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Submitted by: Assemblymembers SULLIVAN
and KENDALL
Prepared by: Department of Assembly
For reading: October 15, 2002

6 ANCHORAGE, ALASKA
7 AR NO. 2002-337
8

9 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY WAIVING COLLECTION
10 FEES, GARNISHMENTS, OR LIENS IN THE CASE OF ROBERT HAYES VS. MOA, CASE
11 NUMBER 3AN-02-06585 CI.
12

13
14 WHEREAS, Assembly re-districting in the fall of 2001 raised legitimate questions regarding
15 the eligibility of those Assembly candidates whose residences were newly included within the re-
16 drawn boundaries; and
17

18 WHEREAS, it was imperative that this question be resolved before the May 2002 Municipal
19 Assembly Run-Off Election as well as before the August 2002 State Primary; and
20

21 WHEREAS, reasonable and competent elected officials, Municipal employees, private
22 attorneys, and citizens differed as to the intent of the Municipal Charter on this matter; and
23

24 WHEREAS, it was publicly stated by numerous public officials, including the Assembly
25 Chair, the Municipal Attorney, and the Municipal Clerk that this matter should be decided by the
26 Courts; and
27

28 WHEREAS, Robert Hayes, a candidate for Assembly Section 5, Seat I, came forward and
29 petitioned the Superior Court to answer this important and timely question by determining the
30 residency and eligibility of Brian Whittle, another candidate for Assembly Section 5, Seat I.
31

32 NOW, THEREFORE, the Anchorage Assembly resolves:
33

34 **Section 1:** That the Superior Court judgment for fees and costs against Mr. Hayes
35 notwithstanding, there shall be no collection of fees, garnishments, or liens levied against Mr.
36 Hayes regarding this matter, now or in the future.
37

38 **Section 2:** That any and all funds collected from Mr. Hayes in association with this matter
39 shall be immediately returned to him or to any account where he is named as owner, signatory,
40 custodian, or trustee.
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42 **Section 3:** That counsel for the Assembly in this matter is directed to file a satisfaction of
43 judgment with the Superior Court or a motion to amend the judgment to remove the award of fees
44 and costs, whichever in his professional judgment is most appropriate. If the judgment for attorney
45 fees and costs was recorded with the State District Recorder's Office, counsel is directed to record
46 appropriate documentation consistent with the intent of this resolution.
47

48 **Section 4:** That this resolution shall become effective immediately upon passage
49

50 PASSED AND APPROVED by the Anchorage Assembly this _____ day of
51 _____, 2002.
52

53 _____
54 Chair

55 ATTEST:
56

57 _____
58 Municipal Clerk
59

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

Am 2002-337

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED	
	A Resolution of the Anchorage Municipal Assembly Waiving Collection Fees, Garnishments, or Liens in the Case of Robert Hayes vs. MOA, Case Number 3an-02-06585 Cl.	24-Sep-02	
		Indicate Documents Attached <input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Greg Moyer	
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>Robert Hayes</i>		
6	ASSEMBLY HEARING DATE REQUESTED	7	PUBLIC HEARING DATE REQUESTED

CLERK'S OFFICE
2002 OCT -3 AM 10:50
MOA