



Municipal Board of Ethics

#: _____ - _____

632 West 6th Ave. Ste. 250 Anchorage, Alaska 99501

Meeting Date: _____

Mailing Address: P.O. Box 196650 Anchorage, AK 99519-6650

Phone: 343-4311

Municipal Clerk: Barbara A. Jones

CONFIDENTIAL Request for an Advisory Opinion CONFIDENTIAL

Anchorage Municipal Code: Chapter 1.15 CODE OF ETHICS, AMC 1.15.150 Advisory Opinions.

- A. Current, former, or potential **public servant** may request an advisory opinion regarding the applicability and interpretation of this chapter related to actions, rights, or conflict personal to the inquirer.
- B. The municipal clerk, the municipal ombudsman, and the municipal attorney may request an advisory opinion from the board of ethics regarding the applicability and interpretation of this chapter.
- C. In any later proceeding involving the inquirer, the inquirer is entitled to rely on the advice of the board, and may not be sanctioned for acting in compliance with the board's advice so long as the facts remain substantially unchanged from those represented to the board in the inquiry.
- D. **A request for advice is confidential** unless confidentiality is waived by the person requesting an advisory opinion.

*** *** ***

- | | | |
|----------------------------------------|-----------------------------------------------|--------------------------------------------------|
| <input type="radio"/> Current | <input type="radio"/> Employee | <input type="radio"/> Municipal Clerk |
| <input type="radio"/> Former | <input type="radio"/> Board Member | <input type="radio"/> Municipal Attorney |
| <input type="radio"/> Potential | <input type="radio"/> Elected Official | <input type="radio"/> Municipal Ombudsman |

AMC 1.15.030D. **Public Servants** - all persons within the scope of this code, including employees, board members, and elected officials.

In accordance with AMC 1.15, I am requesting applicability and interpretation of the following **section of the Municipal Code of Ethics:** _____

Please describe your request:

(Attach separate sheets as necessary.)

- | | |
|----------------------------------------------------|--------------------------------------------------------|
| <input type="radio"/> Waive Confidentiality | <input type="radio"/> I Request Confidentiality |
|----------------------------------------------------|--------------------------------------------------------|

I understand that advisory opinions are required to be posted on the Municipal Website. The Board shall make sufficient deletions to prevent disclosure of the persons who have requested anonymity. AMC 1.15.150F. **I affirm to the best of my knowledge that my statement is true, correct, and complete.**

Signature of Requestor: Suzanne LaFrance Date: 8/10/2022

Printed Name: _____ Phone Number: () - _____

Email Address: _____

Mailing Address: _____

From: LaFrance, Suzanne <suzanne.lafrance@anchorageak.gov>
Sent: Tuesday, July 5, 2022 2:32 PM
To: Becky Windt-Pearson <bwindt-pearson@gci.com>
Cc: Petersen, Pete <pete.petersen@anchorageak.gov>; Constant, Christopher <christopher.constant@anchorageak.gov>; Jones, Barbara A. <barbara.jones@anchorageak.gov>; Gates, Dean T. <dean.gates@anchorageak.gov>
Subject: Board of Ethics - Review of Assembly Questions to Determine Substantial Interest

Hi, Becky,

Thanks for your service on the Board of Ethics. It was nice to see you at the June 22 Ethics and Elections Committee meeting – I appreciated your presentation about the Board.

To follow up on the conversation about the questions per AMC 1.15.060 that the Assembly uses to help determine if a member has a substantial financial or private interest, it would be very helpful if the Board would provide additional guidance:

Substantial financial or private interest: Whether the financial or private interest disclosed is substantial shall be determined on a case-by-case basis, with evaluation and balancing of these factors:

1. Whether the financial or private interest is a substantial part of the matter under consideration.
2. Whether the financial or private interest directly and substantially varies with the outcome of the official action.
3. Whether the financial or private interest is immediate and known or conjectural and dependent on factors beyond the official action.
4. Whether the financial or private interest is significant monetarily.
5. Whether the financial or private interest is of a type which is generally possessed by the public or a large class of persons to which the member belongs.
6. Other factors deemed appropriate by the presiding official under the specifics of the disclosure and the nature of the action.

Here are a few issues that were identified during the meeting:

- Assembly members are not clear as to what is meant by a “substantial financial or private interest.”
- The questions are difficult to understand. Can we ask them in plain language?
- Negative responses to the questions don’t necessarily result in clarity about a member’s interests, e.g., a member answered “no” to all of them but was employed by a subsidiary corporation that stood to benefit from a contract with the MOA.

I like your idea about creating talking points to read before the questions and about providing guidance concerning what facts about a relationship ought to be declared.

Including the others who were in that conversation as they might have more to add.

Thanks,
Suzanne