

Submitted by: ASSEMBLY MEMBER SELKREGG
Prepared by: ASSEMBLY COUNSEL
For reading: June 24, 2008

See AO 2008-78(S)

ANCHORAGE, ALASKA
AO NO. 2008-78

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
2 ANCHORAGE MUNICIPAL ETHICS CODE SECTION 1.15.035, ADDITIONAL
3 PROVISIONS FOR ELECTED OFFICIALS, TO CLARIFY THAT A MEMBER'S
4 PARTICIPATION IN OFFICIAL ACTION MAY BE EXCUSED IN THE PUBLIC
5 INTEREST.
6

7
8 THE ANCHORAGE ASSEMBLY ORDAINS:

9
10 **Section 1.** Anchorage Municipal Code Subsection 1.15.035E (Code of Ethics) is hereby
11 amended as follows. (*Other Subsections are not affected and therefore not set out*):

12
13 **1.15.035 Additional provisions for elected officials**

14 *** **

15
16 E. *Public interest.* An elected official shall place the public interest above any
17 financial or private interest when taking official action. If an elected official's
18 private relationships or interests prevent an elected official from placing the
19 public interest above a financial or private interest, or will interfere with
20 exercising the public trust, the elected official shall disclose this fact on the
21 record and participation may be excused by the elected body.

22
23 *** **

24 (AO No. 2006-140(S-1), § 1, 1-1-07)

25
26 **Section 2.** This ordinance shall become effective immediately upon its passage and
27 approval by the Assembly.

28
29 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
30 _____, 2008.

31 _____
32 Chair

33 ATTEST:

34 _____
35 Municipal Clerk
36



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 406-2008

Meeting Date: June 24, 2008

1 **From:** ASSEMBLY MEMBER SELKREGG
2 **Subject:** **AO 2008-78 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL**
3 **ASSEMBLY AMENDING ANCHORAGE MUNICIPAL ETHICS CODE**
4 **SECTION 1.15.035, ADDITIONAL PROVISIONS FOR ELECTED**
5 **OFFICIALS, TO CLARIFY THAT A MEMBER'S PARTICIPATION IN**
6 **OFFICIAL ACTION MAY BE EXCUSED IN THE PUBLIC INTEREST.**
7

8 Holding elective municipal office is a public trust. The Anchorage Assembly adopted a
9 Code of Ethics to promote fair, honest, and impartial dealings with members of the
10 public, to ensure proper use of municipal resources, and to avoid conflicts of interest.

11
12 In the public interest, full disclosure is encouraged. Also in the public interest, full
13 participation by all members in tough decision-making is encouraged.

14
15 Elected officials are expected to vote on every issue unless precluded because of a
16 substantial financial or private interest in the matter before the elected, or otherwise
17 excused by majority vote of the elected body. For the Assembly, this is set out in rules
18 of procedure under AMC 2.30.070.

19
20 The Code of Ethics includes factors to assist the elected body in determining when
21 participation is precluded because of a substantial financial or private interest in the
22 matter before the Assembly. Some relationships may be too tangential to preclude
23 participation, and not easily quantified in terms of dollars or financial interest. Public
24 disclosure of these tangential work and family relationships is encouraged. Members
25 are elected to participate in the tough decision-making of the public body and the use of
26 tangential relationships to avoid making a tough decision is not supported in code. Only
27 the elected body can excuse participation.

28
29 The purpose of AO 2008-78 is to clarify the discretion of the elected body, while at the
30 same time continuing to encourage disclosure, in the area of tangential relationships.
31 Under AO 2008-78, participation by a member after disclosure remains a decision of the
32 body, and cannot be decided by the individual member making the disclosure.

33
34 Respectfully submitted:

35
36 Sheila Selkregg
37 Assembly Member, Section 5

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

Title: AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL ETHICS CODE SECTION 1.15.035, ADDITIONAL PROVISIONS FOR ELECTED OFFICIALS, TO CLARIFY THAT A MEMBER'S PARTICIPATION IN OFFICIAL ACTION MAY BE EXCUSED IN THE PUBLIC INTEREST

AO Number: 2008-78

Sponsor: Assemblymember Selkregg
 Preparing Agency: Department of Assembly
 Others Impacted: Ethics Board

CHANGES IN EXPENDITURES AND REVENUES:

(In Thousands of Dollars)

	FY09	FY10	FY11	FY12	FY13
Operating Expenditures					
1000 Personal Services	\$ -	\$ -	\$ -	\$ -	\$ -
2000 Non-Labor	-	-	-	-	-
3900 Contributions	-	-	-	-	-
4000 Debt Service	-	-	-	-	-
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others	\$ -	\$ -	\$ -	\$ -	\$ -
Less: 7000 Charges to Others	-	-	-	-	-
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:	\$ -	\$ -	\$ -	\$ -	\$ -

CAPITAL:

POSITIONS: FT/PT and Temp

PUBLIC SECTOR ECONOMIC EFFECTS:

The ordinance further defines Ethics code. Although there may be some further costs associated, there appears to be no public sector costs greater than \$30,000 associated with this ordinance; therefore no Summary of Economic effects is required. Anchorage Municipal Code Section 2.30.050 B.1.b.i.

PRIVATE SECTOR ECONOMIC EFFECTS:

There may be costs associated, however no private costs anticipated at this time.

Prepared by: Guadalupe Marroquin, Election & Budget Coord

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Reviewed by: Barbara E. Gruenstein, Municipal Clerk

Telephone: 343-4312

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

AO 2008-78

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED	
	AMENDING AMC 1.15.035, ADDITIONAL PROVISIONS FOR ELECTED OFFICIALS, TO CLARIFY THAT A MEMBER'S PARTICIPATION IN OFFICIAL ACTION MAY BE EXCUSED IN THE PUBLIC INTEREST	6/12/08	
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME	DIRECTOR'S NAME	
	Assembly	Matt Claman, Assembly Chair	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER	
	Julia Tucker, Assembly Counsel	343-4419	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor Municipal Clerk Municipal Attorney Employee Relations Municipal Manager Anchorage Parks & Recreation Fire Health & Human Services Merrill Field Airport Municipal Light & Power Office of Management and Budget Police Port of Anchorage Office of Economic & Community Development Solid Waste Services Public Transportation Anchorage Water & Wastewater Utility Executive Manager Planning Department Chief Fiscal Officer Heritage Land Bank Information Technology Department Project Management & Engineering Purchasing Other		
5	Special Instructions/Comments		
	Consent Agenda - Introduction		
6	ASSEMBLY HEARING DATE REQUESTED	7	PUBLIC HEARING DATE REQUESTED
	6/24/08		7/15/08