

Submitted by: Assembly Chair
Constant and
Assembly Vice-Chair Zaletel
Prepared by: Office of Assembly Counsel
For reading: May 24, 2023

ANCHORAGE, ALASKA
AO No. 2023-61(S), As Amended

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 3.20[30].070 TO REQUIRE THE PUBLIC REPORTING OF THE NATURE, AMOUNT, AND PARTIES TO SETTLEMENTS PAID BY THE ADMINISTRATION IN RESOLVING CLAIMS AGAINST THE MUNICIPALITY, ITS OFFICIALS AND EMPLOYEES.

WHEREAS, Anchorage Municipal Code 1.50.010 provides that the “municipality shall have the sole right to control the defense and settlement of the claim” against the municipality, its officials or employees; and

WHEREAS, in recent months there have been numerous high profile and expensive claims brought against the municipality; and

WHEREAS, with few notable exceptions, the people of Anchorage have been given no clear accounting of the nature of the claims brought against the municipality, who the claimants are, or the amount of public funds being expended in resolving these complaints; now therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 3.20.070 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

3.20.070 - Executive branch organization.

A. Municipal attorney. The department of the municipal attorney is responsible for providing legal services to municipal government, managing all civil litigation to which the municipality is a party, and providing judicial prosecution of misdemeanor criminal offenses in direct support of enforcement activities. I.

1. Reporting. Quarterly, the municipal attorney shall provide a report in the form of an AIM to the assembly, itemizing the legal and financial settlements concluded on the behalf of the municipality and those officials or employees it has indemnified, to include claims of workman’s compensation and complaints made to the Anchorage Equal Rights Commission.

- a.** The report shall set out:
- i[a].** The nature of the claim brought against the municipality, its officials, or employees;
- ii[b].** The parties with whom the settlement was reached; and
- iii[c].** The total public funds disbursed as a term of the settlement.
- b.** The municipal attorney may redact the name of a party in the report where disclosure would:
- i.** Violate the requirements of municipal, state or federal law;
- ii.** Violate the terms of a collective bargaining agreement; or
- iii.** Foreseeably cause additional harm to an alleged child victim, victim of sexual assault, or similarly vulnerable complainant.

(AO No. 21-76; AO No. 59-76; AO No. 283-76; AO No. 77-359; AO No. 78-82; AO No. 78-113; AO No. 78-121; AO No. 79-27; AO No. 80-5; AO No. 82-49; AO No. 83-159; AO No. 85-8; AO No. 86-204; AO No. 88-47(S); AO No. 88-82; AO No. 89-10; AO No. 89-18; AO No. 89-39; AO No. 90-15(S); AO No. 91-173(S); AO No. 92-79; AO No. 92-148; AO No. 94-135(S), § 8, 7-12-94; AO No. 95-141, § 1, 7-11-95; AO No. 96-47, § 2, 3-5-96; AO No. 98-115(S), § 3, 7-1-98; AO No. 2003-109, § 6, 9-9-03; AO No. 2004-132, § 2, 10-12-04; AO No. 2004-136, § 2, 12-7-04; AO No. 2005-142, § 2, 10-25-05; AO No. 2008-90(S), § 2, 1-1-09; AO No. 2009-21, § 2, 2-24-09; AO No. 2009-101, § 6, 8-25-09; AO No. 2010-64, § 2, 9-28-10; AO No. 2010-93, § 2, 1-11-11; AO No. 2011-40, § 1, 3-29-11; AO No. 2011-25, § 2, 5-24-11; AO No. 2012-106, § 3, 11-13-12; AO No. 2013-34, § 3, 2-26-13; AO No. 2015-112(S), § 5, 1-1-16 ; AO No. 2017-122(S) , § 4, 10-24-17; AO No. 2018-24 , § 3, 4-10-18; AO No. 2018-108(S) , § 3, 12-31-18; AO No. 2018-118 , § 2, 1-1-19; AO No. 2019-42 , § 2, 4-23-19; AO No. 2019-133 , § 1, 11-5-19; AO No. 2020-23 , § 2, 3-10-20; AO No. 2020-24 , § 1, 3-10-20; AO No. 2020-79(S) , § 2, 8-26-20; AO No. 2020-109 , § 2, 10-13-20; AO No. 2020-121 , § 2, 1-1-21; AO No. 2021-113(S) , § 3, 11-10-21; AO No. 2021-114 , § 2, 1-31-22; AO No. 2022-40(S) , § 3, 3-22-22)

Section 2. The Municipal Attorney will also provide historical reports in accordance with specifications created in this ordinance for the last four quarters, **due to the Assembly by its meeting of September 25, 2023.**

Section 3. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 23rd day of May, 2023.

Chair

ATTEST:

Municipal Clerk