



# 11A3

Agenda Bill No.: 24-1344

Assembly Meeting Date: 01/23/24

Business Item Description:	Attachments:
Subject: Hiring of Theodore W. Popely State lobbyist for Haines	1. Resolution 24-01-1086 2. Theodore Popely Proposal
Originator: Manager	
Originating Department: Administration	
Date Submitted: 01/18/24	

**Full Title/Motion:**  
Motion: Adopt Resolution 24-01-1086

**Administrative Recommendation:**

**Fiscal Impact:**

Expenditure Required	Amount Budgeted	Appropriation Required	Projected Impact to Future Operating Budgets
\$ 48,000 + expenses	\$ 0	\$ 0	N/A

**Comprehensive Plan Consistency Review:**

Comp Plan Goals/Objectives:	Consistent: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
-----------------------------	---

**Summary Statement:**

**Referral:**

Referred to:	Referral Date:
Recommendation:	Meeting Date:

**Assembly Action:**

Meeting Date(s): 01/23/24	Public Hearing Date(s):
	Postponed to Date:

**A Resolution of the Haines Borough Assembly Authorizing the Borough Manager to Enter into a Contract with Theodore W. Popely, PC to Provide State Lobbying Services for \$48,000.**

**WHEREAS**, in 2021, 2022, and 2023 the Haines Borough hired Theodore W. Popely, PC (Popely) to provide lobbying services and advocate for the Haines Borough; and

**WHEREAS**, the previous contracts were annual; and

**WHEREAS**, the current proposal is for an annually renewable contract which would be renewed up to three times based upon a satisfactory review by the manager, and subject to available funding; and

**WHEREAS**, a contract to hire a lobbyist is exempt from the competitive sealed bid requirements of Haines Borough Code (HBC) section 3.60.090 since it is a contract involving the obtaining of professional or specialized services such as, but not limited to, services rendered by architects, attorneys, engineers, and other specialized; and

**WHEREAS**, Popely was instrumental in successfully securing \$3.2 Million for the state match for our RAISE Grant for Lutak Dock; and

**WHEREAS**, there are sufficient, unbudgeted funds in the Economic Development Fund (Fund 23) to cover this professional services contract; and

**NOW, THEREFORE, BE IT RESOLVED BY THE HAINES BOROUGH ASSEMBLY** that the Borough Manager is hereby authorized to enter into an annually renewable contract with Theodore W. Popely, PC to provide lobbying services to the Haines Borough in the amount of \$48,000.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 23th day of January, 2024.

\_\_\_\_\_  
Thomas C. Morphet, Mayor

Attest:

\_\_\_\_\_  
Alekkka Fullerton, MMC, Borough Clerk



THEODORE W. POPELY, PC  
GOVERNMENTAL AFFAIRS  
CONSULTING • ATTORNEY AT LAW

---

645 G STREET NUMBER 524 ANCHORAGE, ALASKA 99501 • 907 351 2210 • ted@tedpopely.com

January 15, 2024

Haines Borough Assembly Members  
P.O. Box 1209  
Haines, Alaska 99827

***RE: Lobbying Proposal for Alaska, 2024***

Dear Members of the Assembly:

Please consider the following proposal for a professional services engagement in 2024.

*Introduction*

The Haines Borough seeks to retain a government relations consultant to pursue funding for various capital projects within the Borough of Haines, and for other matters of importance to be determined by the Borough government. Theodore W. Popely, PC has been operating under a 2023 contract which expired on December 31. Darwin Peterson is a valued associate member of our firm. His assistance has been instrumental in achieving our funding requests. He will continue to assist as we go forward in 2024.

*Professional Background*

Theodore W. Popely, PC has been one of Alaska's most successful lobbying practices for over 17 years. With the addition of Darwin Peterson to the team, we share over 50 years of experience working in the halls of State government in Juneau. Prior to lobbying, Mr. Popely served as Chief Legal Counsel for the Alaska Legislature for over 13 years. Mr. Peterson has worked as Legislative Director under former Governor Bill Walker, and has worked for the Senate Finance Committee, as well as Chief of Staff for current Senate Finance Co-Chair Bert Stedman and for current Finance Committee member Senator Click Bishop.

