

Submitted by: Assembly Member  
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Prepared by: Assembly Counsel's Office  
For reading: May 7, 2024

**ANCHORAGE, ALASKA**  
**AO No. 2024-56**

1 **AN ORDINANCE OF THE ANCHORAGE ASSEMBLY RECOGNIZING THE**  
2 **IMPORTANCE OF THE SHIP CREEK SMALL BOAT LAUNCH (SCSBL),**  
3 **AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 11.50 TO ESTABLISH**  
4 **MAINTENANCE AND OPERATIONS OF THE SCSBL AS A DUTY AND**  
5 **RESPONSIBILITY OF THE DON YOUNG PORT OF ALASKA, REQUIRING**  
6 **DEVELOPMENT OF AN ACTION PLAN FOR FUTURE FUNDING,**  
7 **MAINTENANCE AND OPERATIONS, AND RELATED MATTERS.**

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9 **WHEREAS**, the Municipality of Anchorage recognizes the significance of the Ship  
10 Creek Small Boat Launch (SCSBL) as a vital community asset contributing to both  
11 recreational and economic activities, and as an essential part of Anchorage's  
12 maritime heritage; and

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14 **WHEREAS**, The Ship Creek Small Boat Launch was established by the Municipality  
15 to replace previous public access points to Cook Inlet, ensuring continued public  
16 access as per permit agreements; and

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18 **WHEREAS**, The lease agreement with the Alaska Railroad Corporation (ARRC),  
19 which owns the lands underlying the SCSBL, must be renewed and remain intact in  
20 order to allow for the ongoing maintenance of the SCSBL or any expenditures of  
21 municipal funds; and

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23 **WHEREAS**, Don Young Port of Alaska budgets are funded entirely through user  
24 fees and not collected tax dollars, and should be fully dedicated to the purpose of  
25 maintaining and sustaining all existing operating Port infrastructure; and

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27 **WHEREAS**, the Port has provided for maintenance and management of the SCSBL  
28 over the years, although not a substantial component of the Port's operations or  
29 functions, and has indicated it will cease providing for the same; and

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31 **WHEREAS**, Maintenance of the SCSBL is essential to uphold permit terms and  
32 protect the Municipality's capital investment; and

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34 **WHEREAS**, it is imperative to ensure the proper maintenance and continuing  
35 operation of the SCSBL for the benefit of the public and the local economy, and until  
36 an effective action plan for this purpose the status quo of maintenance by the Port  
37 should be maintained; now, therefore,

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39 **THE ANCHORAGE ASSEMBLY ORDAINS:**  
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1 **Section 1.** The Assembly finds and affirms that the Ship Creek Small Boat  
 2 Launch is an important economic and community facility to the Municipality, and that  
 3 it is in the public interest to maintain it throughout 2024 consistent with, or better  
 4 than, how it has been maintained and operated in past years. The Port and  
 5 Administration shall provide for current maintenance and operations throughout  
 6 2024 consistent with this ordinance.

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 8 **Section 2.** Anchorage Municipal Code 11.50.040 is hereby amended to read as  
 9 follows (*the remainder of the section is not affected and therefore not set out*):

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 11 **11.50.040 - Appointment, powers and duties of port director.**

12 \*\*\*                      \*\*\*                      \*\*\*

13 B. *Powers and duties.* The port director shall:

- 14 1. Be the chief administrator of the port and the ship creek small  
 15 boat launch.
- 16 2. Perform the duties imposed by state or federal law upon  
 17 harbor masters, port directors and administrative directors of  
 18 harbors and ports.
- 19 3. Regulate the use of municipal berths, including the allocation  
 20 of berth space and their use.
- 21 4. Remove or cause to be removed to a place of safety, any motor  
 22 vehicle found parked within the port:  
 23 a. In violation of this chapter;  
 24 b. In violation of any provisions of title 9; or  
 25 c. In such a manner as to create a significant danger to the  
 26 safety of persons or property.
- 27 5. Take corrective action, including rendering such performance,  
 28 if a vessel or person fails to comply with a provision of this  
 29 chapter, an order of the port director or a rule or regulation  
 30 promulgated pursuant to this chapter.
- 31 6. Provide for the maintenance and operations of the Ship Creek  
 32 small boat launch and its facilities.

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 34 (CAC 12.04.070, 12.08.040, 12.08.070—12.08.080; AO No. 78-177; AO No.  
 35 79-58; AO No. 80-19(S); AO No. 82-49; AO No. 85-8; AO No. 2016-116, § 1,  
 36 10-18-16)

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 38 **Section 3.** The Administration shall develop and provide to the Assembly an  
 39 action plan to provide for the future management, maintenance and operations of  
 40 the Ship Creek Small Boat Launch and its facilities. A public draft action plan shall  
 41 be completed and presented to the Assembly's Enterprise and Utilities Oversight  
 42 Committee no later than August 22, 2024. The Assembly expects and recommends  
 43 the action plan be organized similar to as outlined below and address the following  
 44 matters:

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 46 Part 1: Funding and property.

- 1.1. The Assembly hereby affirms that the Municipality of Anchorage shall maintain a Ship Creek Small Boat Launch, recognizing its importance to the community.
- 1.2. Real Estate Service's will negotiate a new lease agreement with the Alaska Railroad on behalf of the Municipality.
- 1.3. Port user fees will not contribute to the operations and maintenance of this asset from which the Port Users receive no benefit.
- 1.4. The Municipality General Fund will fund an operating budget line item for the operation and maintenance of the SCSBL. Activities to be supported by this line item will include:
  - 1..1. Maintenance Dredging
  - 1..2. Restroom repair, maintenance and trash removal
  - 1..3. Floating dock installation and removal
  - 1..4. Collection of launch fees during the operating months

#### Part 2: Oversight and Maintenance

2.1. The Department of Project Management and Engineering (PM&E) shall oversee the dredging, installation of floats, and in-season maintenance at the Ship Creek Small Boat Launch annually, ensuring its readiness for the boating season.

2.2 The Parks & Recreation Department agrees to provide day to day operations support as well as upkeep to the Sea Services and Eklutna "Mother Olga" Memorials on the north finger of the SCSBL.

#### Part 3: Inclusion in Economic Plan

3.1. The Parks & Recreation shall incorporate the Ship Creek Small Boat Launch into its Economic Plan, addressing funding for activities, user fees, maintenance, operation, and necessary capital improvements. The Economic Plan shall also document the economic activity generated by the launch and its community usage.

3.2. For any and all SCSBL identified capital projects (i.e. infrastructure repairs, float replacement, etc.), the Municipality will place a bond referendum on a scheduled ballot for the amount determined necessary. Failure to pass means those capital expenditures cannot be made; or, alternatively, the Assembly can vote to provide the necessary funds from the Municipality General Fund if repairs are deemed emergent and/or for life/safety.

#### Part 4: Proposed Process

4.1. The Parks & Recreation shall collect maintenance funds as part of its function, transferring such funds to the Municipality of Anchorage annually.

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4.2. The Municipality shall allocate funds to Parks & Recreation for day to day operations of the small boat launch and to PM&E for the maintenance of the small boat launch.

4.3. PM&E shall utilize the allocated funds to hire contractors, oversee dredging, float installation, and other maintenance tasks, ensuring efficient execution of the project.

4.4. PM&E shall manage the contracts and associated costs, providing budgetary estimates for future maintenance needs.

**Section 4.** This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Chair \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Municipal Clerk