

City of Stamford
Board of Ethics
888 Washington Boulevard
Stamford, CT 06901

January 12, 1999

Attorney Donald B. Sherer
[REDACTED]
[REDACTED]

RE: Request for Advisory Opinion

Dear Attorney Sherer:

You have requested the Board of Ethics (the "Board") issue an advisory opinion addressing whether you may represent Neighborhood Housing Services of Stamford ("NHS") and/or their clients in light of your position on the City's Board of Representatives. The Board met with you on February 3, 1999 to consider your request. In issuing this opinion, the Board relies upon the information contained in your written request for an advisory opinion dated January 27, 1999, and your oral representations to the Board on February 3, 1999.

The following will serve to confirm the Board's understandings with regard to your request. There are two sources from which NHS may derive funding; the Mayor's Housing Development Fund (MHDF) and Housing and Urban Development ("HUD") grants. At the time the Board of Representatives votes on the amount of the MHDF it is not determined which agencies will be awarded grants. The distribution of these funds is not the task of the Board of Representatives. In fact, the Board of Representatives votes only on the total amount of the Fund itself as part of the City's budget. With regard to the HUD funds, the Board understands that the Community Development Committee ("CDC") of the Board of Representatives determines distribution of these funds. You are not a member of the CDC. The Board of Representatives will ultimately vote to determine approval of the CDC's allocation of said HUD funds. You have represented to the Board that you have abstained from this vote in the past.

The Board has determined that you may represent NHS and/or its clients provided that you continue to abstain from any and all voting regarding the Community Development Block Grants and the Mayor's Housing Development Fund. Additionally, you have indicated to the Board that a real estate transaction is imminent. Be advised that the Board has determined that you may continue to represent NHS and/or its clients in this transaction, as when you voted on the 1998 budget, you were unaware that NHS would

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subsequently receive funds from the Mayor's Housing Development Fund, and NHS had no history of receiving funds from this source.

This opinion is binding upon the Board unless amended or revoked, and reliance upon this opinion in good faith is an absolute defense to any action or proceeding brought under the provisions of the Code of Ethics.

Thank you for taking the time to request an advisory opinion, and for your service to the City of Stamford.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Amy J. LiVolsi', written in a cursive style.

Amy J. LiVolsi
Chairman, Board of Ethics

cc: Lois Point Briant (redacted copy)
Members of the Board of Ethics (Kaplan, Grove, Anderson, Levine)