

CLERK'S OFFICE  
APPROVED  
Date: 2-28-06

Submitted by: Chair of the Assembly  
at the Request of the Mayor  
Prepared by: Anchorage Police  
Department  
For Reading: February 14, 2006

ANCHORAGE, ALASKA  
AR NO. 2006- 37

1 A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE APPROPRIATING FOUR  
2 HUNDRED SEVENTY SEVEN THOUSAND THREE HUNDRED TWELVE DOLLARS (\$477,312)  
3 FROM THE ANCHORAGE METROPOLITAN POLICE SERVICE AREA FUND BALANCE (151)  
4 TO THE ANCHORAGE POLICE DEPARTMENT 151 FUND 2005 OPERATING BUDGET, FOR  
5 SETTLEMENT COSTS, ATTORNEY FEES, COURT COSTS AND INTEREST RELATED TO  
6 WELCH V. MOA AND GILLIAM V. MOA.

7  
8 THE ANCHORAGE ASSEMBLY RESOLVES:  
9

10 Section 1. That the sum of THREE HUNDRED THIRTY FOUR THOUSAND THREE  
11 HUNDRED FIFTY TWO DOLLARS (\$334,352) is appropriated from the Anchorage Metropolitan  
12 Police Service Area Fund Balance (151) to the Anchorage Police Department 151 Fund 2005 Operating  
13 Budget for required settlement costs, attorney fees, court costs and interest related to Welch v. MOA.  
14

15 Section 2. That the sum of ONE HUNDRED FORTY TWO THOUSAND NINE HUNDRED  
16 SIXTY DOLLARS (\$142,960) is appropriated from the Anchorage Metropolitan Police Service Area  
17 Fund Balance (151) to the Anchorage Police Department 151 Fund 2005 Operating Budget for required  
18 settlement costs and interest related to Gilliam v. MOA.  
19

20 Section 3. This resolution shall take effect immediately upon passage and approval by the  
21 Anchorage Municipal Assembly.  
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23 PASSED AND APPROVED by the Assembly this 28<sup>th</sup> day of February, 2006.  
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27 Anna L. Fairclough  
28 Chair  
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30 ATTEST:  
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33

34 Linda S. Green  
35 Municipal Clerk  
36 Deputy  
37 Departmental Appropriation:  
38 Police Department: \$477,312



# MUNICIPALITY OF ANCHORAGE

## ASSEMBLY MEMORANDUM

No. AM 100 -2006

**Meeting Date:** February 14, 2006

**From:** Mayor

**Subject:** Supplemental Appropriation of Fund Balance and Approval of Increase to the Anchorage Police Department 2005 Operating Budget. (\$477,312)

Labor settlements associated with the Welch v. MOA and Gilliam v. MOA cases were ordered in 2005, and are now quantified at \$334,352 and \$142,960 respectively and are of significant magnitude to adversely affect the 2005 Police Operating Budget. These settlement costs included court ordered payments of attorney fees during the case appeal, attorney fees for settlement process, payment of accrued interest, and court costs associated with both settlements. The 2006 tax limitation calculation will include a one-time adjustment in the amount of FOUR HUNDRED SEVENTY SEVEN THOUSAND THREE HUNDRED TWELVE DOLLARS (\$477,312) to reimburse the Anchorage Metropolitan Police Service Area Fund (151) for the total of the two settlement costs.

These costs have required expenditure of funds budgeted for operational support of planned law enforcement operations. These unbudgeted expenditures have reached \$477,312 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.

**REVENUE:**

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
151-0740	Fund Balance Available	<u>\$477,312</u>
	Total	\$477,312

**EXPENDITURES:**

151-4621-3116	Legal-Labor Settlement	<u>\$477,312</u>
	Total	\$477,312

**RECOMMENDATION:**

THE ADMINISTRATION RECOMMENDS THE ASSEMBLY APPROVE THE RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE APPROPRIATING FOUR HUNDRED SEVENTY SEVEN THOUSAND THREE HUNDRED TWELVE DOLLARS (\$477,312) FROM THE ANCHORAGE METROPOLITAN POLICE SERVICE AREA FUND BALANCE (151) TO THE ANCHORAGE POLICE DEPARTMENT 2005 OPERATING BUDGET (151 FUND), FOR LABOR SETTLEMENT COSTS, ATTORNEY FEES, COURT COSTS AND INTEREST RELATED TO WELCH V. MOA. AND GILLIAM V. MOA.

