

CLERK'S OFFICE

APPROVED

Date: 3-8-11

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Department of Law

For reading: February 15, 2011

ANCHORAGE, ALASKA

AO No. 2011-29

AN ORDINANCE WAIVING APPLICATION OF ANCHORAGE MUNICIPAL CODE SECTION 1.15.025 G., RESTRICTIONS ON EMPLOYMENT AFTER LEAVING MUNICIPAL SERVICE, AS TO NAMED MUNICIPAL WEATHERIZATION PROGRAM EMPLOYEES CONSIDERING EMPLOYMENT WITH THE STATE OF ALASKA'S WEATHERIZATION PROGRAM CONTRACTOR.

WHEREAS, the Municipality notified the State of Alaska of its' intention to no longer administer the Weatherization Program in the Anchorage area effective March 31, 2011; and

WHEREAS, as the result of the notification, the State of Alaska is in the process of obtaining a contractor to administer and operate the Weatherization Program in Anchorage; and

WHEREAS, as the result of termination of the program, municipal positions in the weatherization program will either be absorbed into existing municipal departments or eliminated; and

WHEREAS, experienced municipal weatherization program employees may have an opportunity to work for the State of Alaska's new contractor for the weatherization program but are prohibited, under the ethics code, Anchorage Municipal Code section 1.15.025 G., from obtaining employment, for one year after leaving municipal service, on a matter handled by their former administrative unit unless the Assembly waives application of the restriction by formal action (section 1.15.025 G.3.); now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:


Section 1. The Assembly finds that waiving application of the one-year restriction on employment after leaving municipal service is not adverse to the public interest where the specific program will no longer be administered by the Municipality.

Section 2. Application of the one-year restriction in Anchorage Municipal Code section 1.15.025 G. is hereby waived as to the municipal Weatherization Program employees named on Exhibit A, attached hereto and incorporated herein by reference, in the event those persons choose to apply for and obtain employment with the contractor selected by the State of Alaska to administer and operate the Weatherization Program in the Anchorage area.

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

Section 4. The Clerk's Office shall provide a copy of this ordinance to the Ethics Board.

PASSED AND APPROVED by the Anchorage Assembly this, 8th day of March, 2011.



Chair of the Assembly

ATTEST:



Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2011-29

Title: **AN ORDINANCE WAIVING APPLICATION OF ANCHORAGE MUNICIPAL CODE SECTION 1.15.025 G., RESTRICTIONS ON EMPLOYMENT AFTER LEAVING MUNICIPAL SERVICE, AS TO NAMED MUNICIPAL WEATHERIZATION PROGRAM EMPLOYEES CONSIDERING EMPLOYMENT WITH THE STATE OF ALASKA'S WEATHERIZATION PROGRAM CONTRACTOR.**

Sponsor: **MAYOR**

Preparing Agency: Community Development Department

Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:			(In Thousands of Dollars)		
	FY11	FY12	FY13	FY14	FY15
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:

Negligible. The Municipality of Anchorage will stop accepting state grants to weatherize homes after the current agreements expire. Alaska Housing Finance Corporation is expecting that a nonprofit organization will receive the next grants to weatherize qualifying homes in Anchorage. This ordinance waives the one-year restriction in the municipal ethics code preventing persons leaving municipal employment to work for a person/entity for compensation on a matter handled by a former municipal employee's work unit. The waiver allows weatherization workers leaving municipal employment the option of working for the State of Alaska's new administrator for weatherization programs in Anchorage.

PRIVATE SECTOR ECONOMIC EFFECTS:

Negligible.

Prepared by: Jerry T. Weaver, Jr., Director, Comm. Dev. Dept. Telephone: 343-8101

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 115-2011

Meeting Date: February 15, 2011

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE WAIVING APPLICATION OF ANCHORAGE**
4 **MUNICIPAL CODE SECTION 1.15.025 G., RESTRICTIONS ON**
5 **EMPLOYMENT AFTER LEAVING MUNICIPAL SERVICE, AS TO**
6 **NAMED MUNICIPAL WEATHERIZATION PROGRAM EMPLOYEES**
7 **CONSIDERING EMPLOYMENT WITH THE STATE OF ALASKA'S**
8 **WEATHERIZATION PROGRAM CONTRACTOR.**
9

10 This ordinance waives application of the Ethics Code, Anchorage Municipal Code
11 section 1.15.025 G., Restrictions on Employment After Leaving Municipal Service,
12 as to municipal employees currently administering the municipal Weatherization
13 Program (Exhibit A).
14

15 Although beneficial to the citizens of the Municipality, administration of the
16 weatherization programs is not a core municipal service and may be better served
17 by the local private and/or non-profit entities. The Municipality notified the State it
18 did not intend to renew expiring State of Alaska weatherization grants, and the State
19 (AHFC) is seeking bids from private entities to administer the programs in the
20 Anchorage area under contract. Since the programs will continue, municipal
21 weatherization program employees may be uniquely qualified to assist the new state
22 contractor.
23

