

CLERK'S OFFICE

APPROVED

Date: 7-24-01

VETOED 7-31-01

*Veto override not
considered*

Submitted by: Assemblymember TESCHE

Prepared by: Assembly Office

For reading: July 24, 2001

ANCHORAGE, ALASKA
AR 2001- 220

**A RESOLUTION OF THE ANCHORAGE ASSEMBLY CONFIRMING OFFICIAL MUNICIPAL POLICY
GOVERNING FURTHER UTILIZATION OF MUNICIPAL STAFF RESOURCES AND PUBLIC FUNDS
FOR A LEGAL CHALLENGE TO STATE LEGISLATIVE REDISTRICTING ACTION.**

WHEREAS, as required by the Alaska Constitution, legislative redistricting of State senate and house districts was recently completed by the State Redistricting Board; and

WHEREAS, on July 18, 2001, the Mayor brought a civil action in Superior Court challenging the State's Redistricting Plan upon receipt of an analysis prepared by Municipality's Community Planning and Legal departments; and

WHEREAS, private counsel has been hired by the Mayor to represent the Municipality and other individual plaintiffs in the legal action at no cost to the Municipality; and

WHEREAS, on July 18, 2001, the Mayor stated there will be no future liability of the Municipality for attorneys' fees or litigation costs in this action nor will Municipal staff time or resources be expended in the future as his staff analysis of the Redistricting Plan has now been completed and given to counsel.

NOW, THEREFORE, the Anchorage Assembly resolves:

Section 1: That consistent with the Mayor's statements of July 18, 2001, no additional Municipal resources, including staff or consultants' time, financial resources, equipment or property, shall be utilized for the purpose of maintaining pending litigation challenging the State Redistricting Plan.

Section 2: This resolution does not prohibit Municipal officials, employees, or consultants from lawful compliance with State or local laws governing access to public records, or their legal obligations as potential witnesses in the referenced litigation.

Section 3: This resolution shall become effective upon passage and approval.

PASSED and APPROVED on this 24th day of July, 2001


Chair

ATTEST:


Municipal Clerk



MUNICIPALITY OF ANCHORAGE

MEMORANDUM

DATE: July 31, 2001

TO: Anchorage Assembly

FROM: Mayor George P. Wuerch

SUBJECT: Veto of July 24, 2001 Assembly Resolution No. 2001-220 entitled "A Resolution of the Anchorage Assembly Confirming Official Municipal Policy Governing Further Utilization of Municipal Staff Resources and Public Funds for A Legal Challenge to State Legislative Redistricting Action."

I hereby veto Assembly Resolution 2001-220 for the following reasons:

Assembly Resolution 2001-220 unduly limits the Mayor's ability, authority and responsibility to serve citizens of the Municipality, particularly my commitment to assist any and all citizens who have questions and need information about State redistricting and its impact on the Municipality.

Several Assembly members are plaintiffs in the redistricting lawsuit and are likewise entitled to information and assistance.

Fundamentally, the resolution impedes providing municipal services and the operation of the Administration. As such, it is inconsistent with the Charter imposed responsibilities and authority of the Mayor in that the resolution substantially restricts fulfillment of that responsibility.

I re-confirm my previously expressed commitment not to expend Municipal funds to pay attorneys fees or costs incurred for outside counsel services in the pursuit of the redistricting litigation.

CLERKS OFFICE

2001 JUL 3 PM 4:04

M.O.A

**Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

AR 2001 - 220

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED <i>7-23-01</i>
	<i>AR - Utilization of Municipal Resources & Public Funds on Redistricting Challenge</i>	INDICATE DOCUMENTS ATTACHED
		<i>AR</i>
2	DEPARTMENT NAME <i>Assembly</i>	DIRECTOR'S NAME <i>Dick Traini</i>
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER
4	COORDINATED WITH AND REVIEWED BY	INITIALS
		DATE
	Mayor	
	Heritage Land Bank	
	Merrill Field Airport	
	Municipal Light & Power	
	Port of Anchorage	
	Solid Waste Services	
	Water & Wastewater Utility	
	Municipal Manager	
	Cultural & Recreational Services	
	Employee Relations	
	Finance, Chief Fiscal Officer	
	Fire	
	Health & Human Services	
	Office of Management and Budget	
	Management Information Services	
	Police	
	Planning, Development & Public Works	
	Development Services	
	Facility Management	
	Planning	
	Project Management & Engineering	
	Street Maintenance	
	Traffic	
	Public Transportation Department	
	Purchasing	
	Municipal Attorney	
	Municipal Clerk	
	Other	
5	SPECIAL INSTRUCTIONS/COMMENTS	
	<i>Addendum</i>	
	<i>For Action - other 9. B. 7.</i>	
6	ASSEMBLY MEETING DATE <i>7-24-01</i>	7
		PUBLIC HEARING DATE REQUESTED <i>—</i>

