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# **2024 ANNUAL REPORT**

**OF THE**



# **MUNICIPAL BOARD OF ETHICS**

**July 17, 2025**

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**MUNICIPALITY OF ANCHORAGE**  
**Board of Ethics**

July 17, 2025

Re: 2024 Annual Report of the Municipal Board of Ethics

Members of the Assembly Rules Committee:

The Anchorage Municipal Code requires the Board of Ethics to present an annual report to the Assembly Rules Committee for review and submission to the assembly. This report fulfills that requirement for 2024.

In 2024 the board reviewed two complaints and three requests for advisory opinions, which are both lower than historical averages for the board. The board met a total of twelve times in 2024 and all board members met the attendance requirements for board/commission members.

The board believes the code of ethics could benefit from some revision to clarify the definition of a conflict of interest and recommends some limited revisions to the code. The board's priority for the future remains fulfilling the intent of the code of ethics by promoting fair, honest, and impartial dealings with members of the public, ensuring proper use of municipal resources, and avoiding or managing potential conflicts of interest.

Sincerely,

Municipal Board of Ethics

Daniel Bellerive, Chair

Gretchen Guess

Kelly Moghadam

Haley West

## BOARD MEMBERS AND CONTACT INFORMATION

**Daniel Bellerive, Chair\***

*Member since January 23, 2024*

**Term Expires: October 14, 2026**

**Kelly Moghadam\***

*Member since April 11, 2023*

**Term Expires: October 14, 2025**

**Haley West**

*Member since May 6, 2025*

**Term Expired: October 14, 2027**

**Gretchen Guess**

*Member since December 17, 2024*

**Term Expires: October 14, 2027**

**Position Vacant**

**Term Expires: October 14, 2025**

\*Alaska bar association member. AMC 1.15.140(A) requires at least one member of the board to be a member of the Alaska bar association.

### **Staff Support to the Municipal Board of Ethics**

Jamie Heinz, Municipal Clerk

Karissa Sleppy, Agenda and Records Coordinator, Municipal Clerk's Office

Paul Ervasti, Legal Advisor, Administrative Hearing Officer

### **Contact Information**

C/o Municipal Clerk's Office

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<http://www.muni.org/departments/assembly/ethics/pages/default.aspx>

## THE BOARD'S WORK DURING 2024

### A. Comparison of 2024 to past years

The chart below compares matters reviewed by the Board during the last five years:

	2020	2021	2022	2023	2024
Ethics Complaints	0	7	10	3	2
Requests for Advisory Opinions	7	7	7	10	3
Disclosures of Economic Interests	6	39	46	63	136
Gift Disclosures	0	1	1	0	0
Notices of Intent to Respond to Public Solicitation	6	3	1	1	5

Statistics from earlier years are available in Assembly Information Memorandum 2018-80, which contains statistics of the Board's work from 2008-2017.

In 2024, the board reviewed 136 disclosures of economic interests. This higher number was likely caused by newly appointed board or commission members and new employees with the current administration filing their initial disclosures upon starting municipal service. The number of ethics complaints and requests for advisory opinions were down in 2024, compared to past years. The board's responses to all ethics complaints and requests for advisory opinions are available on the board's website at: <https://www.muni.org/Departments/Assembly/Ethics/Pages/AdvisoryOpinions.aspx>. Requests for advisory opinions are confidential, unless the requestor waives confidentiality. If the board's response involves a confidential matter, the response is published in a generic form, with sufficient deletions to prevent disclosures of the persons who have requested anonymity.

### B. Ethics Complaints

The board found a violation of the code of ethics in one of the two complaints that it reviewed in 2024. In case #2024-03, the board determined that a commissioner on the planning and zoning commission should have disclosed a potential conflict of interest. The board believed that while the failure to disclose the potential conflict was technically a violation, the violation was not intentional or committed in bad faith. This complaint illustrates why the code could benefit from greater clarity in defining a conflict of interest.

