

Sioux Falls Board of Ethics Advisory Opinions — 2008

1. A city employee asked if it was acceptable for city officials and/or individuals from various city boards, who would be attending the annual business meeting of the International Code Council as designated City "Governmental Representatives", to accept grants of \$850 from the National Association of Home Builders for travel/trip expenses in exchange for their votes against a certain controversial code change?

Opinion: It was the opinion of the Board that the prospect of accepting such a grant by any city board member or other city official would be inappropriate under the specific prohibitions outlined in Section 12 ½ -5(a) and, as a result, any such proposal was specifically discouraged. The prohibited conduct seemed especially apparent to the Board since there was at least a strong inference within the terms and conditions of the grant award that it was being conditioned upon the expectation that the additional designated city representative(s) cast their respective vote(s) against some controversial proposed code change(s). The Board, consistent with the City's ordinance prohibitions, strongly discouraged the acceptance of gifts by City officials – including in the form of travel and/or expense reimbursement.

2. Confidential Advisory Opinion

3. A citizen asked whether it would be a conflict of interest for Council Members Greg Jamison and Robert Litz to vote on proposed ordinances before the City Council regarding water distribution platting fees and arterial street platting fees.

Opinion: It was the opinion of the Board that Council Member Jamison and Councilor Member Litz did not have a conflict of interest in voting on the proposed ordinances dealing with the identified development fees.