

MUNICIPALITY OF ANCHORAGE



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September 25, 2024

To the Anchorage Municipal Board of Ethics:

Pursuant to AMC 1.15.150B, the Municipal Attorney respectfully requests an advisory opinion from the Municipal Board of Ethics, on an expedited timeline, regarding the application of AMC 1.15.130A to former employee Alexis Johnson.

Until July 1, 2024, Ms. Johnson was the Housing and Homelessness Policy Manager in the Anchorage Health Department. In that role, she oversaw all homelessness efforts by the Municipality, including, among other things: direct oversight of contractor Henning, Inc., in its provision of congregate and non-congregate shelter services at E. 56th Avenue and in hotels; direct oversight of Henning, Inc. as lessee of the former Golden Lion (1000 E 36th Ave) for the purpose of providing transitional housing; reviewing contracts and leases for those projects; approving invoices for those projects; and finding money for those projects.

After leaving municipal employment, Ms. Johnson became the Director of Strategy for Henning, Inc. In that capacity, she now represents Henning, Inc. in its dealings with the Municipality, Anchorage Health Department, and the Special Assistant to the Mayor for Homelessness and Health. In that capacity, Ms. Johnson has: assisted Henning, Inc. in matters regarding Henning, Inc.'s continuing lease of the former Golden Lion; drafted Henning, Inc.'s bids for new contracts to operate congregate and non-congregate shelters; and helped Henning, Inc. prepare to implement a pending bid to provide non-congregate shelter services in hotels for the coming winter.

The Acting Purchasing Director has recently noticed an intent to award this winter's non-congregate shelter contract to Henning, Inc. That item is likely to come before the Assembly for consideration at its meeting on October 8, 2024.

In order to facilitate the Assembly's timely consideration of that matter before the need for winter shelter arises, the Municipal Attorney respectfully requests that the Municipal Ethics Board convene a special session in advance of that meeting to consider the application of AMC 1.15.130A to these circumstances. In particular, is any matter about which Ms. Johnson is representing, advising, or assisting Henning, Inc., a "matter that was under consideration by the administrative unit served by the employee" in which "the municipal employee participated personally and substantially" during her municipal employment? AMC 1.15.130A. As the Board considers which witnesses to invite, the Municipal Attorney respectfully suggests that the Board consider inviting: (1) Ms. Johnson, who can speak to her actions when she was a municipal employee and her actions on behalf of Henning, Inc.

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after leaving municipal employment; (2) Kim Rash, the Acting Director of the Anchorage Health Department, who can speak to Ms. Johnson's actions when she was a municipal employee and Ms. Johnson's interaction with the Anchorage Health Department on behalf of Henning, Inc., after Ms. Johnson left municipal employment; and (3) Farina Brown, the Special Assistant for Homelessness and Health, who can also speak to Ms. Johnson's interaction with the Municipality on behalf of Henning, Inc., after leaving municipal employment.

The Municipal Attorney recognizes the burden that the proposed expedited schedule would create for the Board and is grateful for the Board's consideration of this request. The Municipal Attorney respectfully suggests that the Board might consider, if it concludes that doing so would be appropriate, issuing a decision in advance of the Assembly's October 8 meeting, with a full opinion to follow, as is sometimes the custom of the Alaska Supreme Court when operating under a compressed schedule.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Eva Gardner', is written over a light green rectangular stamp. The signature is fluid and cursive.

Eva Gardner
Municipal Attorney