

**CITY OF WASILLA  
ORDINANCE SERIAL NO. 11-12**

**AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING THE FY2011 BUDGET BY APPROPRIATING \$34,800 FOR THE WASILLA AREA SENIORS, INC., NUTRITION SERVICE PROGRAM.**

---

**Section 1. Classification.** This is a non-code ordinance.

**Section 2. Purpose.** To amend the FY2011 budget for the purpose of providing grant funding to the Wasilla Area Seniors, Inc. (WASI), Nutrition Service Program at \$2,900 per month for the period of July 2010 through June 2011. A detailed report of expenditures must be filed with the City Clerk and reviewed by the Finance Director before funding will be disbursed as outlined in the Letter of Funding and Understanding.

**Section 3. Appropriation.** The funds are appropriated to the following:

001-4990-499.97-01      Pass Thru To Nonprofit / WASI      \$34,800

**Section 4. Source of Funds.**

001-0000-253.20-00      General Fund-Fund Balance      \$34,800

**Section 5. Effective date.** This ordinance shall take effect upon adoption by the Wasilla City Council.

Pulled from agenda on April 11, 2011.



**CITY OF WASILLA  
LEGISLATION STAFF REPORT**

**ORDINANCE SERIAL NO. 11-12: AMENDING THE FISCAL YEAR 2011 BUDGET BY APPROPRIATING \$34,800 FOR THE WASILLA AREA SENIORS, INC., NUTRITION SERVICE PROGRAM.**

**Agenda of:** March 14, 2011

**Date:** February 24, 2011

**Originator:** Council Member Colleen Sullivan-Leonard (CSL)

Route to:	Department	Signature/Date
X	Finance Director	<i>Joan Hillu 02/24/11</i>
X	Interim Deputy Administrator	<i>Mark Yead</i>
X	City Clerk	<i>[Signature]</i>

**REVIEWED BY MAYOR VERNE E. RUPRIGHT:** *[Signature]*

**FISCAL IMPACT:**  yes  no      Funds Available  yes  no

**Account name/number:** 001-4990-499.97-01

**Attachments:** Proposed Ordinance Serial No. 11-12 (1 p)  
Memorandum of Agreement (2 p)  
Progress Report (1 p)

**SUMMARY STATEMENT:**

I ask for your support for Ordinance Serial No. 11-12 for the specific purpose of supporting the Wasilla Area Seniors, Inc., (WASI) senior nutritional services and meals on wheels program to help feed our senior residents in the greater Wasilla area. If this is adopted it will amend the Fiscal Year 11 budget in the amount of \$34,800 (\$2,900 per month) for the period of July 2010 through June 2011. This appropriation is less than the amount that Council had discussed previously.

For this appropriation, WASI shall provide a detailed report of expenditures to be filed with the City Clerk, and reviewed and approved by the Finance Director, as detailed in the Letter of Funding and Understanding before funding will be disbursed.

Prior funding for WASI was directed by the City Council during the City Council budget discussion in April 2009. During that time the Council agreed to an appropriation of \$36,000 with monthly disbursements of \$3,000. The Letter of Agreement between the City and WASI required "Monthly Financial Reports" to be provided to and reviewed by the Finance Director who would disburse the monthly funding of \$3,000 if their reports met the City's financial accounting standards. Administration has stated that WASI was

in compliance with the previous Letter of Agreement for Fiscal Year 2010. Proposed is the same directive in the Memorandum of Agreement for Fiscal Year 2011.

As a City, we can look for ways to assist those in need when it is applicable, and when funding may be available. The City can assist our seniors or others that may be vulnerable during difficult economic times. I ask for your support for this appropriation to assist our senior residents for the nutritional services and meals on wheels program through the Wasilla Area Seniors center.

**RECOMMENDATION:** Adoption of Ordinance Serial No. 11-12.

## Letter of Funding and Understanding

Between

City of Wasilla  
290 E. Herring Avenue  
Wasilla, AK 99654  
Phone: (907) 373-9047 Fax: (907) 373-9046

And

Wasilla Area Seniors, Inc.  
1301 Century Circle  
Wasilla, AK 99654  
Phone: (907) 376-2243 Fax: (907) 373-5170  
Federal Tax ID #92-0082770

The City of Wasilla (City) will provide funding to the Wasilla Area Seniors, Inc. (WASI) in the amount, not to exceed two thousand nine hundred dollars (\$2,900.00) per month for twelve (12) months beginning July 1, 2010 through June, 30 2011, totaling an amount not to exceed \$34,800.00 for Fiscal Year 2011.

