From: Assembly Vice Chair Constant and Member Rivera

Subject: AN ORDINANCE OF THE ANCHORAGE ASSEMBLY PERMITTING THE PROPERTY LOCATED AT 1000 E 36TH AVENUE, FORMERLY KNOWN AS THE GOLDEN LION HOTEL, TO BE DESIGNATED, ON A TEMPORARY BASIS, AS EMERGENCY SHELTER AS PART OF THE MUNICIPALITY’S EMERGENCY SHELTER PLAN; CONFIRMING THE DESIGNATION OF FACILITIES AS EMERGENCY SHELTERS; AND RATIFYING THE REAPPROPRIATION OF NOT TO EXCEED ONE MILLION TWO HUNDRED SEVENTEEN THOUSAND DOLLARS ($1,217,000) PREVIOUSLY APPROPRIATED FOR ADULT EMERGENCY SHELTERING AND THE APPROPRIATION OF NOT TO EXCEED ONE MILLION TWO HUNDRED SIXTEEN THOUSAND DOLLARS ($1,216,000) OF ALCOHOLIC BEVERAGES RETAILS SALES TAX FUND (206000) FUND BALANCE TO THE ANCHORAGE HEALTH DEPARTMENT TO BE USED FOR EMERGENCY COLD WEATHER SHELTERING, BOTH AS APPROVED IN AR 2022-293, AS AMENDED; AND APPROPRIATING AN AMOUNT NOT TO EXCEED ONE MILLION ONE HUNDRED AND TWO THOUSAND FIVE HUNDRED DOLLARS ($1,102,500) OF ALCOHOLIC BEVERAGES RETAILS SALES TAX FUND (206000) FUND BALANCE TO THE ANCHORAGE HEALTH DEPARTMENT TO BE USED FOR EMERGENCY SHELTERING.

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

Subsequent to the passage of AR 2022-293, as amended, the Department of Law raised concerns about use of the Golden Lion as part of the Emergency Shelter Plan.¹

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

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

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

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

We request your support for the ordinance.

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

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

Felix Rivera, Assembly Member
District 4, Midtown Anchorage