

Submitted by: ASSEMBLY MEMBER STARR
Prepared by: Assembly Counsel
For reading: October 14, 2008

CLERK'S OFFICE

AMENDED AND APPROVED

Date: 12-16-08 **ANCHORAGE, ALASKA**
AO NO. 2008-114

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY REPEALING ANCHORAGE MUNICIPAL CODE CHAPTER 7.80, ANCHORAGE COOPERATIVE SERVICES AUTHORITY, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Assembly Ordinance No. 2004-124(S) established the Anchorage Cooperative Services Authority, effective September 21, 2004; and

WHEREAS, AMC 7.80.010 provides that termination of the Anchorage Cooperative Services Authority shall be by ordinance and upon termination, all of its rights, assets, and liabilities and properties shall pass to the municipality;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. The Anchorage Cooperative Services Authority is hereby terminated. All of its rights, assets, and liabilities and properties shall pass to the municipality.

Section 2. Anchorage Municipal Code chapter 7.80 is hereby repealed. As required by AMC 1.05.050B, the current text of AMC 7.80 is attached.

Section 3. The remainder of Anchorage Municipal Code title 7 is unchanged by this ordinance.

Section 4. This ordinance shall become effective December 31, 2008.

PASSED AND APPROVED by the Anchorage Assembly this 16th day of December, 2008.


Chair

ATTEST:


Municipal Clerk

Chapter 7.80 ANCHORAGE COOPERATIVE SERVICES AUTHORITY*

***Editor's note:** The Anchorage Cooperative Services Authority shall cease to exist on January 15, 2010, unless reauthorized by the assembly on or before that date.

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7.80.010 Established; termination.

There is established an Anchorage Cooperative Services Authority, a public corporate authority of the municipality. The authority is an instrument of the municipality, but exists independently of and separately from the municipality. The authority shall continue to exist until terminated by ordinance. When the authority's existence is terminated, all of its rights, assets and properties shall pass to the municipality.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.020 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Authority and cooperative services authority shall mean the Anchorage Cooperative Services Authority.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.030 Board of directors.

The authority shall be governed by a board of directors consisting of five members appointed by the mayor subject to confirmation by the assembly. Three of the five members appointed by the mayor shall be executive employees of the municipality.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.040 Executive director.

The mayor shall select the executive director of the authority, subject to confirmation by the assembly. The executive director of the authority shall serve at the pleasure of the mayor.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.050 Fiscal management.

The chief fiscal officer shall be advisor to the authority regarding its financial affairs, including but not limited to establishing and maintaining the authority's funds. The chief fiscal officer, auditors appointed by the chief fiscal officer, and the internal auditor may examine and audit the books and records of the authority regarding its financial affairs, and the chief fiscal officer and the internal auditor may make recommendations to the authority, the mayor and the assembly regarding the authority's financial affairs. The chief fiscal officer shall be custodian of the authority's funds.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.060 Legal counsel.

The municipal attorney shall advise and assist the authority on all legal matters.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.070 Powers.

A. In furtherance of its corporate purposes, the authority has the following powers, in addition to its other powers, subject to the approval of the mayor and the assembly as required by the Charter:

1. To sue and be sued;
2. To have a seal and alter it at pleasure;
3. To adopt, amend and repeal bylaws for its organization and internal management, however, bylaws regarding notice of meetings shall be adopted consistent with Section 1.25.015;
4. To assist the municipality and others with whom the municipality or the authority may contract to achieve meaningful and sustainable cost savings on their procured expenses;
5. To provide the municipality or authority and others with whom the municipality may contact with to effect tracking and analysis of spend data;
6. To improve procurement processes using innovative sourcing techniques supported by a technology capable of growing with the changing needs;
7. To own, operate, manage and control cooperative service platform software assets, services, and related processes and manage/contract all vendor services required to do so;
8. To develop and enter into contracts for the authorities and services with other government organizations;
9. To sign contracts with public or private cooperative services organizations for the purpose of exchanging/sharing service contracts;
10. To offer advice and assistance to the procurement functions of the Municipality or other organizations in negotiations of contracts, and to support other procurement activities, where requested and appropriate;
11. To protect compiled data of each entity with whom the municipality or authority enters into a contract to the extent required by contract and consistent with public record statutes of the State of Alaska;
12. To request and receive data and information regarding procured items and services, or items and services to be procured, from the municipality or other organizations or their suppliers;
13. Subject to Section 13.08 of the Charter, to accept payments, gifts, grants or loans from any governmental agency or entity;
14. Subject to Section 13.08 of the Charter, to enter into contracts or agreements with respect to the exercise of any of its powers and to do all things necessary or convenient to carry out its corporate purposes and exercise the powers granted in this chapter.

B. Except as this chapter provides otherwise, the authority is not subject to Title 3 or Title 7.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.080 Exemption from taxes.

A. The real and personal property of the authority and its assets, income and receipts are declared to be the property of a political subdivision of the state devoted to an essential public and governmental function and purpose, and the property, assets, income, receipts shall be exempt from all municipal taxes.

B. Nothing in this section creates a tax exemption with respect to the interest of any business enterprise or other person, other than the authority, in any property, assets, income, receipts whether or not financed under this chapter.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.090 Reports and recommendations.

The authority shall file with the mayor and the assembly an annual report of its activities and shall make recommendations for the legislation or other action it considers necessary to carry out its corporate purposes.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.100 Annual budget.

The authority shall have a separate budget within the annual municipal budget, and shall prepare and submit an annual budget in accordance with Title 6.

(AO No. 2004-124(S), § 1, 9-21-04)

7.80.110 Annual audit.

The authority shall be subject to the audit requirements of the Charter and Title 6.

(AO No. 2004-124(S), § 1, 9-21-04)