The funding is to assist in providing food service for senior citizens in the greater Wasilla area. Specifically, allowable costs under this agreement include direct expenses for labor, food, supplies, repairs, etc. charged to the nutritional services and meals on wheels programs.

The City Finance Department shall maintain fiscal records in sufficient detail to document the purposes and activities outlined in this Letter of Funding, and follow generally accepted accounting principles and account for all receipts and disbursements of funds by the City of Wasilla pursuant to this agreement.

For funds to be disbursed, WASI shall provide to the City, Monthly Funding Progress Reports for July 1, 2010 through March 31, 2011, no later than May 2, 2011, to which the City will reimburse WASI for the nine months, totaling an amount not to exceed \$26,100.00. Beginning April 1, 2011 through June 30, 2011, WASI will provide to the City Council a written and oral Monthly Funding Progress Report, due to the Clerk's Office, and approved by the Finance Director, at the dates listed below:

<u>For the month of:</u>	<u>Report to the City by:</u>	<u>For the meeting of:</u>
April 2011	May 11, 2011	May 23, 2011
May 2011	June 15, 2011	June 27, 2011
June 2011	July 13, 2011	August 8, 2011

Included in this agreement is Attachment A: City of Wasilla Funding Progress Report.

ENTIRE AGREEMENT AND MODIFICATION. This Agreement and its integrated attachment(s) constitute the entire agreement of the parties and such are intended as a complete and exclusive statement of the promises, representations, negotiations, discussions, and other agreements that may have been made in connection with the subject matter hereof. Unless an integrated attachment to this Agreement specifically displays a mutual intent to amend a particular part of this Agreement, general conflicts in language between any such attachment and this Agreement shall be construed consistent with the terms of this Agreement. Unless otherwise expressly authorized by the terms of this Agreement, no modification or amendment to this Agreement shall be binding upon the parties unless the same is in writing and signed by the respective parties hereto and approved by the Mayor and/or City Council.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and intend to be legally bound thereby.

---

Sondra Kaplan, Executive Director  
Wasilla Area Seniors, Inc. Date

---

Verne E. Rupright, Mayor  
City of Wasilla Date



# City of Wasilla

## Funding Progress Report

The information provided will be used by the City to monitor cash flow to ensure proper use of taxpayer funds. No further monies or benefits may be paid out unless this report is completed and filed as required.

<b>1. NAME AND ADDRESS</b>	<b>2. CONTRACT NUMBER</b>	<b>3. REPORT NO.</b>
	<b>4. REPORTING PERIOD (Dates)</b>	
<b>5. SHORT TITLE OF PROJECT:</b>	<b>6. YTD FUNDING AMOUNT</b>	<b>7. TYPE OF REPORT</b> <input type="checkbox"/> Regular <input type="checkbox"/> Final Report
<b>8. NAME (EXECUTIVE DIRECTOR)</b>	<b>9. DIRECTOR SIGNATURE</b>	<b>10. DATE OF REPORT</b>

**11. COMMENCE NARRATIVE REPORT HERE (Continue on plain paper.)**

**12. EXPENDITURES REQUESTED FOR REIMBURSEMENT (Continue on plain paper.)**

Vendor Name	Purpose	Date Paid	Check Amount

<b>13. CERTIFICATION BY REPRESENTATIVE (Official Signature)</b> I hereby certify that the costs reported herein have been incurred for the purpose specified and that no duplicate claim has been presented to or payment received from another funding source for the costs covered under this report.	<b>14. DATE</b>
--	-----------------

Wasilla Area Seniors, Inc.  
Nutrition Program Profit & Loss  
July 2010 through February 2011

