

See AO 2010-44(15)

Submitted by: ASSEMBLY MEMBERS GRAY-JACKSON & HONEMAN; ASSEMBLY CHAIR TRAINI
Reviewed by: Assembly Counsel
For reading: May 25, 2010

**ANCHORAGE, ALASKA
AO NO. 2010-44**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE SECTION 1.15.020, PROHIBITED CONDUCT, REGARDING USE OF MUNICIPAL RESOURCES.

WHEREAS, the Anchorage Municipal Assembly finds that participation in legitimate charitable and community service events assists the community of Anchorage; and

WHEREAS, participation in legitimate charitable and community service events determined by the mayor or the assembly to be related to municipal business is not intended by the Assembly to constitute a prohibited use of municipal resources under AMC 1.15.020; now therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1: Anchorage Municipal Code section 1.15.020 is amended to read as follows (*language indicating no amendment is set out for context only*):

1.15.020 Prohibited conduct.

- A. These actions are in conflict with the public interest and therefore no person included within the scope of this chapter shall:
 - 1. Solicit, offer or receive money or other thing of value in return for a vote, a municipal management decision, or the exercise of the person's official duties, except the compensation, expenses, benefits, or other remuneration paid by the municipality.
 - 2. Offer or accept any money or other thing of value for or in consideration of obtaining employment, appointment, or promotion of any person by the municipality.
 - 3. Offer or accept any money or other thing of value for or in consideration of the use of the person's public position to obtain a contract for any person or business with the municipality.
 - 4. Use for the person's own benefit, or for the benefit of another, confidential information acquired by reason of the person's public position and which is not available to the public.

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5. Disclose or release confidential information gained through the person's public position unless authorized by law or order of the court.
6. Use the person's municipal position to take personal advantage of another.
7. Divert or permit the diversion of municipal personnel time, municipal services, vehicles, equipment, materials or other property for a purpose unrelated to municipal business. Community fundraising and volunteer participatory events may be approved in writing by the mayor to be for a purpose related to municipal business and reported to the Assembly, or approved by majority vote of the Assembly. The United Way Anchorage annual community fundraising campaign, the Anchorage Chamber Citywide Cleanup, and the Muscular Dystrophy Fill-the-Boot fundraising campaign are annual events supported by the municipality to assist the community and are approved as related to municipal business. Employee participation in approved events is deemed to be for a purpose related to municipal business and exempt from prohibition under this subsection if employee participation is:
 - a. Non-partisan, non-political, and not of a religious nature; and
 - b. Strictly voluntary.
8. Accept a gift from an individual or an entity with interests that may be substantially affected by the performance of the person's official municipal duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the person's judgment in exercising official municipal duties on a matter affecting the donor.
9. Accept gifts from persons on a basis so frequent as to raise an appearance of the use of the person's public position for private gain.
10. State or suggest to another person that official action or vote on any municipal matter is conditioned on the retention or non-retention of services, including without limitation, professional services, construction, and the procurement of supplies, from another person or entity. Statements made during official proceedings, including committee meetings and work sessions of the Assembly, the Anchorage School Board, an elected service

board, or an appointed public body of the municipality, are outside the scope of this prohibition.

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(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2007-74(S), § 1, 6-12-07)

Section 2: This ordinance shall become effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2010.

Chair

ATTEST:

Municipal Clerk

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