BEFORE THE HEARING OFFICER OF THE
CITY OF WASILLA, ALASKA

290 E. Herning Avenue
Wasilla, Alaska 99654

IN THE MATTER OF THE APPEAL OF NOEL KOPPERUD AND ALEX KOPPERUD OF THE CITY OF WASILLA PLANNING COMMISSION RESOLUTION SERIAL 15-10(AM)	)))))	APPEAL CASE NO. 15-01

NOTICE OF RECEIPT OF PUBLIC RECORDS REQUEST

The City of Wasilla, by and through counsel, files this Notice that it received a Public Records Request from Appellant Noel Kopperud on October 8, 2015 for the audio recording from the August 11, 2015 Planning Commission meeting. A copy of the Request is attached to this Notice.

Wasilla Municipal Code Section 2.48.130 governs records related to litigation and administrative adjudication. The WMC provides that public records requests related to pending administrative adjudication shall be processed "in accordance with the rules of procedure applicable in a court or an administrative adjudication," and not through the typical public records request process. The public records request submitted by Appellant included a Certification of Non-Litigation Affiliation (addressing WMC 2.48.130), which Mr. Kopperud signed.

Additionally, the Hearing Officer issued a Pre-Hearing Conference Order giving Appellant a deadline of October 2, 2015 to request documents from the City. Mr. Kopperud did not include a request for the audio in his Requests to the City filed

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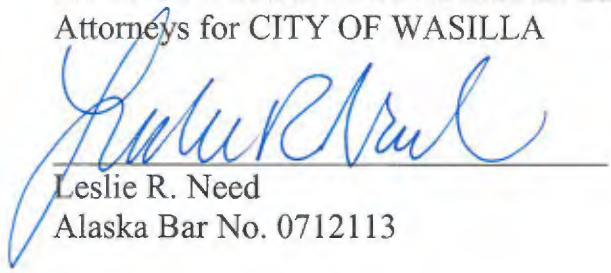
on October 2, 2015 nor did he raise this issue at the parties' conference on October 6, 2015.

Appellant's public records request contravenes the WMC and the Pre-Hearing Conference Order. The City requests the Hearing Officer address the Request at the Status Hearing on October 14, 2015.

DATED this 15th day of October, 2015, at Anchorage, Alaska.

LANDYE BENNETT BLUMSTEIN LLP
Attorneys for CITY OF WASILLA



Leslie R. Need
Alaska Bar No. 0712113

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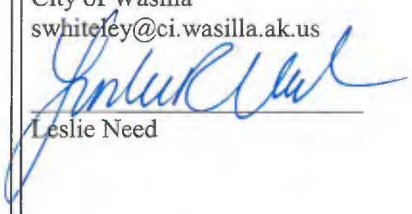
Certificate of Service

On October 15th, 2015, a true and correct copy of the foregoing document was sent by ☒ e-mail or ☐ hand-delivery for distribution to the parties to the following:

Sarah Whiteley
Deputy City Clerk
City of Wasilla
swhiteley@ci.wasilla.ak.us



Leslie Need

PRR No. 15-164

Date Received

CITY OF WASILLA

RECEIVED

OCT 0 8 2015

Office of the City Clerk
City of Wasilla

PUBLIC RECORDS REQUEST | GENERAL ADMINISTRATIVE RECORDS

OFFICE OF THE CITY CLERK • 290 E. HERNING AVENUE • WASILLA, AK 99654-7091
PHONE: 907.373.9090 • FAX: 907.373.9092 • CLERK@CI.WASILLA.AK.US

Name of Requester: Alex Koppernud Date of Request: 10.8.2015

Organization or Company:

Mailing Address: PO Box 4470
Palmer, AK 99645

Phone/Cell Number: 745-1439 E-Mail:

Please describe below in detail the information or documents you are requesting. Please be as specific as possible. I request to *inspect or receive copies of* the following documents or files:

Please put a copy of the audio recording from the August 11th 2015 Planning Commission meeting onto the attached USB drive.
Thank You

☑ Hold for Pick-Up ☐ Mail ☐ E-mail

ACKNOWLEDGEMENT OF PAYMENT. I understand I will be charged a fee for each page that I am requesting to be copied, faxed, emailed, or mailed and that if it is determined that my request will require more than five hours of staff time to prepare, I will pay, upon notification, the personnel costs required to complete each task and/or copying tasks. I further understand that the City must respond to the request within 10-business days after receiving my request, except that the City may take an extension of an additional 10-business days if needed. I further understand that this request is available for public review and will be kept on file in accordance with City records policy.

CERTIFICATE OF NON-LITIGATION AFFILIATION. I hereby certify that: I am not involved in litigation with the City of Wasilla or another public agency to which the requested record is relevant and I am not acting on behalf of or otherwise representing any person who is involved in litigation with the City of Wasilla or another public agency to which the requested record is relevant. I certify under penalty of perjury, that the foregoing statements are true.

Alex Koppernud	Alex Koppernud	10.8.2015
Printed Name	Signature	Date

City Staff Use. Date Due: 10/22/15 Emailed to Mayor: 10/08/15 Extension: ☐No ☐Yes
5-Hours or less? ☐Yes ☐No Given to Clerk from Admin: # of Pages:
Date Requester Notified for Pick-Up: Page #: Date Filled: Initial:
Request distributed by: ☐Pick-Up ☐Mail ☐E-Mail Note: Updated: 7/12/13