

CLERK'S OFFICE

APPROVED

Date: 7-13-10
VETOED 7-20-10; OVERRIDDEN
7-27-10

Submitted by: ASSEMBLY MEMBERS GRAY-JACKSON &
HONEMAN; ASSEMBLY CHAIR TRAINI
Reviewed by: Assembly Counsel & Dept. of Law
For reading: July 13, 2010

ANCHORAGE, ALASKA
AO NO. 2010-44(S-1)

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

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:

*** *** ***

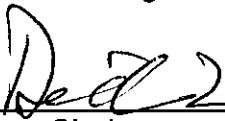
7. Divert or permit the diversion of municipal personnel time, municipal
services, vehicles, equipment, materials or other property for a
purpose unrelated to municipal business. ~~Written municipal approval
and restrictions on occasional municipal use and volunteer~~
**Occasional use of municipal resources, employee participation in
community service events, and employee charitable fundraising are
not prohibited by this subsection and are outside the jurisdiction of the
Ethics Board if duly authorized by the Assembly or in writing by
the Mayor or the Mayor's designee.**

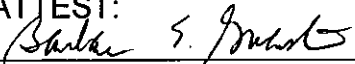
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(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2007-74(S), § 1, 6-12-07)

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

PASSED AND APPROVED by the Anchorage Assembly this 13th day of
July, 2010.


Chair

ATTEST:

Municipal Clerk

OVERFIDDEN 7/27/10

MUNICIPALITY OF ANCHORAGE



Office of the Mayor

Phone: 907-343-7100

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Mayor Dan Sullivan

Date: July 20, 2010

To: Anchorage Assembly
Dick Traini, Assembly Chairman

From: Mayor Daniel A. Sullivan

Subject: Veto of AO 2010-44(S-1)

2010 JUL 20 PM 4:23
M.O.A
CITY CLERK'S OFFICE

Pursuant to the authority vested in me by Charter section 5.02(c), I hereby veto AO 2010-44(S-1), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 1.15.020, Prohibited Conduct, regarding use of municipal resources.

The ordinance states that the Assembly or the Mayor may direct municipal resources for the benefit of private entities. Authorized activities would not be considered a violation of the ethics code. The ordinance creates an expectation that the Assembly and/or the Mayor will give permission to use municipal resources to some groups but perhaps not to others. It will create a competitive, pressure environment where private parties, including charitable non-profits, will feel compelled to lobby Assembly members and the Mayor to access municipal resources. This will inevitably lead to winners and losers and legitimate questions regarding the fairness of the process.

In 2007, when I served on the Anchorage Assembly, we passed a comprehensive re-write of the ethics ordinance. We decided after much deliberation that the best policy regarding the use of municipal resources was to prohibit those resources, including on duty personnel and equipment, from being used for private purposes. As public officials we have an obligation to ensure that taxpayer dollars are only used for legitimate government purposes.

We will be reviewing the current internal policy and procedures and making revisions where necessary to further clarify the ethics ordinance. For example, use of municipal resources for community events such as parades and festivals will be allowed in most circumstances.