

CLERK'S OFFICE

APPROVED

Date: 9-27-05

Submitted by: Chair of the Assembly
at the Request of the Mayor
Prepared by: Anchorage Police
Department
For Reading: September 13, 2005

ANCHORAGE, ALASKA

No. AR 2005- 230

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE APPROPRIATING FIVE HUNDRED THIRTY NINE THOUSAND DOLLARS (\$539,000) FROM THE ANCHORAGE METROPOLITAN POLICE SERVICE AREA FUND BALANCE (151) TO THE ANCHORAGE POLICE DEPARTMENT 151 FUND 2005 OPERATING BUDGET, FOR ATTORNEY FEES, SETTLEMENT INTEREST COSTS, AND COURT COSTS RELATED TO GREGG V. MOA.

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. That the sum of FIVE HUNDRED THIRTY NINE THOUSAND DOLLARS (\$539,000) is appropriated from the Anchorage Metropolitan Police Service Area Fund Balance (151) to the Anchorage Police Department 151 Fund 2005 Operating Budget for required attorney fees, settlement interest costs, and court costs related to Gregg v. MOA.

Section 2. This resolution shall take effect immediately upon passage and approval by the Anchorage Municipal Assembly.

PASSED AND APPROVED by the Assembly this 27th day of September, 2005.

Anna L. Fairclough
Chair

ATTEST:

Linda L. Green
Municipal Clerk
Deputy
Departmental Appropriation:
Police Department: \$539,000



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 644-2005

Meeting Date: September 13, 2005

From: Mayor

Subject: Supplemental Appropriation of Fund Balance and Approval of Increase to the Anchorage Police Department 2005 Operating Budget. (\$539,000)

Several events, associated with the recent Gregg v. MOA settlement 3AN-98-10263CI and S-10722/10751, the scope of which were initially unquantifiable, have been of significant magnitude to adversely affect the 2005 Police Operating Budget. These events included court ordered payments of attorney fees during the case appeal, attorney fees for settlement process, payment of direct accrued interest to Gregg, and court costs associated with the settlement.

The amount of \$1,400,000 was accrued as an expenditure to the 2004 Police Operating Budget for payment of settlement costs arising from the Gregg v. MOA case. Total department expenditure has reached nearly \$1,939,000 for settlement and other referenced ancillary costs previously unquantifiable and subsequently unbudgeted by the department.

These additional costs have required expenditure of funds budgeted for operational support of planned law enforcement operations. These unbudgeted expenditures have reached nearly \$539,000 and funds are requested as a fund balance appropriation from the Anchorage Metropolitan Police Service Area Fund Balance (151) to the Anchorage Police Department 2005 Operating Budget. The 2006 tax limitation calculation will include a one-time adjustment in the amount of \$539,000 to reimburse the Police Service Area Fund Balance for this settlement cost.

REVENUE:

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
151-0740	Fund Balance Available	<u>\$539,000</u>
	Total	\$539,000

EXPENDITURES:

151-4621-3116	Legal-Labor Settlement	<u>\$539,000</u>
	Total	\$539,000

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5 **RECOMMENDATION:**

6 THE ADMINISTRATION RECOMMENDS THE ASSEMBLY APPROVE THE RESOLUTION OF
7 THE MUNICIPALITY OF ANCHORAGE APPROPRIATING FIVE HUNDRED THIRTY NINE
8 THOUSAND DOLLARS (\$539,000) FROM THE ANCHORAGE METROPOLITAN POLICE
9 SERVICE AREA FUND BALANCE (151) TO THE ANCHORAGE POLICE DEPARTMENT 2005
10 OPERATING BUDGET (151 FUND), FOR ATTORNEY FEES, SETTLEMENT INTEREST COSTS,
11 AND COURT COSTS RELATED TO GREGG V. MOA.
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14 Prepared by: Walt Monegan, Chief of Police

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16 Fund Certification: Jeffrey E. Sinz, Chief Financial Officer
17 151-0740 (\$539,000 BP2005)
18 (Fund Balance Available 151 Fund)
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20 Concur: Denis C. LeBlanc, Municipal Manager

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22 Respectfully Submitted: Mark Begich, Mayor

Gregg v. Municipality of Anchorage Settlement Costs

Date	Description	Amount	Express Voucher No.
03-09-2005	Court ordered payment of attorney fees and cost for appeal	\$ 32,454.84	335126
06-16-2005	Court ordered settlement payment	\$ 1,308,171.82	340783
06-16-2005	Court ordered cost payment	\$ 11,911.00	340783
06-16-2005	Court ordered interest payment to Gregg	\$ 280,410.89	344632
06-22-2005	Court ordered settlement attorney fees	\$ 133,317.16	341064
processing	Court ordered IRS settlement tax payment	\$ 171,872.81	
Total Cost of Gregg V. MOA to Date		\$ 1,938,138.52	
Total Appropriated Settlement Costs		\$ 1,400,000.00	
Total Unbudgeted Balance		\$ 538,138.52	

Content Information**Content ID :** 003236**Type:** AR_FundsApprop - Funds Approp Resolution**Title:** APD Supplemental Appropriation For Gregg v. MOA**Author:** curtiscr2**Initiating Dept:** APD**Description:** APD Supplemental Appropriation For Gregg v. MOA**Date Prepared:** 8/30/05 9:19 AM**Assembly Meeting Date**
MM/DD/YY: 9/13/05**Public Hearing Date MM/DD/YY:** 9/27/05**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
APD_SubWorkflow	8/30/05 9:22 AM	Approve	wmonegan	Public	003236
FundsAppropWorkflow	8/30/05 9:22 AM	Checkin	smiko	Public	003236
OMB_SubWorkflow	8/31/05 10:54 AM	Approve	mitsonjl	Public	003236
Finance_SubWorkflow	9/2/05 9:01 AM	Approve	sinzje	Public	003236
MuniManager_SubWorkflow	9/2/05 4:57 PM	Checkin	curtiscr2	Public	003236
MuniManager_SubWorkflow	9/3/05 10:21 AM	Approve	leblancdc	Public	003236
MuniMgrCoord_SubWorkflow	9/4/05 8:56 PM	Approve	abbottmk	Public	003236

M.O.A.
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