



Municipality of Anchorage
Board of Ethics
C/o Municipal Clerk's Office
632 W. 6th Ave. Ste. 250 Anchorage, AK 99501

Date: October 5, 2017

To: James E. Dooley
dooleysathletic@gci.net

From: Municipal Board of Ethics

Re: Response to Request for Advisory Opinion 2017-3 – *Confidentiality Waived*¹

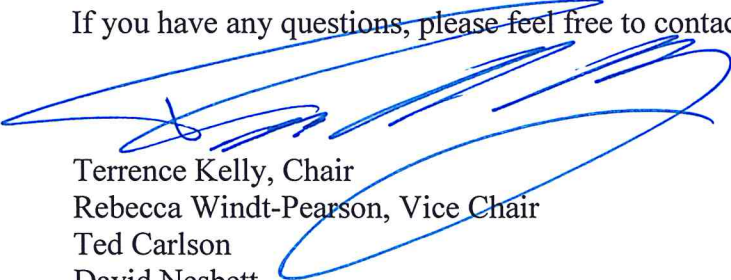
Dear Mr. Dooley:

We are responding to your *Request for Advisory Opinion* (Request), dated July 12, 2017. You inquired whether the Municipal Code of Ethics (Municipal Ethics Code) permits you, as the owner of an athletics supply business and coach of the East High School volleyball team, to sell sporting goods from your business to East High and other schools within the Anchorage School District (ASD).

We understand that ASD has determined that under its own conflict-of-interest policies, you are prohibited from entering into contracts for the sale of sporting goods to East High. We also understand that ASD has granted you a waiver to conduct business with ASD schools other than East High so long as the disclosure, competitive bidding, and other terms of the waiver are followed.

ASD has the authority to adopt conflict-of-interests policies more stringent than those of the Municipal Ethics Code, as it has done in this instance. This Board has jurisdiction over the application of the Municipal Ethics Code only, not ASD policies. Any opinion of the Board concerning the facts of this case under the Municipal Ethics Code would be superseded by ASD's application of its own more stringent policies, and thus, would be moot. Because of this, the Board of Ethics has determined not to issue an advisory opinion pursuant to AMC 1.15.160A.2.b.

If you have any questions, please feel free to contact us.



Terrence Kelly, Chair
Rebecca Windt-Pearson, Vice Chair
Ted Carlson
David Nesbett

¹ See AMC 1.15.150.D. ("A request for advice is confidential unless confidentiality is waived by the person requesting an advisory opinion.")