

Introduced by: Mayor
Date: 01/03/17
Action: Adopted
Vote: 9 Yes, 0 No, 0 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2017-002**

**A RESOLUTION AUTHORIZING THE TRANSFER OF \$50,000 FROM THE
MAYOR'S DEPARTMENT TO THE LEGAL DEPARTMENT**

WHEREAS, the assembly adopted Resolution 2016-056 containing a policy regarding invocations before the assembly; and

WHEREAS, the ACLU of Alaska Foundation recently filed a lawsuit against the borough alleging this invocation policy violates various provisions in the United States Constitution and the Constitution of the State of Alaska; and

WHEREAS, assistance from outside counsel is needed to properly represent the borough in this litigation; and

WHEREAS, KPB 5.04.095 and KPB 5.04.100 authorize the assembly to transfer by resolution unencumbered balances at the budgetary control level, which is at the department level for the general fund; and

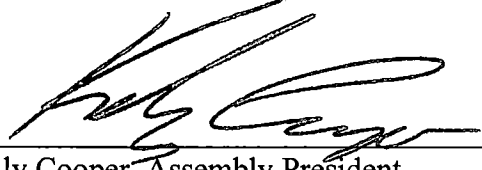
WHEREAS, funds are available in the mayor's department for transfer to the legal department to help pay costs associated with this litigation;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The assembly hereby transfers \$50,000 in unencumbered funds from the mayor's department to the legal department account 100.11310.00000.43011, contract services, to cover legal costs and expenses associated with defending the borough in litigation challenging the assembly invocation policy.

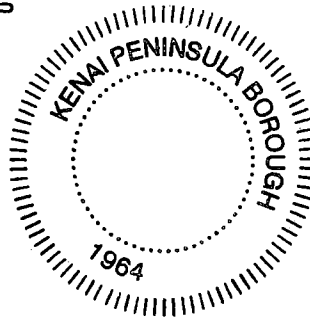
SECTION 2. That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF JANUARY, 2017.



Kelly Cooper, Assembly President

ATTEST:


John Blankenship, MMC, Borough Clerk

Yes: Bagley, Dunne, Fischer, Gilman, Holmdahl, Knopp, Ogle, Welles, Cooper
No: None
Absent: None