Our longstanding professional and personal relationships with key policymakers substantially augment our lobbying efforts. Our existing workload brings us into contact with policymakers on a daily basis. We have earned and enjoy a reputation for seniority, credibility and hard work. Our clients' interests come first, and we pride ourselves on achieving their goals.

*Strategic Approach*



THEODORE W. POPELY, PC  
GOVERNMENTAL AFFAIRS  
CONSULTING • ATTORNEY AT LAW

---

645 G STREET NUMBER 524 ANCHORAGE, ALASKA 99501 • 907 351 2210 • ted@tedpopely.com

Pursuant to the prior Resolution of Haines Borough priorities, we successfully obtained \$3.2 Million in the State's Capital budget in matching funds for the Lutak dock restoration project. We will seek additional funds through the State budget process for other projects in the Borough, including funding for a new public safety building, if that is the will of the Assembly and the Borough Administration. There are several avenues for funding, all of which will be pursued under the Agreement. In addition, as new issues affecting Haines emerge, we will be available to assist and advocate as directed.

Ultimately, we will pursue whatever the Borough determines its priorities to be. Whether that be funding or other policy matters, the role of the lobbyist under contract is to take direction from the Borough, and to engage accordingly to meet those goals.

If funding for Borough projects is sought, our first priority will be to engage with members of the Senate and House Finance Committees as soon as possible. The Legislative session begins on January 16, and Committee members and staff are already putting together their budget priorities. It will be critical to engage with members on our project goals as soon as we can.

The purpose of this outreach is to gain support from the Finance Committee members early in the 2024 legislative session for capital budget appropriations beneficial to Haines.

Those conversations with Legislators will be a combination of one-on-one meetings as well as group meetings scheduled to include Haines as appropriate, and when availability permits. Senator Kiehl and Representative Story will be kept apprised of all our work and will be invited to join any appropriate group meetings. Regular contact with key legislators and their staff will be ongoing as the legislative session progresses to maintain their support as the budget is crafted.

Both Co-Chairs and their staff will be fully educated that ours are worthy projects, and that they fit very squarely within the infrastructure and capital project priorities for Alaska. As federal infrastructure monies are directed to the State and allocated accordingly, we will position ourselves for full consideration, in addition to any and all traditional funding methods in play.

We will coordinate with you to obtain and memorialize community support for presentation to the Legislature at appropriate times. Keeping our Senator and Representative apprised and educated will be key, as evidenced with our prior funding efforts, where their advocacy helped ensure success.

*Retainer Terms*



THEODORE W. POPELY, PC  
GOVERNMENTAL AFFAIRS  
CONSULTING • ATTORNEY AT LAW

---

645 G STREET NUMBER 524 ANCHORAGE, ALASKA 99501 • 907 351 2210 • ted@tedpopely.com

The engagement would constitute an annual Agreement to be compensated at \$48,000 for the 2024 calendar year. The Agreement would conclude on December 31, and be subject to continuing annual renewal contracts, as determined by the parties to this Agreement. I will cover all of the costs to be in Juneau for the legislative session, including travel, meals and lodging. The Agreement would begin on the date the parties complete the required lobbying registration pursuant to APOC statutes and regulations.

The question was raised about whether to retain lobbyists on a year-round basis. It's within the discretion of the Borough to do so. Virtually all Alaska lobbying engagements run throughout the year. The primary benefit is that your lobbyist will not be precluded under state law from communicating with important public officials during the off-season, which is a common occurrence. If the contract terminates before the end of the year, a lobbyist is not permitted to communicate with any public official on your behalf after the contract terminates.

Conclusion

It has been a privilege to serve the Haines Borough as your lobbyists. Our experience and attention to detail are unmatched, and we will bring all of our combined experience to bear in pursuing your stated goals, should you decide to retain us in 2024.