

Submitted by: Chair of the Assembly at
the Request of the Mayor
Prepared by: Mayor's Office
For reading: July 9, 2019

**ANCHORAGE, ALASKA
AO No. 2019-88**

**AN ORDINANCE ESTABLISHING THE ANCHORAGE STORMWATER UTILITY AND
ADDING ANCHORAGE MUNICIPAL CODE SECTION 26.10.016.**

WHEREAS, Section 16.01 of the Anchorage Municipal Charter authorizes the Municipality to establish utilities and to prescribe rules and regulations for their operation and management (to the extent not subject to regulation by the Regulatory Commission of Alaska (RCA));

WHEREAS, the need for a stormwater utility (SWU) has been addressed over the last 30 years in numerous reports, and reviewed by advisory groups and civic organizations;

WHEREAS, the Administration recommends retention of a consultant to address rate structure, service levels, and regulatory compliance;

WHEREAS, the Municipality has issued a Request for Proposal for professional services to assist in the planning, development and implementation of a stormwater utility; and

WHEREAS, the initial creation of the SWU as an entity for fund accounting purposes facilitates funding, borrowing, and potential recovery of capital expenditures if the SWU is subsequently implemented and approved by the RCA and Assembly; **now, therefore.**

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The Assembly hereby establishes the Anchorage Stormwater Utility, a municipal utility.

Section 2. Title 26 of the Anchorage Municipal Code is hereby amended to add new section 26.10.016 to read as follows:

26.10.016 – Utility status of stormwater services.

The Anchorage Stormwater Utility shall be regarded as a municipal utility for purposes of this Code.

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

PASSED AND APPROVED by the Anchorage Assembly this _____ day of
_____, 2019.

Chair

ATTEST:

Municipal Clerk

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MUNICIPALITY OF ANCHORAGE

AM No. 485-2019

Meeting Date: July 9, 2019

1 **From: MAYOR**

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3 **Subject: AN ORDINANCE ESTABLISHING THE ANCHORAGE STORMWATER**
4 **UTILITY AND ADDING ANCHORAGE MUNICIPAL CODE SECTION**
5 **26.10.016.**

6 The need for a stormwater utility (SWU) has been addressed over the last thirty years in
7 numerous reports and has been reviewed by advisory groups and civic organizations. In
8 2017, the Assembly authorized the work that resulted in the *Stormwater Utility Findings*
9 *Report and Recommendations*, Municipality of Anchorage (January 2019). Throughout this
10 process the Assembly received a number of presentations on the work and ultimately the
11 full report in January 2019.

12 The public involvement process during this initial phase provided valuable and thoughtful
13 responses from the community. These responses included the need to understand what
14 the rate structure would be for both businesses and homeowners, as well as the service
15 level that would be provided by this utility. The next phase of work intends to answer both
16 of those of questions in detail prior to applying for a Certificate of Public Convenience and
17 Necessity (CPCN) from the Regulatory Commission of Alaska (RCA) and before the
18 Assembly approves a more detailed ordinance with this information.

19 To develop the required information, the Municipality issued a Request for Proposal
20 (2019P022) for a consultant to assist in the planning, development and implementation of
21 SWU. However, it is necessary to first create SWU in order to establish the funding
22 mechanism to pay for the consultant. In addition to creating an entity for fund accounting
23 purposes and to provide funding for the consultant, the Administration will introduce a
24 second ordinance that provides for a stormwater utility borrowing program for start-up costs
25 and capital expenditures.

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27 Initial authorization of SWU, for fund accounting purposes, will have no financial impact on
28 the Municipality or the public. Therefore, no Summary of Economic Effects is attached. The
29 Administration recommends scheduling a public hearing on July 23, 2019.

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31 **THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ORDINANCE.**

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33 Prepared by: Jason R. Bockenstedt, Mayor's Office
34 Approved by: Alexander Slivka, CFO
35 Concur: Lance Wilber, Director Office of Management & Budget
36 Concur: Rebecca A. Windt Pearson, Municipal Attorney
37 Concur: William D. Falsey, Municipal Manger
38 Respectfully submitted: Ethan A. Berkowitz, Mayor
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