Provided by  
Sondra Kaplan  
3/14/11

Ordinary Income/Expense	<u>Jul '10 - Feb 11</u>	Rate/Day	Corrected	Rate/Day
<b>Income</b>				
4001 · Support - Unrestricted				
4010 · Individual contributions	5,866.00		5,866.00	
4011 · Corporate contributions	790.94		790.94	
4013 · Gov't grants & contributions	27,133.36		27,133.36	
<b>Total 4001 · Support - Unrestricted</b>	<b>33,790.30</b>	<b>195.32</b>	<b>33,790.30</b>	<b>\$195.32</b>
4100 · Support - Restricted				
4113 · Gov't grants & contracts (R)	114,868.90		114,868.90	
<b>Total 4100 · Support - Restricted</b>	<b>114,868.90</b>	<b>663.98</b>	<b>114,868.90</b>	<b>\$663.98</b>
4200 · Revenue				
4300 · Medicaid choice	142,443.71		142,443.71	
4320 · Self-pay revenue	21,516.15		21,516.15	
4500 · Merchandise sales	12.25		12.25	
<b>Total 4200 · Revenue</b>	<b>163,972.11</b>	<b>947.82</b>	<b>163,972.11</b>	<b>\$947.82</b>
<b>Total Income</b>	<b>312,631.31</b>	<b>1,807.12</b>	<b>312,631.31</b>	<b>\$1,807.12</b>
<b>Expense</b>				
6000 · Personnel				
6001 · Payroll - Program & Admin	165,763.71		169,312.03	
6005 · Payroll - Maintenance & Janitor	12,487.16		17,281.86	
6010 · Payroll taxes	1,484.07		1,553.53	
6040 · Training & education	203.04		212.56	
6050 · Other employee costs	228.75		239.45	
6060 · Workers compensation	8,157.00		8,538.78	
6090 · Contract personnel	1,540.00		1,540.00	
6000 · Personnel - Other	2,035.84		2,035.84	
<b>Total 6000 · Personnel</b>	<b>191,899.57</b>	<b>1,109.25</b>	<b>200,714.05</b>	<b>\$1,160.20</b>
6200 · Travel				
6210 · Local travel	118.00		118.00	
6220 · Out of state travel	1,384.80		1,384.80	
<b>Total 6200 · Travel</b>	<b>1,502.80</b>	<b>8.69</b>	<b>1,502.80</b>	<b>8.69</b>
6300 · Facilities				
6310 · Electric	8,844.35		8,844.35	
6312 · Natural gas & propane	5,224.50		5,224.50	
6314 · Water & sewer	631.92		631.92	
6320 · Refuse (trash removal)	2,372.75		2,372.75	
6350 · Facility repair & maintenance	508.41		508.41	

Wasilla Area Seniors, Inc.  
**Nutrition Program Profit & Loss**  
July 2010 through February 2011

	<u>Jul '10 - Feb 11</u>	Rate/Day	Corrected	Rate/Day
Total 6300 · Facilities	17,581.93	101.63	17,581.93	101.63
6400 · Supplies				
6412 · Postage/Printing	1,502.05		1,502.05	
6440 · Food	73,455.17		73,455.17	
6450 · Program supply	8,323.38		8,323.38	
6400 · Supplies - Other	1,903.68		1,903.68	
Total 6400 · Supplies	85,184.28	492.39	85,184.28	492.39
6500 · Equipment				
6510 · Equipment rent & lease	1,582.63		1,582.63	
6515 · Equipment repair & maintenance	1,202.17		1,202.17	
6562 · Vehicle - fuel	4,704.37		4,704.37	
6564 · Vehicle repair & maintenance	1,675.24		1,675.24	
Total 6500 · Equipment	9,164.41	52.97	9,164.41	52.97
6600 · Other Expenses				
6605 · Marketing & advertising	657.40		657.40	
6620 · Communications	3,459.84		3,459.84	
6630 · Professional fees				
6631 · Legal Fees	143.16		143.16	
6630 · Professional fees - Other	7,096.77		7,096.77	
Total 6630 · Professional fees	7,239.93		7,239.93	
6635 · Licenses, permits & dues	433.68		433.68	
6660 · Insurance - prof. liability	12.00		12.00	
Total 6600 · Other Expenses	11,802.85	68.22	11,802.85	68.22
Total Expense	317,135.84	1,833.16	325,950.32	1,884.11
Net Ordinary Income	-4,504.53		-13,319.01	
Net Income	-4,504.53		-13,319.01	

*173 day*

Meals Served Per day on average 124  
Cost per meal (8 hour day) : \$14.78

\$15.19

Reflects the increase in number of meals served. Cutbacks in personnel are due to lack of funds with food prices increasing significantly.

\$8,342.02 of Administrative Personnel were not attributed to Overall Cost of the Nutrition Program. This is reflected in the corrected column.



