

Advisory Opinion No. 92-15

An agency head has asked the Conflicts of Interest Board for an opinion as to whether, consistent with the conflicts of interest provisions of Chapter 68 of the City Charter, she may serve on the honorary committee for the annual benefit of a not-for-profit entity which has a contract with her agency. The agency head's participation on this committee would be limited to having her name listed on benefit-related literature.

The Board held in Opinion No. 91-10, in pertinent part, that high level appointed officials may take a "passive" role in fundraising by chairing an honorary committee, when their involvement is limited to attending the event and having their names listed on invitations to the event.

It is our opinion that the agency head's situation is factually different from that in Opinion No. 91-10 insofar as the combination of her fundraising role with her role in approving and supervising the contract may create an appearance that the not-for-profit entity is receiving preferential treatment.

It is therefore the opinion of the Board that the agency head should not serve on this honorary committee.

Sheldon Oliensis
Chair

Benjamin Gim

Beryl R. Jones

Robert J. McGuire

Shirley Adelson Siegel

Dated: June 29, 1992