

See AO 2010-34(5)

Submitted by: ASSEMBLY MEMBERS GRAY-JACKSON,
DRUMMOND AND GUTIERREZ

Prepared by: Assembly Counsel

For reading: July 27, 2010

ANCHORAGE, ALASKA
AO NO. 2010-54

1 AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
2 ANCHORAGE CODE SECTION 1.15.035 TO PROVIDE ADDITIONAL
3 RESTRICTIONS ON THE EMPLOYMENT OF ELECTED OFFICIALS FOR ONE YEAR
4 AFTER LEAVING MUNICIPAL SERVICE.

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6 THE ANCHORAGE ASSEMBLY ORDAINS:

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8 **Section 1.** Anchorage Municipal Code section 1.15.035 is hereby amended to read
9 as follows (*language indicating no amendment is included for context only*):

10
11 **1.15.035 Additional provisions for elected officials**

12 *** **

13 P. *Restrictions on employment after leaving municipal service.*

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15 1. An elected official who leaves municipal service may not, for one
16 year after leaving municipal service, represent, advise, or assist a
17 person for compensation regarding a matter that was under
18 consideration by the elected body during the elected official's period
19 of service. "Matter" includes a case, proceeding, application,
20 contract, or determination, and [BUT DOES NOT] includes
21 consideration of ordinances, resolutions, charter amendments,
22 other legislative measures and [OR] the adoption of administrative
23 regulations when [IF] consideration by the elected body was only in
24 the context of general application.

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26 [A.] [THIS RESTRICTION DOES NOT PROHIBIT THE
27 MUNICIPALITY FROM CONTRACTING WITH A FORMER
28 ELECTED OFFICIAL TO PROVIDE SERVICE ON A
29 MATTER ON BEHALF OF THE MUNICIPALITY.]

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32 [B.] [THE ASSEMBLY OR SCHOOL BOARD MAY WAIVE
33 APPLICATION OF THIS RESTRICTION UPON
34 DETERMINATION THAT A PROPOSED ACTION BY A
35 FORMER ELECTED OFFICIAL IS NOT ADVERSE TO THE
36 PUBLIC INTEREST. THE WAIVER SHALL BE BY FORMAL
37 ACTION AND A COPY SHALL BE PROVIDED TO THE
38 ETHICS BOARD.]
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2. A person serving as an assembly member or school board member for one year after leaving service shall hold no compensated municipal office or employment [WHICH WAS CREATED, OR THE SALARY OR BENEFITS OF WHICH WERE SPECIFICALLY INCREASED DURING THE PERSON'S LAST YEAR IN OFFICE BY THE GOVERNING BODY ON WHICH THE MEMBER SERVED].

a. This restriction prohibits the municipality from contracting with a former elected official to provide service on a matter on behalf of the municipality for one year after leaving municipal service unless the contract is competitively bid and the purchasing officer determines in writing for publication by the municipal clerk that the integrity of the public solicitation process has not been adversely affected.

3. The mayor for one year after leaving office shall hold no compensated municipal office or employment [WHICH WAS CREATED, OR THE SALARY OR BENEFITS OF WHICH WERE SPECIFICALLY INCREASED DURING THE MAYOR'S LAST YEAR IN OFFICE].

(AO No. 2006-140(S-1), § 1, 1-1-07; AO No. 2008-78(S), § 1, 8-12-08)

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

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

Chair

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
No. AM 456-2010

Meeting Date: August 17, 2010

1 **From:** ASSEMBLY MEMBER Gray-Jackson

2 **Subject:** AO 2010-54 — AN ORDINANCE OF THE ANCHORAGE MUNICIPAL
3 **ASSEMBLY AMENDING ANCHORAGE CODE SECTION 1.15.035 TO PROVIDE**
4 **ADDITIONAL RESTRICTIONS ON THE EMPLOYMENT OF ELECTED OFFICIALS**
5 **FOR ONE YEAR AFTER LEAVING MUNICIPAL SERVICE.**
6

7 AO 2010-54 amends AMC 1.15.035P to add a one-year restriction for municipal
8 contracts with an elected official after leaving office office. At present, the Charter and
9 current code prohibit direct municipal employment within one year after leaving elected
10 office, but only if the salary or benefits were specially increased during the elected
11 official's last year in office, or if the position was created during the elected official's last
12 year in office. Specially created opportunities for municipal work by contract are not
13 prohibited.
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15 Under AO 2010-54, the Assembly, in the exercise of public policy judgment and
16 legislative authority, is supplementing the Charter provision by the adoption of
17 amendments to current code that support competitive solicitation.
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19 AO 2010-54 requires that any Municipal contract with a former elected official within the
20 first year of leaving office must be competitively bid, and the purchasing officer must be
21 free to make a determination that the integrity of the public solicitation process has not
22 been adversely affected.
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24 These code changes will not affect any contract now in place. They are not retroactive.
25 Instead, these changes will allow the public to have more confidence that the best
26 person has been selected for a municipal contract, after a competitive solicitation, no
27 matter the subject. Maintaining the public's trust, especially in periods of economic
28 downturn, is essential.
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31 Respectfully submitted:

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34 Elvi Gray-Jackson
35 Assembly Member, Section 4
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