## Meals Served July 2009 thru June 2010 vs. July 2010 thru Feb 2011

Month	FY2010			FY2011			FY2010 vs FY2011
	Dining Room	Meals on Wheels	Total Meals	Dining Room	Meals on Wheels	Total Meals	Increase in Meals
July	871	1986	2857	679	2958	3637	780
August	760	1990	2750	788	2780	3568	818
September	841	2076	2917	942	2686	3628	711
October	785	2168	2953	880	2748	3628	675
November	704	2269	2973	848	2871	3719	746
December *	744	4192	4936	822	2908	3730	-1206
January *	741	3789	4530	910	3022	3932	-598
February *	732	2804	3536	752	2822	3574	38
March	817	2767	3584				
April	817	2683	3500				
May	768	2961	3729				
June	745	2950	3695				
Total	9325	32635	41960	6621	22795	29416	

\* Denotes ARRA (Stimulus Money) received in 2010 vs. 2011

	July 09 thru Feb 10	July 10 thru Feb 11	FY2010 vs FY2011	
<b>Total Meals</b>	27452	29416	1964 Increase	<b>Estimated 6% Increase over last year</b>

Currently we are serving 150 meals per day, between Congregate & HDM. In the next 88 days, we will have served 13,200 meals (an additional 2,640 meals at \$15.19 permeal).

**Need \$40,101.60**

Wasilla Area Seniors, Inc.  
Nutrition Program Profit & Loss  
July 2010 through February 2011

	Jul '10-Feb '11	Mar '11-Jun '11	
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
4001 · Support - Unrestricted			
4010 · Individual contributions	5,866.00	0.00	
4011 · Corporate contributions	790.94 United Way	0.00	
4013 · Gov't grants & contributions	27,133.36 Borough	8,824.00	
<b>Total 4001 · Support - Unrestricted</b>	<b>33,790.30</b>	<b>8,824.00</b>	
4100 · Support - Restricted			
4113 · Gov't grants & contracts (R)	114,868.90 TIII, FEMA, NSIP	56,455.00	\$49,818.00 Title III
<b>Total 4100 · Support - Restricted</b>	<b>114,868.90</b>	<b>56,455.00</b>	<b>\$6,637.00 NSIP</b>
4200 · Revenue			
4300 · Medicaid choice	142,443.71 Medicaid	71,221.86	
4320 · Self-pay revenue	21,516.15	3,758.00	
4500 · Merchandise sales	12.25	0.00	
<b>Total 4200 · Revenue</b>	<b>163,972.11</b>	<b>74,979.86</b>	
<b>Total Income</b>	<b>312,631.31</b>	<b>140,258.86</b>	
<b>Expense</b>			
6000 · Personnel			
6001 · Payroll - Program & Admin	169,312.03	84,656.02	
6005 · Payroll - Maintenance & Janitor	17,281.86	8,640.93	
6010 · Payroll taxes	1,553.53	776.77	
6040 · Training & education	212.56	106.28	
6050 · Other employee costs	239.45	119.73	
6060 · Workers compensation	8,538.78	4,269.39	
6090 · Contract personnel	1,540.00	10,770.00	Nutrition Assess/Train
6000 · Personnel - Other	2,035.84	1,017.92	
<b>Total 6000 · Personnel</b>	<b>200,714.05</b>	<b>110,357.04</b>	
6200 · Travel			
6210 · Local travel	118.00	59.00	
6220 · Out of state travel	1,384.80	692.40	
<b>Total 6200 · Travel</b>	<b>1,502.80</b>	<b>751.40</b>	
6300 · Facilities			
6310 · Electric	8,844.35	4,422.18	
6312 · Natural gas & propane	5,224.50	2,612.25	
6314 · Water & sewer	631.92	315.96	
6320 · Refuse (trash removal)	2,372.75	1,186.38	
6350 · Facility repair & maintenance	508.41	500.00	
<b>Total 6300 · Facilities</b>	<b>17,581.93</b>	<b>9,036.76</b>	
6400 · Supplies			
6412 · Postage/Printing	1,502.05	1,051.00	
6440 · Food	73,455.17 15% Increase	42,236.72	

