

Advisory Opinion No. 90-6

The Conflicts of Interest Board has been asked for an opinion as to whether, consistent with the conflict of interest provisions of Chapter 68 of the City Charter, elected officials may submit resumes to the City agencies on behalf of family members and constituents.

It is the opinion of the Board that it is a conflict of interest for an elected official to refer the resume of a family member for City employment, because Charter Section 2604(b)(3) prohibits public servants from using or attempting to use their official position to obtain any advantage for any person with whom they are "associated," a term which includes family members. Charter Section 2601(5).

However, it is the opinion of the Board that it is not a conflict of interest for an elected official to refer the resumes of constituents for City employment, since Charter Section 2604(c)(1) permits an elected official to appear "[w]ithout compensation before any City agency on behalf of constituents or in the performance of public official or civic obligations."

Merrell E. Clark, Jr.
Chair

Robert J. McGuire

Beryl R. Jones

Dated: May 23, 1990