

Advisory Opinion No. 90-9

An agency head has asked whether it would be a conflict of interest under Chapter 68 of the City Charter for him to continue to serve without compensation as a member of an advisory board of a for-profit trade association which is not engaged in business dealings with the City. Members of the advisory board assist in planning the trade association's annual conferences, which are often attended by representatives of City agencies. The letterhead of the advisory board lists the names of its members and their official positions. The agency head believes his presence on this advisory board benefits the City by influencing the agenda of the conferences, making known its needs to vendors and distinguishing the City as a leader in the field.

It is the opinion of the Conflicts of Interest Board that the agency head's membership on the advisory board and attendance at meetings of the trade association, in and of themselves, do not present a conflict of interest under Chapter 68. However, the continued use of his official City title on the

letterhead of this board may create an advantage for the for-profit organization by implying an endorsement of its activities. As such, it creates an appearance inconsistent with Charter Section 2604(b)(3). That section provides in pertinent part that an official position may not be used to obtain any financial gain or other private advantage, direct or indirect, for a firm with which a public servant is associated.

Sheldon Oliensis
Chair

Benjamin Gim

Beryl R. Jones

Robert J. McGuire

Shirley Adelson Siegel

Dated: December 3, 1990