

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 5-14-02

*Immediate Reconsideration
Failed*

Submitted by: Assemblymembers Tesche, Van
Etten, Taylor, Shamberg, and Tremaine

Prepared by: Department of Assembly

For reading: May 14, 2002

ANCHORAGE, ALASKA

AR NO. 2002-160

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY DECLARING THAT FURTHER USE OF MUNICIPAL RESOURCES IN THE LEGAL CHALLENGE TO STATE REDISTRICTING DOES NOT SUPPORT A VALID PUBLIC PURPOSE AND IS PROHIBITED AND DECLARING THAT NO PAYMENT OF MUNICIPAL FUNDS SHALL BE MADE FOR ATTORNEYS' FEES OR COSTS IN THAT LITIGATION UNLESS ORDERED BY A COURT OF COMPETENT JURISDICTION

WHEREAS, a revised State redistricting plan was recently promulgated by unanimous vote of the Alaska Redistricting Board and upheld as constitutional by the Superior Court; and

WHEREAS, notwithstanding the Assembly's directive of April 10, 2001 that "no recommended reapportionment maps shall be submitted to the Redistricting Board by the Municipality of Anchorage except with the express approval of the Assembly," two draft plans were submitted to the Board on behalf of Anchorage by the Mayor; and

WHEREAS, the Mayor, ^{no longer} wishes to pursue a legal challenge to the Board's revised plan to the Supreme Court of Alaska on behalf of the Municipality ~~despite the availability of private parties who are capable on their own of pursuing the appeal~~; and

WHEREAS, the Assembly finds and declares that use of public funds and staff resources of the Municipality of Anchorage in support of the redistricting litigation does not support a Public Purpose within the meaning of Art. IX, Sec. 6 of the Constitution of Alaska,

NOW, THEREFORE, the Anchorage Municipal Assembly resolves

~~**Section 1:** That as further use of Municipal staff, facilities, and resources in support of the State redistricting litigation does not support a Public Purpose, those expenditures are prohibited.~~

^{1.}
Section 2: That unless otherwise ordered by a court of competent jurisdiction, the Municipality shall not be liable for payment of attorneys' fees or costs to any person or entity as a result of this litigation.

PASSED AND APPROVED by the Anchorage Assembly this 14th day of May, 2002.


Chair

ATTEST:


Municipal Clerk
EGJ/2002/RESOLUTIONS/AR46

An 2002-160

SUBJECT OF AGENDA DOCUMENT		DATE PREPARED	
1 Declaring That Further Use of Municipal Resources in the		5/14/2002	
Legal Challenge to State Redistricting.....		Indicate Documents Attached	
		<input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
2 DEPARTMENT NAME		DIRECTOR'S NAME	
Assembly		Greg Moyer	
3 THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY		HIS/HER PHONE NUMBER	
4 COORDINATED WITH AND REVIEWED BY		INITIALS	
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			
Addendum - <i>Adrian</i>			
6 ASSEMBLY HEARING DATE REQUESTED		7 PUBLIC HEARING DATE REQUESTED	
5/14/02			