In case #2024-05, a complainant alleged that an assembly member violated AMC 1.15.110 (political activity) by wearing a political t-shirt while conducting elected duties as an assembly member. The board declined to review this complaint because the allegations, even if true, fail to constitute a violation of the code of ethics. Under AMC 1.15.110, elected officials may voice their opinions as part of their usual and customary duties, with limited use of municipal resources. This provision allows elected officials to

voice their opinions by wearing expressive personal clothing items such as shirts, buttons, pins, hats, etc., without violating the ethics code. Notably, municipal employees and board members are subject to different rules and could not wear clothing with political or partisan messages in the workplace or while conducting municipal business.

### **C. Advisory opinions**

Any current, former, or potential public servant may request an advisory opinion regarding the application or interpretation of the code of ethics related to actions, rights, or conflicts personal to them as the inquirer. Additionally, the municipal clerk, ombudsman, and the municipal attorney may request an advisory opinion related to the actions of any other public servant. To promote preventive instruction and advice to public servants, the code requires the Board to publish advisory opinions on the municipal website. The board reviewed three requests for advisory opinions during 2024.

In request #2024-01, the board advised a municipal employee that their contemporaneous employment with a private company did not violate the code of ethics, and the preventative steps the employee took prevented any ethical concerns.

In request #2024-02, the board advised an employee that the employee's association with a private company did not create ethical issues during the employee's municipal employment, and that the steps the employee planned to take to avoid future conflicts of interest would avoid any ethical problems.

In request #2024-04, the board advised the municipal attorney that the restrictions on employment after leaving service did prohibit a former municipal employee from working for a private contractor on contracts the former employee had worked on as a municipal employee, but did not prevent the former employee from working on new matters for the contractor.

### **D. Notices of intent to respond to public solicitation by a public servant**

A public servant must file a disclosure form with the municipal clerk if they or a member of their immediate family or household intend to respond to a public solicitation. The board reviewed five such requests and determined none of them raised concerns under the code of ethics.

The board also revised and updated the form for filing these notices, which eliminated a \$15.00 filing fee that had previously been charged. The board learned that this fee was a holdover from when notices were published in the newspaper, and the board did not feel public servants should have to pay to file a disclosure they are required to file.

## RECOMMENDATIONS FOR IMPROVEMENT

### A. Conflicts of Interest

AMC 1.15.060, the section of the code of ethics dealing with conflicts of interest, was substantially rewritten in 2023. The previous version proved difficult to apply in practice, with past and current chairs and assembly members requesting clarification and updated language. Several years of experience with the new version has shown that defining what a prohibited conflict of interest is in clear and concise terms remains an elusive goal. The Alaska Supreme Court has previously held that a substantial financial interest exists where a government official has a “narrow and specific interest in the immediate subject” of an official action. *Griswold v. City of Homer*, 34 P.3d 1280, 1287 (Alaska 2001). Although it is not advisable to continually change the code every few years, it is necessary to provide clear and concise guidance and definitions that public servants may rely on. Incorporating that language from the Alaska Supreme Court might provide a clearer definition of a prohibited conflict of interest.

### B. Municipal Ethics Officers

On September 5, 2024, the mayor designated two individuals as Municipal Ethics Officers. This was done because municipal employees, elected officials, and board and commission members sometimes have a need for real-time ethics guidance. The board can provide advisory opinions, but a formal request is required, and the board usually meets once a month. Ethics Officers provide more timely guidance on ethical questions. Ethics Officers are also able to provide more ethics training to public servants.

It may be advisable to formalize the position of Ethics Officer and clarify its authority, as the current code references are non-specific. In addition, clarifying that advice provided by an Ethics Officer is confidential (similar to how a request for an advisory opinion is confidential) may also be advisable.

## CONCLUSION

The board looks forward to another year serving the Anchorage community by upholding ethical principles to help create a government that earns the trust and respect of its citizens. The board’s priority for the future remains fulfilling the intent of the code of ethics by promoting fair, honest, and impartial dealings with members of the public, ensuring proper use of municipal resources, and avoiding or managing potential conflicts of interest.