

**Municipality of Anchorage
Board of Ethics**

March 7, 2008

REQUESTOR

RE: Advisory Opinion 2008-1

Dear Requestor,

Please be advised this is the Board of Ethics Advisory Opinion 2008-1. Under AMC 1.15.080(A), this Opinion is confidential unless confidentiality is waived by you. In issuing this opinion, we have relied solely on the facts and information presented to us by you, in letter dated January 16, 2008. We have not undertaken an independent investigation of such information. This opinion is limited to the facts presented in that letter. If material facts have not been disclosed or have been misrepresented, this opinion is without force and effect.

Summary of Opinion

We are writing in response to your request for an advisory opinion regarding a potential conflict of interest related to your serving as a member of a municipal board/commission and your relative serving as a municipal employee. We find that no conflict of interest exists.

Factual Background

You serve on a municipal board/commission. Your relative serves as a municipal employee. As a member of the board/commission you hear appeals from citizens concerning their property values as determined by the Municipal Assessor. The employee, the employee's department and the board/commission members have no influence over which appeals are presented. The board/commission is not overseen by the employee's department. Rather the board/commission comes within the purview of the Chief Fiscal Officer. In addition, any appeals of board/commission decisions would not be heard by the employee's department.

Specific Questions for Ethics Board

You have requested an Advisory Opinion from the Board on whether a potential conflict of interest arises from you serving on the board/commission and your relative being a municipal employee.

Discussion

The Board considered the information provided in your letter and the Organizational Chart for the Municipality of Anchorage. The board/commission is not overseen by the employee or the employee's department. Rather the board/commission comes within the purview of the Chief Fiscal Officer. The employee, employee department and the board/commission members have no influence over which appeals the board/commission will hear.

Further the Ethics Code provides for how to deal with a specific conflict should one arise. The Board of Ethics encourages you to consult the Ethics Code for detail regarding any particular action or relationships that may constitute a conflict of interest in exercising your duties on the BOE. Relevant sections include AMC 1.15.020: Prohibited conduct; and AMC 1.15.030: Additional provisions for member of the public appointed to a public body.

Determination

We appreciate your prudent approach in coming to the Board with this matter. We have determined that your position on the board/commission and your relative's position as a municipal employee present no conflict of interest.

Sincerely,

G. W. Kimura, Ph.D. (Cantab.)
Acting Chair
Board of Ethics