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**2023**  
**ANNUAL REPORT**

OF THE



**MUNICIPAL**  
**BOARD OF ETHICS**

April 18, 2024

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|-------------|---|------------|
| <b>I.</b>   | <b>Letter to the Assembly Rules Committee</b> | <b>3</b>   |
| <b>II.</b>  | <b>Board Members and Board Staff, 2023</b>    | <b>4</b>   |
| <b>III.</b> | <b>Statistics of the Board's Work</b>         | <b>5-7</b> |
| <b>IV.</b>  | <b>Summary</b>                                | <b>7</b>   |



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

April 18, 2024

Re: 2023 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 and includes statistics on the board's workload for 2023.

In 2023 the board reviewed three ethics complaints and ten requests for advisory opinions, which is in line with historical averages for the board. The board normally meets monthly and met a total of thirteen times in 2023. All board members met the attendance requirements for board/commission members.

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

A handwritten signature in blue ink, appearing to read "Daniel Bellerive".

Daniel Bellerive, Chair  
Patrick Teagarden, Vice-Chair  
Kelly Moghadam  
Forrest Nabors

**Board Members During 2023**

**Becky Windt Pearson, Chair\***  
*Member since May 25, 2021*  
**Term Expired: October 14, 2023**

**Kelly Moghadam, Chair\***  
*Member since April 11, 2023*  
**Term Expires: October 14, 2025**

**Aesha Pallesen, Vice-Chair\***  
*Member since June 23, 2020*  
**Term Expired: April 11, 2023**

**Rabbi Abram Goodstein**  
*Member since April 13, 2021*  
**Term Expired: October 14, 2023**

**Dr. Terrence Kelly**  
*Member since March 27, 2012*  
**Term Expires: October 14, 2025**

**Patrick Teagarden**  
*Member since April 11, 2023*  
**Term Expires: October 14, 2024**

**Current Board Members**

**Daniel Bellerive, Chair\***  
*Member since January 23, 2024*  
**Term Expires: October 14, 2026**

**Patrick Teagarden, Vice Chair**  
*Member since April 11, 2023*  
**Term Expires: October 14, 2024**

**Kelly Moghadam\***  
*Member since April 11, 2023*  
**Term Expires: October 14, 2025**

**Dr. Forrest Nabors**  
*Member since December 19, 2023*  
**Term Expires: October 14, 2024**

**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**

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

# STATISTICS OF THE BOARD'S WORK

## A. Summary of 2023 workload

The board of ethics met thirteen times during 2023. During these meetings the board reviewed the following issues:

- Advisory Opinions: 10
- Ethics Complaints: 3
- Disclosures of Economic Interest: 63
- Intent to Respond to Public Solicitation: 1

## B. Comparison of 2023 to past years

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

|  | 2020 | 2021 | 2022 | 2023 |
|--|------|------|------|------|
| Ethics Complaints                                  | 0    | 7    | 10   | 3    |
| Requests for Advisory Opinions                     | 7    | 7    | 7    | 10   |
| Disclosures of Economic Interests                  | 6    | 39   | 46   | 63   |
| Gift Disclosures                                   | 0    | 1    | 1    | 0    |
| Notice of Intent to Respond to Public Solicitation | 6    | 3    | 1    | 1    |

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

*Ethics Complaints:* There are usually a handful of complaints filed every year. The three complaints in 2023 shows a return to that level after a record number of complaints were filed in 2022. Four of the ten allegations reviewed during 2022 involved complainants who alleged they were improperly detained or prevented from speaking at public assembly meetings. None of those types of complaints were filed in 2023.

*Advisory Opinions:* The ten requests for advisory opinions were the most since 2010. However, several of those requests were duplicate requests from different individuals dealing with the same issue. Considering that, the number of requests was slightly higher than average, but not abnormally so.

*Disclosures of Economic Interests:* The 63 disclosures reviewed during 2023 shows an increasing trend over the last several years. The increase in 2023 was likely due to new commissions, which required new members to file disclosure forms.

### **C. Advisory opinions**

The municipal clerk, ombudsman, and the municipal attorney may request an advisory opinion from the board. Additionally, current, former, or potential public servants may request an advisory opinion regarding the application or interpretation of the Code of Ethics related to actions, rights, or conflicts personal to the inquirer.

To promote preventive instruction and advice to public servants, the code requires the Board to publish advisory opinions on the municipal website. Details for all advisory opinions are available on the municipal website for the Board of Ethics at <https://www.muni.org/Departments/Assembly/Ethics/Pages/AdvisoryOpinions.aspx>

Potential conflicts of interest are by far the most frequent topic of an advisory opinion. The Board commends public servants who request advisory opinions when they are unsure about the application or interpretation of the Code of Ethics. Public servants who do so allow the board to assist them in upholding ethical principles and reduce the risk of later ethics complaints. Additionally, requesting an advisory opinion protects the public servant because the public servant 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.

### **D. Ethics complaints for potential violation**

The Board reviewed three complaints alleging that a public servant's conduct violated the Code of Ethics. Until the board completes a report for distribution as a public record, the Board's review of a potential violation is confidential, unless confidentiality is waived by the respondent. While the code does not specify exactly how reports of potential violations are to be distributed as public records, the policy of the municipality is to provide the fullest and most rapid access to municipal records. In accordance with that policy goal, the Board publishes reports of potential violations on the municipal website. Before publication, the Board protects the confidentiality of complainants and witnesses by redacting their information. The Board also generally redacts the respondent's personal information, unless the respondent waived confidentiality, or the Board finds that the respondent violated the Code of Ethics. Past Board reports are also available at <http://www.muni.org/Departments/Assembly/Ethics/Pages/AdvisoryOpinions.aspx>.

During 2023, all three complaints alleged that an assembly member either had a conflict of interest or misused municipal resources for personal or partisan purposes. The board did not find a violation in any of the three cases.

### **E. Disclosures of economic interest**

The code requires public servants to file a form disclosing any economic interest in a municipal contract or business. The public servant must file the form with the municipal clerk within 30 days of new employment, appointment, or election to public office, or upon acquisition of the economic interest.

The board reviewed 63 disclosures. In almost all cases, the board concluded the public servant's disclosure was adequate and the situation did not raise concerns under the Code of Ethics. In a few cases, the board requested further information from the public servant about specific preventative measures put in place to avoid potential conflicts of interest.

**F. Notice 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. A municipal employee filed a disclosure indicating that the employee intended to respond to a public solicitation to bid on foreclosed property available at public auction. The board reviewed this disclosure and determined it did not raise any concerns under the Code of Ethics.

## CONCLUSION

The board looks forward to another year ahead working closely with the Assembly to serve the Anchorage community. 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.