

# Municipality of Anchorage



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## BOARD OF ETHICS

July 15, 2010

The Honorable Dan Sullivan, Mayor  
Municipality Of Anchorage  
P.O. Box 19-6650  
Anchorage, AK 99519-6650

Re: Request for Advisory Opinion 2010-08

Dear Mayor Sullivan:

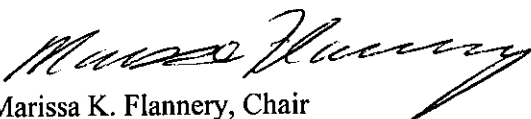
The Board of Ethics writes in response to your request for an advisory opinion regarding the competitive Request for Proposal (RFP) potentially involving Marketing Solutions, Inc (MSI). The Board understands that your brother, Casey Sullivan, is a non-management employee of MSI. You asked the Board of Ethics to consider steps you should take during the RFP process, steps MSI should taking during that process, and steps you should take if MSI is successful in its bid for a municipal contract.

In issuing this opinion the Board has relied on the information provided in your request and the applicable Anchorage Municipal Code. The Board has not undertaken an independent investigation to verify any facts provided in your request. If material facts have not been disclosed or have been misrepresented, this opinion is without force and effect.

It is our understanding that the contract award recommendation is prepared by the purchasing department and forwarded to the Assembly for approval. There is no official action required of you in the contract award process. Therefore, the Board of Ethics finds no direct conflict of interest in this matter. However, because of appearance of conflict, you should take the following steps: (1) disclose to the Board of Ethics the nature of the relationships involved (use the "Disclosure of Potential Conflict of Interest for Mayor" form; and (2) create "firewalls" that insulate you from the award decision. For instance, you should refrain from any participation in discussions on this matter with those involved in the contract award decision. If Executive input on that decision is required, it should come from the Municipal Manager and not from you.

The Board of Ethics finds that no specific steps need be taken by MSI.

Sincerely,

  
Marissa K. Flannery, Chair

Board of Ethics

Municipality Of Anchorage