comprehensive management and performance audit of the Honolulu Ethics Commission; and

BE IT FURTHER RESOLVED that the Council requests the City Auditor to report its findings and recommendations for improving the Commission's operations and efficiency in carrying out its Charter-prescribed duties; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Mayor, the Managing Director, the Chair of the Honolulu Ethics Commission, and the City Auditor of the City and County of Honolulu.

INTRODUCED BY:

Trevor Ozawa

DATE OF INTRODUCTION:

June 29, 2016
Honolulu, Hawaii

Councilmembers