

BEFORE THE BOARD OF ETHICS

COUNTY OF HAWAI'I

In the Matter of the Petition by

DR. HOLEKA GORO INABA,

Petitioner.

PETITION NO. 2025-01

INFORMAL ADVISORY OPINION

Initial Review: February 13, 2025

INFORMAL ADVISORY OPINION

By Petition dated December 30, 2024, with the Hawai'i County Board of Ethics (hereinafter "the Board"), Petitioner Dr. Holeka Goro Inaba (hereinafter referred to as "Petitioner"), who is the elected County Council Member for District 8 North Kona and serves as Council Chair, requested an Informal Advisory Opinion from the Board regarding the application of section 2-91.5, Reporting of Gifts, of the Hawaii County Code. Petitioner sought guidance as to whether council members that attend a quarterly meeting at the Kohala Coast Resort Association, where they receive food and drink, should report such as a "gift."

At its duly noticed meeting on February 13, 2025, in an open hearing, the Board reviewed and considered the above-captioned Petition pursuant to Rule 4 of the *Rules of Practice and Procedure of the Board of Ethics*. Petitioner identified he is presently the County Council Chair. Petitioner explained that the events are put on by the Kohala Coast Resort Association quarterly in which council members, members of the administration, other elected officials and selected community members from the business community and key non-profit agencies are invited. These quarterly meetings are hosted by one of the resorts where food and alcohol are available for free to all those in attendance. At the meetings, the resorts provide updates on events and

programs that are happening across the resorts. Petitioner stated that he would not estimate the value of what is provided at the events to be worth more than \$100.

The Board, having deliberated and considered and giving appropriate weight to the testimony and evidence submitted by the Petitioner, and having considered the arguments presented, hereby renders the following Findings of Fact, Conclusions of Law, and Order.

#### FINDINGS OF FACT

1. To the extent that any of these Findings of Fact are Conclusions of Law, they are to be so construed.

##### A. The Petition

2. Petitioner is an officer of the County, in that he is the County Council Member representing District 8 North Kona.

3. The Kohala Coast Resort Association quarterly meetings are by invitation only, in which council members, members of the administration, other elected officials and selected community members from the business community and key non-profit agencies are specifically invited.

4. The Kohala Coast Resort Association quarterly meetings are not open to the general public.

5. The Kohala Coast Resort Association quarterly meetings are hosted by a member resort in which food and alcohol are provided without charge for the attendees.

6. Council bills and/or initiatives are not discussed at the meetings.

7. Presently, the provided food and alcohol is not estimated to be valued at more than one hundred dollars (\$100).

B. Board's Ruling

8. Based on the evidence and testimony presented, the Board finds there is no requirement to report the Kohala Coast Resort Association quarterly meetings as a gift, provided the value is more than one hundred dollars (\$100).

9. Board Member Christopher Ho moved that the Board find that there is a requirement to report as a gift the receipt of food and alcohol at the Kohala Coast Resort Association quarterly meetings if the value is more than one hundred dollars (\$100) under of the Code of Ethics.

10. Board Member Lisa Fukumitsu seconded the motion. The motion passed 4 in favor, 1 against.

CONCLUSION OF LAW

Based upon the evidence presented and the Board's review of the Hawai'i County Code of Ethics and the *Rules of Practice and Procedure of the Board of Ethics*, the Board finds and concludes that council members that attend the Kohala Coast Resort Association quarterly meetings would be required to report the receipt of food and alcohol as a gift if the value exceeds one hundred dollars (\$100).

ORDER


Pursuant to Board Rule 4.9, this Informal Advisory Opinion shall be filed and a copy shall be sent to the Petitioner.

Dated: Hilo, Hawai'i, April 23<sup>rd</sup>, 2025.

BOARD OF ETHICS, COUNTY OF HAWAI'I

By   
RACHEL SHORT  
Chair

APPROVED AS TO FORM  
AND LEGALITY:

  
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SYLVIA A. WAN  
Deputy Corporation Counsel

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