

# MUNICIPALITY OF ANCHORAGE



## ASSEMBLY MEMORANDUM

No. AM \_\_\_\_-2022

Meeting Date: \_\_\_\_\_, 2022

1 **From: Assembly Vice Chair Constant and Member Rivera**

2  
3 **Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY PERMITTING**  
4 **THE PROPERTY LOCATED AT 1000 E 36TH AVENUE, FORMERLY KNOWN**  
5 **AS THE GOLDEN LION HOTEL, TO BE DESIGNATED, ON A TEMPORARY**  
6 **BASIS, AS EMERGENCY SHELTER AS PART OF THE MUNICIPALITY'S**  
7 **EMERGENCY SHELTER PLAN; CONFIRMING THE DESIGNATION OF**  
8 **FACILITIES AS EMERGENCY SHELTERS; AND RATIFYING THE**  
9 **REAPPROPRIATION OF NOT TO EXCEED ONE MILLION TWO HUNDRED**  
10 **SEVENTEEN THOUSAND DOLLARS (\$1,217,000) PREVIOUSLY**  
11 **APPROPRIATED FOR ADULT EMERGENCY SHELTERING AND THE**  
12 **APPROPRIATION OF NOT TO EXCEED ONE MILLION TWO HUNDRED**  
13 **SIXTEEN THOUSAND DOLLARS (\$1,216,000) OF ALCOHOLIC BEVERAGES**  
14 **RETAILS SALES TAX FUND (206000) FUND BALANCE TO THE ANCHORAGE**  
15 **HEALTH DEPARTMENT TO BE USED FOR EMERGENCY COLD WEATHER**  
16 **SHELTERING, BOTH AS APPROVED IN AR 2022-293, AS AMENDED; AND**  
17 **APPROPRIATING AN AMOUNT NOT TO EXCEED ONE MILLION ONE**  
18 **HUNDRED AND TWO THOUSAND FIVE HUNDRED DOLLARS (\$1,102,500) OF**  
19 **ALCOHOLIC BEVERAGES RETAILS SALES TAX FUND (206000) FUND**  
20 **BALANCE TO THE ANCHORAGE HEALTH DEPARTMENT TO BE USED FOR**  
21 **EMERGENCY SHELTERING.**

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23 The ordinance submitted with the memorandum does not authorize the  
24 Golden Lion property to be used on a permanent basis as a homeless or transient  
25 shelter. Rather, it authorizes the limited, temporary use of the Golden Lion as an  
26 Emergency Shelter when, as will shortly be the case, the Municipality activates its  
27 Emergency Shelter Plan. The Assembly remains committed to putting the Golden  
28 Lion, after this winter, into permanent use as a substance abuse treatment center.  
29 Specifically, the Assembly intends the permanent use of the Golden Lion to be for  
30 the Alaska Center for Treatment Center pursuant to the Stipulation, Part III.E. in  
31 Regulatory Commission of Alaska cases U-18-102, U-19-020 and U-19-021. These  
32 intentions and the Assembly's commitment are demonstrated through the ordinance  
33 and the expiration of this authorization as Emergency Shelter on April 30, 2023 after  
34 cold weather is less of a threat to homeless and unsheltered persons, our most  
35 vulnerable residents.

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37 Subsequent to the passage of AR 2022-293, as amended, the Department  
38 of Law raised concerns about use of the Golden Lion as part of the Emergency  
39 Shelter Plan.<sup>1</sup>

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<sup>1</sup> See "Emergency Shelter Plan – Golden Lion Hotel," Memorandum of Acting Municipal Attorney Christensen (Sept. 30, 2022).

1 In particular, the Department of Law noted that provisions of AO 2022-66(S)  
2 limit the ability to use the property as “a homeless or transient shelter, as that use  
3 is defined in Title 21.” The Department of Law also noted that, if used as a “transient  
4 living facility,” the property may not have the number of parking spots that would be  
5 required by title 21.

6  
7 This ordinance permits the Golden Lion to be designated and used as an  
8 emergency shelter as part of the Municipality’s AMC 16.120 Emergency Shelter  
9 Plan, notwithstanding any other provision of law, including the various authorities  
10 cited by the Department of Law. Moreover, the sponsors are advised by Assembly  
11 Counsel of disagreement with the conclusion that the Golden Lion cannot be  
12 designated and used as emergency shelter as part of the Emergency Shelter Plan,  
13 and an effective resolution to this is passage of an ordinance as proposed here.

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15 To ensure the availability of funds, the ordinance also ratifies the  
16 appropriation and reappropriation approved in AR 2022-293, as amended.  
17 Providing this ratification allows for a public hearing at the Assembly’s October 11,  
18 2022 meeting, with significantly more prior notice of the same than was provided  
19 before consideration of AR 2022-293, as amended.

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21 Finally, the Anchorage Health Department intends to lease 50 units from the  
22 Alex Hotel, and a memorandum approving such lease is submitted  
23 contemporaneously with this ordinance. Section 4 of the ordinance appropriates  
24 the amount necessary to fund the lease through the end of the year (\$711,000) and  
25 the costs of operations for non-congregate housing at this location (\$391,500),  
26 drawn from the Alcoholic Beverages Sales Tax Fund Balance. With this in place  
27 there should be enough housing and emergency shelter available for the upcoming  
28 cold temperatures this winter season.

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30 **We request your support for the ordinance.**

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32 Reviewed by: Assembly Counsel  
33 Fund Certification: 206000-305070 \$1,102,500  
34 (Fund Balance, Alcoholic Beverages Retail Sales Tax Fund)

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36 Respectfully submitted: Christopher Constant, Assembly Vice Chair  
37 District 1, North Anchorage

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39 Felix Rivera, Assembly Member  
40 District 4, Midtown Anchorage  
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