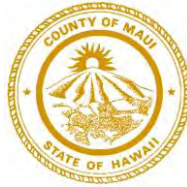


MICHAEL P. VICTORINO
Mayor

MOANA M. LUTEY
Corporation Counsel

EDWARD S. KUSHI, JR.
First Deputy

LYDIA A. TODA
Risk Management Officer



BOARD OF ETHICS
C/O DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808) 270-7740
FACSIMILE: (808) 270-7152

February 12, 2020

VIA EMAIL angelarenelucero@gmail.com

Angela Lucero
P.O. Box 10951
Lahaina, Hawaii 96761

Re: Signed Board of Ethics Advisory Opinion No. 19A-13

Dear Ms. Lucero:

Dear:

On Wednesday, February 12, 2020, the members of the Maui County Board of Ethics ("Board") approved and signed Advisory Opinion No. 19A-13, pursuant to your Request for an Advisory Opinion received on October 30, 2019. Enclosed is the opinion which is available for public inspection pursuant to the Board's Rules.

We thank you once again for bringing this matter to the attention of the Board and apologize for the delay of its approval due to a meeting cancelation.

Should you have any questions, please feel free to contact board staff at 808-270-7583.

Sincerely yours,

/s/ Matthew Macario

MATTHEW MACARIO, CHAIR
Maui County Board of Ethics

MM:cmv

BEFORE THE BOARD OF ETHICS

COUNTY OF MAUI

In the Matter of the
Request by Angela Lucero, for
an Advisory Opinion

Advisory Opinion
No. 19A-13

ADVISORY OPINION

The Maui County Board of Ethics (the "Board"), having reviewed a request for an advisory opinion by Angela Lucero, and having obtained all the information deemed necessary by the Board to make a proper determination regarding the subject request, renders this Advisory Opinion No. 19A-13 pursuant to Section 10-2.2.c of the Revised Charter of the County of Maui (1983), as amended (the "Charter") and Section 04-101-52 of the Rules of the Board.

Summary of Facts

After review of the request for an advisory opinion the Board finds as follows:

(a) Procedural facts.

By letter dated October 30, 2019, Ms. Lucero requested an advisory opinion regarding her ability to serve as a member of the West Maui Community Plan Advisory Committee ("West Maui CPAC"), given her employment with a Maui County Council Member. On December 11, 2019, the Board convened in Regular Session to consider the subject advisory opinion request.

(b) Summary of facts.

Ms. Lucero was nominated by the Mayor to serve on the West Maui CPAC, and the nomination was confirmed by the Maui County Council.

Mr. Lucero is also employed by Maui County Council Member Tamara Paltin as an executive assistant. Council Member Paltin, represents the Lahaina District of Maui County.

The West Maui CPAC is a County of Maui agency that reviews and makes recommendations for revisions to the community plan for West Maui, including making policy

recommendations and changes to growth boundaries. The West Maui CPAC is an advisory body, whose recommendations are subject to approval by the Maui Planning Commission and Maui County Council.

Applicable Law

The Board considered the provisions of Article 10 of the Charter ("Code of Ethics") in rendering this Advisory Opinion.

With regard to limitations of a County employee's outside business or financial interests, the Code of Ethics provides as follows:

Section 10-4. Prohibitions.

1. No officer or employee of the county shall:

. . . .

- c. Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of the officer's or employee's official duties or which may tend to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties.

Opinion

Based on the foregoing provision of the Code of Ethics, the information received and the records and files herein, the Board is of the opinion that Ms. Lucero's employment as an executive assistant for Council Member Paltin is not a financial interest that is incompatible with her duties as a member of the West Maui CPAC.


However, should a matter affecting Council Member Paltin come before the West Maui CPAC, Ms. Lucero must disclose her employment as an executive assistant to Council Member Paltin. Ms. Lucero shall also consider whether she may participate in the discussion and voting on any matter affecting the interests of Council Member Paltin or whether she must refrain from discussing or voting on a matter.

Ms. Lucero is also reminded that as a West Maui CPAC member, all work must be done on her own time, using her own

resources. She may not do West Maui CPAC work using county resources, including county time, computers and email.

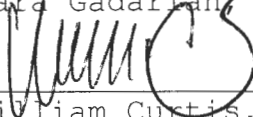
This Advisory Opinion is based upon the facts available to the Board. Ms. Lucero is advised to bring this matter before the Board again, should the facts of her situation change. The Board thanks Ms. Lucero for bringing this matter to the Board's attention.

Adopted by the Board on February 12, 2020;




Matthew Macario, Chair

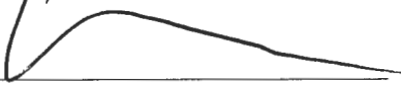
Sara Gadarian, Secretary



William Curtis, Jr., Member

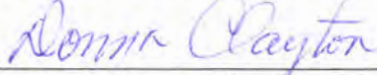


Geraldine Lewis, Member

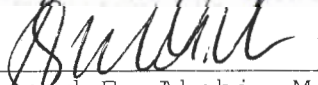


David Weiss, Member

Rachel Ball Phillips, Member



Donna Clayton, Member



Seward E. Akahi, Member