



Municipal Board of Ethics

2020 - 1

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

Meeting Date: 2020-0611

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.

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<input checked="" type="checkbox"/> Current	<input checked="" type="checkbox"/> Employee	<input type="checkbox"/> Municipal Clerk
<input type="checkbox"/> Former	<input type="checkbox"/> Board Member	<input checked="" type="checkbox"/> Municipal Attorney
<input type="checkbox"/> Potential	<input type="checkbox"/> Elected Official	<input type="checkbox"/> 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: Conflict of Interest Issues

Please describe your request:

See attached e-mail

(Attach separate sheets as necessary.)

<input checked="" type="checkbox"/> Waive Confidentiality	<input type="checkbox"/> I Request Confidentiality
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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: Dee Ennis Date: 10 June 20

Printed Name: Dee Ennis, Deputy Muni Attorney/Ethics Officer Phone Number: (907) 4349 - 4349

Email Address: Deitra.Ennis@AnchorageAK.Gov

Mailing Address: _____

From: [Thern, Alden P](#)
To: [Ennis, Deitra L.](#)
Cc: [Falsey, William \(Bill\) D](#)
Subject: Carrie Belden Ethics Questions
Date: Monday, January 13, 2020 12:32:00 PM

Dee, per our conversation in the hallway you had asked that I write to you with information related to any concerns or conflicts with Carrie Belden in her current position or possible future position at the Transportation Inspection office. Carrie was hired a few months back into the front counter position with the TI department and has been performing a stellar job since then. After she was hired she mentioned that her mother held a couple taxicab permits and wanted to make us aware of it. Katherine Popely the Transportation Inspector at that time asked me of any concerns and I recommended she notify Bill and yourself. We also implemented a practice at the TI department that Katherine would handle any issues that may have come up with the renewal of the permits or the driver operation of them in order to avoid any conflicts of interest or special treatment. I think that practice has been working well, however Katherine left employment last week and we needed to revisit it during the transition period. I have assumed all responsibilities with dealing with these permits as Katherine did until we have the department fully staffed again so there should be no concerns at this time. I have per our discussion looked into her family permit situation more closely so that we can identify any issues going forward and make sure we have a practice in place regardless of which of the TI positions Carrie may hold. There are three legacy permits which are in question.

Carrie's mother owns 2 legacy permits – 1 which she leases to another person to drive and 1 in which her husband operates as the driver. Carrie's mother does not drive for either of the permits. Carrie is listed as the beneficiary/transferee of the permits should something happen to her mother. Carrie's aunt owns 1 legacy permit – The permit is leased to Carrie's mother who then leases it out to another driver. Carrie's mother nor aunt drives for the permit. Carrie is listed as the beneficiary/transferee of the permit should something happen to her aunt.

If Carrie remains in her current position we would follow the current practice of having the newly hired Transportation Inspector be responsible for all contact with the permit holders or drivers of these permits to ensure there are no ethical concerns raised.

If Carrie receives appointment into the Transportation Inspector position we would need to post and hire for her current position placement. We created a combined front counter/code enforcer position which we filled and hired with someone prior to Carrie, but unfortunately that employee did not work out. Katherine chose to post for just the front counter job responsibilities upon hiring Carrie. We would need to go back to that combination position to fill Carrie's current position. Once that employee is hired they would be responsible for handling all permit renewal paperwork and money collection duties with the permit owners, as well as interact with Carrie's stepfather who may have any driving related issues while operating the one taxicab permit. This would ensure that Carrie would not be handling any of the Transportation Inspection department responsibilities related to these 3 permits.

Regarding Carrie being the beneficiary/transferee of the 3 permits. These legacy permits may only

be transferred according to Title 11 up until September 1, 2020. It is our interpretation of Title 11 that after that the permits cannot be sold to anyone nor can they be transferred to anyone else by any and all means which we believe includes through the passing on of the permits through death. It would be great if we could get your legal guidance on this topic related to Carrie but we are also getting this same question from many of the other legacy permit holders at this time and we would like to give them the correct legal answers. If you share this same interpretation than her being listed on these permits will have no barring after September 1, 2020 as she could never receive them and thus there would be no ethical conflicts. If you have concerns with Carrie being listed on these permits up until September 1, 2020 or you have a different interpretation of being able to transfer them after that date, I believe Carrie would be willing to have her name removed from the 3 permits it that would make things simpler and more ethically sound.

Moving forward I believe we have or will be able to put practices into place where the fact that 3 permits are owned by family members will not be an issue and that all their interactions with the TI department will be handled by staff other than Carrie.

If you need anything else or have additional questions feel free to let me know. Alden