

CITY AND BOROUGH OF SITKA

ORDINANCE NUMBER 2010-24

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF SITKA AMENDING THE FY2011 OPERATING BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$10,000 FROM THE ADMINISTRATION DEPARTMENT WITHIN THE ELECTRICAL FUND BALANCE TO SUPPORT RESOLUTION 2010-20 REGARDING THE ELECTRIC REVENUE BONDS BALLOT QUESTION FOR THE OCTOBER 5, 2010 REGULAR MUNICIPAL ELECTION

1. **CLASSIFICATION.** This ordinance is of a permanent nature but is not intended to become a part of the Sitka General Code.

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** This ordinance would allow representatives of the City and Borough of Sitka to advocate for passage of the advisory ballot question related to Resolution 2010-20 for the October 5, 2010 regular municipal election concerning the electric revenue bonds, and appropriate funds for this purpose.

The electric revenue bonds will assist in part the funding of the Blue Lake Hydroelectric Project, a project that will have substantial effects on the City and Borough of Sitka and its residents now and in the future. It is the Assembly's duty and desire to ensure that all Sitka voters are aware of the potential financial impact of not securing these electrical bonds on the finances of City and Borough of Sitka and its residents.

AS 15.13.145(c)(2) permits municipalities to provide the public with nonpartisan information about a ballot proposition, but AS 15.13.145(b) states "money held by a municipality may be used to influence the outcome of a ballot proposition or question, but only if the funds have been specifically appropriated for that purpose by a municipal ordinance."

Alaska Public Offices Commission (APOC) which enforces AS 15.13.145, has interpreted nonpartisan information permitted under AS 15.13.145(c)(2) very narrowly, so that the City and Borough of Sitka cannot inform the public fully about the effects of Resolution 2010-20 without including information that APOC likely would categorize as meant to influence the outcome of the election on the ballot proposition.

4. **NOW, THEREFORE, BE IT ORDAINED** by the City and Borough of Sitka, Alaska, as follows:

Section 1: The planned expenditures for Administration Department within the Electrical Fund 200-600-601-5290.000 are increased in the amount of \$10,000 for the purpose of advocating for passage of the electric revenue bonds question at Advisory Question/Proposition Number 1 set forth in Resolution 2010-20 to appear on the October 5, 2010 regular Municipal Election Ballot, including but without limitation, advertisements in print and broadcast media, brochures and posters, meeting costs, and costs associated with municipal staff and official time expenditures.


5. EFFECTIVE DATE: This ordinance shall become effective on the day after the date of its passage.

PASSED, APPROVED and ADOPTED by the City and Borough of Sitka on this 31st day of August, 2010.

CITY AND BOROUGH OF SITKA

Jack Ozment, Deputy Mayor

ATTEST:



Sara Peterson
Deputy Municipal Clerk

First Reading: August 20, 2010
Second Reading: August 31, 2010
Effective Date: August 31, 2010