



Mayor Suzanne LaFrance
Municipality of Anchorage
Board of Ethics

July 9, 2026

Subject: Response to Request for Advisory Opinion 2026-03

Relevant Ethics Topic: Conflicts of Interest – AMC 1.15.060

On May 22, 2026, a municipal employee requested a confidential¹ advisory opinion on whether the employee's volunteer work and charitable donations to a non-profit organization created a prohibited conflict of interest, which prevented the employee from taking official actions related to that organization. This is a generic form of the board's response and is published to promote preventive instruction and advice under AMC 1.15.150.F. The board concluded the employee's private interest was not substantial and did not prevent the employee from participating in official actions related to the organization.

BACKGROUND FACTS

A municipal employee said in their request for an advisory opinion² that they have volunteered for a local non-profit organization and have made charitable contributions to the organization in the past. The requestor does not receive any compensation or benefit for their volunteer work. The requestor said they talk to some of the paid employees of the organization at volunteer events and would consider them casual friends. The requestor does not serve as a board member or executive officer for the organization, nor do they have any leadership role or ability to act on behalf of the organization, or have any private financial interest in the organization.

The requestor is a department director for the municipality. Municipal employees must disclose potential conflicts of interest to their department director, or designee, while department directors or higher-level positions must disclose potential conflicts to the board of ethics.³ In this case, the requestor became aware of a matter in which they would be taking official actions that could directly impact the non-profit organization. The

¹ Requests are confidential under AMC 1.15.150.D.

² This opinion is based on information provided to the board in the request. Under AMC 1.15.150.B, in any later proceeding involving this matter the employee 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.

³ AMC 1.15.060.E.

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requestor then immediately disclosed this potential conflict to the board of ethics and requested an advisory opinion from the board on whether they could take any official actions related to the organization. The requestor said in their request that they do not believe their association with the organization would prevent them from fairly and impartially performing their municipal duties.

DISCUSSION

As a public servant and municipal employee, the requestor is authorized to request an advisory opinion regarding the applicability and interpretation of the ethics code related to actions, rights, or conflict personal to them as the inquirer.⁴ Therefore, the board had jurisdiction to issue an advisory opinion to the requestor.

“A conflict of interest is a conflict between the private interest of a public servant and the official responsibilities of the public servant in the context of an official action.”⁵ Private interests may include financial interests or personal interests. A “personal interest” is when a person receives, or has an expectation of receiving, a benefit, including but not limited to a special privilege, contractual relationship, or promotion of a business or political interest.⁶ “Official action” means participation in a process, including deliberation, in which a decision or recommendation is reached.⁷ A public servant may participate in actions in which the public servant has a “minor or inconsequential” private interest, but may not participate if the public servant has a “substantial” private interest.⁸ Determination of whether a private interest is substantial is based on balancing two factors:

- (a) *Size*: The significance of the private interest in terms of financial amount or personal importance; and
- (b) *Connection*: The link between the official action and the private interest.⁹

Interests that are large in size and direct in connection are substantial (prohibited) conflicts of interest. Interests that are insignificant in size and remote/indirect in connection are not prohibited.¹⁰

When a municipal employee has a potential conflict of interest, the employee has a duty to disclose that interest for appropriate evaluation before taking official actions related

⁴ AMC 1.15.150.A

⁵ AMC 1.15.060.D

⁶ AMC 1.15.060.B.2

⁷ AMC 1.15.060.C

⁸ AMC 1.15.060.D

⁹ *Id.*

¹⁰ *Id.*

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to the potential conflict.¹¹ “Employees shall disclose potential conflicts of interest to their department director or designee, or if the employee is a director or higher-level position, to the ethics board.¹² In this case, because the requestor is a department director, the requestor properly disclosed the potential conflict to the board of ethics for evaluation.

The board concluded that the requestor’s volunteer work and association with the non-profit organization did not create a prohibited conflict of interest. The most important factors in evaluating this situation were that the requestor did not have any financial or ownership interest in the organization, nor did they serve as a director, officer, or employee of the organization. They also did not receive or expect to receive any financial benefit from their unpaid volunteer work or past charitable contributions. The requestor’s limited association with the organization does mean that the requestor had a private personal interest in the organization. But the board believes that private interest was minor and it was not directly impacted by the official actions of the requestor’s municipal duties. Therefore, the requestor’s private interest is a type of permissible conflict of interest that is unavoidable in a free society, where public servants are members of the communities that they serve in.¹³ But because the requestor’s volunteer association with the organization does not involve any potential for financial or personal gain based on the outcome of the requestor’s official actions, the board concluded the requestor’s private interest was not substantial enough to create a prohibited conflict of interest.

CONCLUSION

The board thanks the requestor for their commitment to ethical principles by disclosing this potential conflict for evaluation. This opinion is a good reminder of the proper way for municipal employees to disclose potential conflicts of interest before taking official actions.

¹¹ AMC 1.15.060.E

¹² *Id.*

¹³ AMC 1.15.060.D.1

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Daniel Bellerive", with a stylized flourish at the end.

Board of Ethics

Daniel Bellerive, Chair

Omar Drammeh

Gretchen Guess

Jonathon Katcher

Kelly Moghadam