**Wasilla Area Seniors, Inc.**  
**Nutrition Program Profit & Loss**  
 July 2010 through February 2011

	<u>Jul '10-Feb '11</u>		<u>Mar '11-Jun '11</u>
6450 · Program supply	8,323.38	15% Increase	4,785.94
6400 · Supplies - Other	1,903.68	15% Increase	1,094.62
<b>Total 6400 · Supplies</b>	<u>85,184.28</u>		<u>49,168.28</u>
6500 · Equipment			
6510 · Equipment rent & lease	1,582.63	15% Increase	910.01
6515 · Equipment repair & maintenance	1,202.17	15% Increase	691.25
6562 · Vehicle - fuel	4,704.37	15% Increase	2,705.01
6564 · Vehicle repair & maintenance	1,675.24		1,000.00
<b>Total 6500 · Equipment</b>	<u>9,164.41</u>		<u>5,306.27</u>
6600 · Other Expenses			
6605 · Marketing & advertising	657.40		328.70
6620 · Communications	3,459.84		1,729.92
6630 · Professional fees			
6631 · Legal Fees	143.16		71.58
6630 · Professional fees - Other	7,096.77		3,548.39 Audits & Bookkeeping
<b>Total 6630 · Professional fees</b>	<u>7,239.93</u>		<u>3,619.97</u>
6635 · Licenses, permits & dues	433.68		150.00
6660 · Insurance - prof. liability	12.00		0.00
<b>Total 6600 · Other Expenses</b>	<u>11,802.85</u>		<u>5,828.59</u>
<b>Total Expense</b>	<u>325,950.32</u>		<u>180,448.33</u>
<b>Net Ordinary Income</b>	<u>-13,319.01</u>		<u>-40,189.47</u>
	<u><b>-13,319.01</b></u>		<u><b>-40,189.47</b></u>

**ALASKA DEPARTMENT OF HEALTH & SOCIAL SERVICES**

**BUDGET DETAIL & NARRATIVE FORM FY2011**

Name and Address of Grantee Agency:

Wasilla Area Seniors, Inc.  
1301 Century Circle  
Wasilla AK 99654

**NEED**



Program Name: Wasilla Senior Center Nutrition Program

**PROPOSED BUDGET DETAIL SUMMARY**

Budget Categories	PRIMARY GRANT AWARD	SECONDARY GRANT AWARD	REQUIRED MATCH	ADDITIONAL MATCH / PROJECT SUPPORT	TOTAL PROJECT BUDGET
100 PERSONAL SERVICES	131,886.00	-	13,189.00	72,575.00	217,650.00
200 TRAVEL	1,000.00	-	100.00	1,000.00	2,100.00
300 FACILITY	23,605.00	-	2,361.00	15,949.00	41,915.00
400 SUPPLIES	25,722.00	-	2,572.00	69,565.00	97,859.00
500 EQUIPMENT	2,048.00	-	205.00	4,779.00	7,032.00
600 OTHER COST(s)	15,000.00	-	1,499.00	8,895.00	25,394.00
<b>TOTAL DIRECT COSTS</b>	199,261.00	-	19,926.00	172,763.00	391,950.00
700 INDIRECT COSTS	-	-	-	-	-
<b>TOTAL COSTS</b>	199,261.00	-	19,926.00	172,763.00	391,950.00

Please Note:

Click on the tabbed spreadsheets to move through this form. The first tabbed page provides overall instructions for the use of this workbook. The highlighted cells above on this tabbed page, A. Summary Detail, will auto-fill with the totals from the detailed budget information you enter on the following tabs 100 through 700.

If your grant includes mandatory matching funds, complete the first detailed funding source table below. Otherwise these tables are provided for your use on a optional basis. The funding section of the solicitation document instructs applicants regarding match requirements. Contact the Grants Administrator identified in the solicitation with any questions.

SOURCE OF FUNDS	REQUIRED MATCH	ADDITIONAL MATCH / PROJECT SUPPORT	Additional Desc.
GRANT INCOME	\$ 6,000	\$ 3,001	donations by prog (\$3001.)
MEDICAID	\$ 7,000	\$ 68,116	Medicaid
LOCAL CASH MATCH	\$ 1,926	\$ 36,000	City Wasilla
LOCAL IN-KIND MATCH	\$ -	\$ 20,000	M-S Borough & Fundraising

## Kristie Smithers

---

**From:** william and mary Sears [birdy48@mtaonline.net]  
**Sent:** Monday, March 14, 2011 7:11 AM  
**To:** "Undisclosed-Recipient:;>"@NONE  
**Subject:** Meals on Wheels

**Good morning, I am sharing with you a letter I received from a friend. Letters like this one are one of the many reasons, I ask for your support for Ordinance No. 11-12. Thank you, Mary Sears, WASI , Board President**

To Whom it may Concern,

I am writing on behalf of the Wasilla Senior Center in support of obtaining funding for the Meals on Wheels and In-House Meals programs.

