



KENAI PENINSULA BOROUGH

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MIKE NAVARRE
BOROUGH MAYOR

MEMORANDUM

TO: Kelly Cooper, Assembly President
Kenai Peninsula Borough Assembly Members

FROM: Mike Navarre, Mayor *MN*
Craig Chapman, Finance Director *BA for CC*
Colette Thompson, Borough Attorney *CT*

DATE: December 22, 2016

SUBJECT: Resolution 2017-002, Transferring \$50,000 from the Mayor's Department to the Legal Department (Mayor)

A lawsuit was recently filed by the ACLU of Alaska Foundation against the borough challenging the constitutionality of the invocation policy adopted in resolution 2016-056. This area of the law is complex and in flux as cases continue to be litigated and decided across the country. Outside counsel is needed to properly represent the borough in this lawsuit. Although the administration is taking steps to minimize costs, it is estimated that at least \$50,000 may be needed for costs associated with this litigation.

This resolution does not appropriate new funds but transfers funds that were already appropriated in the annual budget from the mayor's office to the legal department.

If any of these funds are not needed for this litigation they will lapse to the general fund without being spent.

Your approval of this resolution would be appreciated.

FINANCE DEPARTMENT ACCOUNT / FUNDS VERIFIED	
Acct. No.	<u>100 11210.00000 40XXX</u>
Amount: \$	<u>50,000.-</u>
By: <u>BA</u>	Date: <u>12/19/16</u>