

BEFORE THE BOARD OF ETHICS

COUNTY OF HAWAI'I

In the Matter of the Petition by

WESLEY R. SEGAWA,

Petitioner.

PETITION NO. 2025-07

INFORMAL ADVISORY OPINION

Initial Review: April 23, 2025

INFORMAL ADVISORY OPINION

By Petition dated February 10, 2025, with the Hawai'i County Board of Ethics (hereinafter "the Board"), Petitioner WESLEY R. SEGAWA (hereinafter referred to as "Petitioner") who is employed as the Director of the County of Hawai'i, Department of Environmental Management ("DEM"). In his private capacity, Petitioner is the current president and stockholder of two engineering firms, Wesley R. Segawa & Associates, Inc ("WRSA") and Project Management, Inc. ("PMI"). Both firms have current contracts with the County. Petitioner requested an Informal Advisory Opinion from the Board regarding application of section 2-83, Fair Treatment and section 2-84, Conflicts of Interest, of the Hawai'i County Code. Petitioner sought guidance regarding the existing contracts held by WRSA and PMI with the Department of Public Works and Office of Housing and Community Development, respectively.

At its duly noticed meeting on April 23, 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 that he is the Director of DEM. Petitioner explained that he retains his private position as an officer and stockholder of the two engineering companies WRSA and PMI. WRSA has a current contract with the Department of

Public Works (“DPW”) for the Reconstruction of Low Inundated Roads, FEMA 4366-DR-HI, contract number C.011809. PMI has current contracts with the Office of Housing and Community Development (“OHCD”) for the Kamakoa Nui Road and Infrastructure Development Project, Kukuiola Assessment Center and Emergency Shelter, and O’okala County of Hawai‘i Land for Affordable Housing Project. All of the current contracts with WRSA and PMI were awarded prior to Petitioner becoming the Director of DEM.

Neither WRSA nor PMI have contracts with DEM, and WRSA and PMI have withdrawn their prior requests for professional services consideration with DEM. Petitioner explained that he is in the process of divesting himself from the business activities related to WRSA and PMI. Petitioner stated that he is no longer involved in the daily activities and decision making of WRSA and PMI. Petitioner added that he would not appear as the representative of WRSA or PMI in interactions with the County. As to prospective contracts that WRSA or PMI may enter into with the County, Petitioner stated that either Phyllis Segawa and/or Kimberly Pua, other members of WRSA and PMI, would be the signatory for those contracts.

The Board, having deliberated and considered and giving appropriate weight to the testimony and petition 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 employed as the Director of the County of Hawai‘i, Department of Environmental Management.

3. Petitioner, in his private capacity, is the president and stockholder of two engineering firms, Wesley R. Segawa & Associates, Inc (“WRSA”) and Project Management, Inc. (“PMI”).

4. WRSA and PMI have active contracts with the Department of Public Works and the Office of Housing and Community Development, respectively.

5. Petitioner has divested himself from business activities, which include the daily business activities and decision making of WRSA and PMI.

6. Petitioner stated that with his divestment from the business activities, he would neither be the signatory nor the representative from WRSA and PMI in their contracts with the County.

B. Board’s Ruling

7. Based on the evidence and testimony presented, the Board finds that there is no conflict of interest for the Petitioner provided Petitioner recuses himself from any work related to either company, WRSA or PMI, and Petitioner will not seek contracts nor interact with the County in relation to WRSA or PMI contracts.

8. Board Member Christopher Ho moved that the Board find that there is no conflict of interest under the Hawai’i County Code of Ethics should the Petitioner i.) recuse himself from any work related to Wesley R. Segawa & Associates, Inc and Project Management, Inc.; ii.) will not be involved in soliciting for contracts with the County; and iii.) not have any involvement with the business or operational decisions for any active or future contracts with the County.

9. Board Member Kelly Valenzuela seconded the motion. The motion passed 5 in favor, 0 against.

CONCLUSION OF LAW

Based upon the evidence presented and the Board's review of the Hawai'i County Charter, Hawai'i County Code of Ethics, and the *Rules of Practice and Procedure of the Board of Ethics*, the Board finds and concludes that there is no conflict of interest under the Hawai'i County Code of Ethics should Petitioner i.) recuse himself from any work related to Wesley R. Segawa & Associates, Inc and Project Management, Inc.; ii.) will not be involved in soliciting for contracts with the County; and iii.) not have any involvement with the business or operational decisions for any active or future contracts with the County.

ORDER

Pursuant to Rule 4.9 of the *Rules of Practice and Procedure of the Board of Ethics*, this Informal Advisory Opinion shall be filed and a copy shall be sent to the Petitioner.

Dated: Hilo, Hawai'i, May 14th, 2025.

BOARD OF ETHICS, COUNTY OF HAWAI'I

By: 
RACHEL SHORT
Chair

APPROVED AS TO FORM
AND LEGALITY:



SYLVIA A. WAN
Deputy Corporation Counsel

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