The Meal programs offered by the Senior Center fill a huge void in the lives of those who can no longer cook for themselves... I am speaking as a child of someone in that situation. My folks live in Seattle and due to their situation cooking is no longer an option. I wish my folks were closer, so that I could take care of them, but I cannot leave my job to move there and they cannot afford or want to leave their home to come here.

My mom was a cook for over 50 years, she owned a restaurant, managed several and cooked at Retirement complexes until about 15 years ago. Cooking was as natural to her as breathing, but she is now 80 years old and has dementia. Recently she took something from the freezer and put it in the oven, but did not remove the box. The house filled with smoke, the oven caught fire and at the time, my mom was home alone. As a result, we have had to remove the stove... which unless you have a family member in a similar situation, you may not understand. We bought her a microwave with the biggest buttons we could find, but she cannot see well enough to read them.

I was filled with gratitude that when I called to find out about Meals on Wheels, that program was available and we will be starting very soon. Meals on Wheels not only provides food, but also provides a system of checking in with folks to make sure they are okay, which as a daughter living several thousand miles away gives me a little sigh of relief. Sadly, there are many people, who are housebound. Maybe there is no family nearby, so their lives are pretty small, but when they see that delivery driver walking up to their door, it makes them feel valued and cared about.

Without the Meals on Wheels program, my parents would out of safety reasons, would have to eat out the majority of the time and who in this day can afford that?

Please, please think of your own parents as you consider this issue and please also realize the full impact these programs have in helping so many people in so many ways.

Sincerely,  
Nelma Treider  
907-394-2007

## Kristie Smithers

---

**From:** Anne Kilkenny [annekilkenny@hotmail.com]  
**Sent:** Friday, March 11, 2011 2:09 PM  
**To:** Verne E. Rupright; Taffina Katkus; Doug Holler; Leone Harris; Dianne Woodruff; Steve Menard; Colleen Sullivan-Leonard  
**Cc:** Payne, Richard; Kristie Smithers  
**Subject:** WASI subject to Open Meetings Act, etc

City Council Members, Mayor and Police Chief

Re: WASI's recent request for funding, reluctance to provide financial records, and ejection of press and others from WASI premises claiming that they are a private organization and not subject to Open Meetings laws or Public Records requests.

I know that wikipedia isn't exactly the most authoritative source of legal information, but it's a place to start. I got the information below from the following link.

[http://en.wikipedia.org/wiki/Non-profit\\_organizations\\_and\\_access\\_to\\_public\\_information](http://en.wikipedia.org/wiki/Non-profit_organizations_and_access_to_public_information)

It seems that courts throughout the land are ruling that private nonprofits ARE being told they must release their records and they DO fall under the various open meeting act laws of the state in which they operate.

I think that criticism that you are micro-managing when you request financial information from WASI in an effort to do your due diligence and claims by WASI that they are a private organization and can exclude the press from their meetings are off base and inaccurate.

Based on the Times of Trenton v Lafayette Yard Community Development Corporation case cited below, *I think that the WPD made a bad call yesterday when it evicted the Frontiersman editor & reporter from a WASI Board meeting.* WPD was called to intervene in a confrontation that I witnessed at WASI when the WASI Executive Director was swatting at a Frontiersman editor because she refused to leave the building. The Frontiersman claimed that WASI was subject to the Open Meetings Act and had a right to be there; the WASI Executive Director thought otherwise. WPD evicted the press for trespassing. It appears to me that the WPD goofed and made the wrong call.

Anne Kilkenny

P. O. Box 870163  
Wasilla, Alaska USA  
99687-0163

907-376-6225

### **Friends of Piedmont Park v. The Piedmont Park Conservancy**

The Piedmont Park Conservancy is a private non-profit that oversees and manages Piedmont Park. In 2007, when the organization moved forward with a plan to install a controversial parking structure, a group opposed to the plan—Friends of Piedmont Park—filed an open record request under Georgia's open records legislation for records of the Conservancy. The request was declined,

and the Friends group sued. On September 12, 2007, a **Georgia judge ruled that the records must be made public.**<sup>[2]</sup>

[edit]**The Times of Trenton v. Lafayette Yard Community Development Corp.**

In this case, **the New Jersey Supreme Court unanimously ruled in 2005 that Lafayette Yard CDC, a private non-profit, was subject to the provisions of New Jersey's open records (OPRA) legislation because it issued city-backed bonds** and the majority of its board was appointed by the city council of Trenton. The litigation arose because the board of Lafayette Yard CDC kicked a reporter for the Trenton newspaper out of a meeting on the grounds that, as a private non-profit, they were not subject to open records or open meetings laws.