1 AM\_SUPPLEMENTAL APPROPRIATION

2 Page 2

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4  
5 Prepared by: Walt Monegan, Chief of Police

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7 Fund Certification: Jeffrey E. Sinz, Chief Financial Officer  
8 151-0740 (\$477,312 BP2005)  
9 (Fund Balance Available 151 Fund)

10  
11 Concur: Denis C. LeBlanc, Municipal Manager

12  
13 Respectfully Submitted: Mark Begich, Mayor

# Anchorage Police Department Multiple Case Settlement Cost Delineation

## Welch v. Municipality of Anchorage

<b>Date</b>	<b>Description</b>	<b>Amount</b>
05/13/2005	Mediation Services	\$ 1,201.78
05/13/2005	Court Ordered Attorney Fees	1,035.00
07/14/2005	Court Ordered Attorney Fees	111,833.27
07/28/2005	Court Ordered Attorney Fees	8,225.92
10/06/2005	Court Ordered Attorney Fees	1,127.45
10/06/2005	Court Ordered Attorney Fees	1,127.46
11/03/2005	Court Ordered Attorney Fees	1,893.00
12/01/2005	Court Ordered Attorney Fees	3,161.76
01/16/2006	Court Ordered Attorney Fees	100,556.75
01/16/2006	Court Ordered Settlement Payment	96,943.25
01/16/2006	Court Ordered IRS Payroll Taxes	7,246.08
<b>Total Cost of Welch v. MOA (unbudgeted)</b>		<b>\$ 334,351.72</b>

## Gilliam v. Municipality of Anchorage

<b>Date</b>	<b>Description</b>	<b>Amount</b>
Pending	Arbitrated Retirement	\$ 128,160.00
Pending	Arbitrated Medical Trust	18,740.31
Pending	Arbitrated Interest	12,609.62
Pending	Arbitrated Wage & Leave Difference	<35,413.02>
Pending	Attorney Fees	18,863.68
<b>Total Anticipated Cost of Gilliam v. MOA (unbudgeted)</b>		<b>\$ 142,960.59</b>

**Content Information****Content ID :** 003663**Type:** AR\_FundsApprop - Funds Approp Resolution**Title:** APD Supplemental 2005 Appropriation for Legal Settlements**Author:** curtiscr2**Initiating Dept:** APD**Description:** APD Supplemental 2005 Appropriation of Fund Balance for Legal Settlement Costs Welch & Gilliam v. MOA**Date Prepared:** 1/20/06 1:18 PM**Assembly Meeting Date**  
**MM/DD/YY:** 2/14/06**Public Hearing Date**  
**MM/DD/YY:** 2/28/06

M.O.A.  
 2006 FEB - 6 PM 12: 07  
 CLERKS OFFICE

**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
FundsAppropWorkflow	1/20/06 1:22 PM	Checkin	smiko	Public	003663
FundsAppropWorkflow	1/20/06 1:23 PM	Reject	wmonegan	Public	003663
FundsAppropWorkflow	1/20/06 1:24 PM	Checkin	smiko	Public	003663
APD_SubWorkflow	1/20/06 1:25 PM	Approve	wmonegan	Public	003663
OMB_SubWorkflow	1/20/06 1:51 PM	Approve	mitsonjl	Public	003663
Finance_SubWorkflow	1/27/06 2:16 PM	Approve	sinzje	Public	003663
MuniManager_SubWorkflow	1/31/06 10:51 AM	Checkin	curtiscr2	Public	003663
MuniManager_SubWorkflow	2/3/06 10:20 AM	Approve	leblancdc	Public	003663
MuniMgrCoord_SubWorkflow	2/3/06 11:06 AM	Approve	abbottmk	Public	003663