24 Section 1.15.025 G. provides:

- 25
26 G. Restrictions on employment after leaving municipal service. A
27 municipal employee who leaves municipal service may not, for
28 one year after leaving municipal service, represent, advise, or
29 assist a person for compensation regarding a matter that was
30 under consideration by the administrative unit served by the
31 municipal employee, if the municipal employee participated
32 personally and substantially in the matter through the exercise
33 of official action. In this subsection, "matter" includes a case,
34 proceeding, application, contract, or determination but does
35 not include consideration of ordinances, resolutions, charter
36 amendments, draft legislative measures, or the adoption of
37 administrative regulations if consideration by the municipal
38 employee was only in the context of general application.
39
40

*** *** ***

3. The assembly ... may waive application of this restriction upon determination that a proposed action by a former municipal employee is not adverse to the public interest. The waiver shall be by formal action and a copy shall be provided to the ethics board.

THE ADMINISTRATION RECOMMENDS APPROVAL OF AN ORDINANCE WAIVING APPLICATION OF ANCHORAGE MUNICIPAL CODE SECTION 1.15.025 G., RESTRICTIONS ON EMPLOYMENT AFTER LEAVING MUNICIPAL SERVICE, AS TO NAMED MUNICIPAL WEATHERIZATION PROGRAM EMPLOYEES CONSIDERING EMPLOYMENT WITH THE STATE OF ALASKA'S WEATHERIZATION PROGRAM CONTRACTOR.

Prepared by: Department of Law
Approved by: Jerry T. Weaver, Jr., Director
Community Development Department
Concur: Dennis A. Wheeler, Municipal Attorney
Concur: George J. Vakalis, Municipal Manager
Respectfully submitted: Daniel A. Sullivan, Mayor

Attachment: Exhibit A

Exhibit A

Weatherization Employees As of 01/06/2011

Name	Job Title2
Boehm,James	Senior Planner
Chord,Marjorie Irene	Family Service Counselor
Coverston,Larry Gene	Journeyman Weather Worker
Ecklund,Curtis Jason	Housing Rehab Coord II
Ecklund,Timothy J	Quality Control Spec
Erickson,Dash J	Journeyman Weather Worker
Giglitto,Larry L	Journeyman Weather Worker
Gray,Robert L	Quality Control Spec
Harrison,George Earl	Housing Rehabilitation Coord I
Hofmann,Daniel	Journeyman Weather Worker
Jacobson,Ralph	Lead Weather Worker
Karge,Wayne R	Journeyman Weather Worker
Koenig,Matthew Grant	Journeyman Weather Worker
Packard,Michael D	Housing Rehab Coord III
Parker,Bob W	Family Service Counselor
Parker,Martha F	Office Associate
Peterson,Ward K	Lead Weather Worker
Peterson,William A	Field Project Supervisor II
Riggs-Kaiser,Gina Marie	Senior Accountant
Sauerbrey,Jon L	Housing Rehab Coord II
Simpson,John S	Field Project Super III
Villareal,Lisa M	Junior Accountant
Willeford,Celise M	Junior Accountant
Young,Brett	Housing Rehabilitation Coord I

Content ID: 009835**Type:** Ordinance - AOAN ORDINANCE WAIVING APPLICATION OF ANCHORAGE MUNICIPAL CODE
SECTION 1.15.025 G., RESTRICTIONS ON EMPLOYMENT AFTER LEAVING**Title:** MUNICIPAL SERVICE, AS TO NAMED MUNICIPAL WEATHERIZATION
PROGRAM EMPLOYEES CONSIDERING EMPLOYMENT WITH THE STATE OF
ALASKA'S WEATHERIZATION PROGRAM CONTRACTOR**Author:** perrysu**Initiating
Dept:** Commun_Dev**Date
Prepared:** 1/28/11 11:20 AM**Director
Name:** Jerry T. Weaver, Jr.**Assembly
Meeting
Date:** 2/15/11**Public
Hearing
Date:** 3/8/11

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
Clerk_Admin_SubWorkflow	2/4/11 11:33 AM	Exit	Joy Maglaqui	Public	009835
MuniManager_SubWorkflow	2/4/11 11:33 AM	Approve	Joy Maglaqui	Public	009835
Legal_SubWorkflow	2/4/11 11:21 AM	Approve	Dean Gates	Public	009835
Finance_SubWorkflow	2/3/11 7:05 PM	Approve	Lucinda Mahoney	Public	009835
OMB_SubWorkflow	1/31/11 11:08 AM	Approve	Cheryl Frasca	Public	009835
Commun_Dev_SubWorkflow	1/28/11 11:37 AM	Approve	Jerry Weaver Jr.	Public	009835
AllOrdinanceWorkflow	1/28/11 11:27 AM	Checkin	Susan Perry	Public	009835