**]Gannon and Nichols v. the Board of Regents of the State of Iowa**

In this 2005 case, the Iowa Supreme Court overturned a lower court and ruled that outsourcing a public function to a private board does not privatize the records of the private board. The court wrote, "In this appeal, we are asked to decide whether a government body may outsource one of its core functions to a private corporation, making that part of its operation nongovernmental and not subject to public scrutiny. We hold the Iowa State University Foundation, a recipient of such outsourcing, is performing a government function, and therefore its records are subject to disclosure." [edit]

**Downtown Vision in Jacksonville, Florida**

Downtown Vision agreed in September 2007 that it falls under Florida's open records law. Previously, the organization had stated that it was exempt because it is a private not-for-profit corporation.

**Medicaid service non-profits in Connecticut**

In Connecticut, the state Department of Social Services contracted with three for-profit companies and one non-profit company for Medicaid services. Each organization refused to respond to Connecticut open records requests for information about how much they were paying doctors under the plans. The Connecticut Attorney General and Connecticut Freedom of Information Coalition ruled that the documents must be made public.

## Kristie Smithers

---

**From:** Amanda Charles on behalf of clerk  
**Sent:** Thursday, March 10, 2011 8:07 AM  
**To:** Doug Holler; Steve Menard; Dianne Woodruff; Taffina Katkus; Leone Harris; Colleen Sullivan-Leonard  
**Cc:** Kristie Smithers; Verne E. Rupright  
**Subject:** FW: proposed funding for WASI

Good morning,

This email was received into the Clerk's email account. It is being forwarded to you at the senders request.

Respectfully,

Amanda E. Charles  
Deputy City Clerk

---

**From:** Elsie O'Bryan [<mailto:bearpaw@mtaonline.net>]  
**Sent:** Thursday, March 10, 2011 6:17 AM  
**To:** clerk  
**Subject:** proposed funding for WASI

Kristie, please forward this message to each of the Councilmembers and the Mayor and retain a copy of the official file.

In reviewing the proposal for funding to WASI in the packet for 3/14/11, I note: In the routing form, signed by the Finance Director, the Mayor and other pertinent folks, I note that the box re: "fiscal impact" is checked "yes". However, the box regarding whether funds are available has been left blank.

I request that you vote "NO" in the introduction of this Ordinance and setting of public hearing for the following reasons:

- a. I have personally asked, in writing, for detailed financial reports, by department, of WASI, as is my right as a member of the organization, and have been denied the information. I recommend a "NO" vote on any request for funding until the administration comply with the mandates of the bylaws of the organization, including provision of complete financial reports to members, upon request. Please note that the stated reason for the denial was that the bylaws only allow distribution of the profit and loss statement, balance sheet, audit and 990. That is not true. The bylaws allow for inspection of "ALL" financial reports.
- b. A recent financial report provided to the City via e-mail (and requested to be distributed by hard copy only to the Councilmembers). I have obtained a copy of that report, which became a City document upon receipt, therefore is a public document. It is evident that the request to distribute by hard copy only was another attempt by the administration of WASI to deny WASI members the right to review the financial records of the organization.
- c. According to that report, there was a net gain of \$49,000+ in the food program at the end of January. Therefore, it is apparent that there is no need of City funding to maintain viability of the program.
- d. The administration of WASI remains out of compliance with Title III of the Older Americans Act in the method it utilizes to request and receive suggested donations for the meals. There is a continued effort to apply a set charge. In fact, at least one member has been directly asked by the Director the amount they PAY (a significant matter under the Older Americans Act) and that Member chastised for not "paying" more.



In summary, until the administration of WASI can comply with the Older Americans Act, it's own bylaws, and the request of Members, please do not contribute City of Wasilla tax payer funds to that organization.

I am a senior citizen, a resident of Wasilla, and a member of WASI.