

Submitted by: Chair of the Assembly at the
Request of the Mayor
Prepared by: Public Works Department
For Reading: May 10, 2011

CLERK'S OFFICE

APPROVED

Date: 5-24-11

**ANCHORAGE, ALASKA
AR No. 2011-135**

A RESOLUTION APPROPRIATING TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) OF REVENUE FROM THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (DOT&PF) TO THE STATE DIR/FED PASS-THRU GRANTS FUND (231), IN THE PUBLIC WORKS DEPARTMENT, PROJECT MANAGEMENT AND ENGINEERING DIVISION (PM&E) FOR ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM (APDES) PERMIT SERVICES PROVIDED FOR 2011 TO 2015.

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. To appropriate the sum of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) of revenue from DOT&PF to PM&E to provide the monitoring, public information, mapping and reporting services required for the 2011 to 2015 APDES program that are common to both the State and Municipal systems.

Section 2. This resolution shall take effect immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 24th day of May, 2011.


Chair of the Assembly

ATTEST:


Municipal Clerk

Department of Appropriation:
Public Works Department

\$2,500,000



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM 270-2011

Meeting Date: May 10, 2011

FROM: MAYOR

SUBJECT: A RESOLUTION APPROPRIATING TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) OF REVENUE FROM THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (DOT&PF) TO THE STATE DIR/FED PASS-THRU GRANTS FUND (231), IN THE PUBLIC WORKS DEPARTMENT, PROJECT MANAGEMENT AND ENGINEERING DIVISION (PM&E) FOR ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM (APDES) PERMIT SERVICES PROVIDED FOR 2011 TO 2015.

The DOT&PF and PM&E were co-applicants to the United States Environmental Protection Agency (EPA) for a National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Discharge Permit (Permit). In 2011 the EPA transferred authority for the Permit to the State of Alaska Department of Environmental Conservation and the State and Municipality intend to coordinate their efforts in compliance with the conditions of the Permit. The state now references the Alaska Pollutant Discharge Elimination System (APDES) as APDES Permit No. AKS052558, for the Storm Water Management Program and provides for financial contributions from DOT&PF, through an intergovernmental agreement. The DOT&PF will pay PM&E FIVE HUNDRED THOUSAND DOLLARS (\$500,000) per year to provide the general storm water management required under the Permit for the State's separate storm sewer system facilities, and mapping and reporting services required for the 2011 to 2015 APDES program that are common to both the State and Municipal systems (EXHIBIT A).

The budgetary detail is as follows:

REVENUE ACCOUNT

Account Number	Account Name	Amount
231.7271G.9398.M15W51.BP2011	State Grant Rev-Pass Thru	\$2,500,000

EXPENDITURE ACCOUNT

Account Number	Account Name	Amount
231.7271G.3101.M15W51.BP2011	Professional Services	\$1,438,523
231.7271G.1101.M15W51.BP2011	Labor	1,000,000
231.7271G.6923.M15W51.BP2011	CS IGC to Ops Grant	<u>61,477</u>
	TOTAL	\$2,500,000

1 THE ADMINISTRATION RECOMMENDS APPROVAL OF A RESOLUTION
2 APPROPRIATING TWO MILLION FIVE HUNDRED THOUSAND DOLLARS
3 (\$2,500,000) OF REVENUE FROM THE DOT&PF TO THE STATE DIR/FED PASS-
4 THRU GRANTS FUND (231), IN THE PUBLIC WORKS DEPARTMENT, PM&E FOR
5 APDES PERMIT SERVICES PROVIDED FOR 2011 TO 2015.
6

7 Prepared by: Robert J. Moore, Senior Accountant
8 Public Works Department

9 Approved by: Ron Thompson, P.E., Public Works Director
10 Public Works Department

11 Fund Certification: Lucinda Mahoney, CFO
12 231.7271G.9398.M15W51.BP2011 \$2,500,000
13 (APDES-State of Alaska Contribution)

14 Concur: George J. Vakalis, Municipal Manager

15 Respectfully Submitted: Daniel A. Sullivan, Mayor

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT FOR RESPONSIBILITY FOR WATER QUALITY MANAGEMENT WITHIN THE MUNICIPALITY OF ANCHORAGE

This Agreement, effective November 1, 2010, is made between the State of Alaska, Department of Transportation and Public Facilities (hereinafter called the State) and the Municipality of Anchorage (hereinafter called the Municipality). The State and the Municipality are entering into this Agreement pursuant to Article III § 3.01 of the Municipality of Anchorage Home Rule Charter and Article X § 13 of the Alaska Constitution. Whereas Article III § 3.01 of the Municipality of Anchorage Home Rule Charter and Article X § 13 of the Alaska constitution authorize intergovernmental agreements and whereas the State and the Municipality were co-applicants to the United States Environmental Protection Agency (hereinafter called the EPA) for a NPDES Municipal Storm Water Discharge Permit (hereinafter called the Permit), and whereas the EPA has since transferred authority for the Permit to the State of Alaska Department of Environmental Conservation (hereinafter called the ADEC) the State and the Municipality intend to coordinate their efforts in compliance with the conditions of the Permit (see attached table for division of responsibilities), and whereas the State and the Municipality intend that this Agreement set forth their efforts in compliance with the conditions of the Permit, the parties agree as follows:

1. Annual payments by the State to the Municipality under this Agreement are subject to appropriation by the Alaska State Legislature.
2. The State and Municipality shall continue to design, construct, operate and maintain their respective storm water facilities.
3. The State and Municipality shall comply with Permit conditions for design, construction, maintenance, and operation of their respective separate storm sewer system facilities.
4. Construction plans developed by the State and Municipality shall continue to be reviewed by the Alaska Department of Environmental Conservation.
5. The State and the Municipality shall continue to be responsible for the general storm water management (not including design, construction, maintenance, and

operation) and monitoring programs required by the Permit for their respective separate storm sewer system facilities.

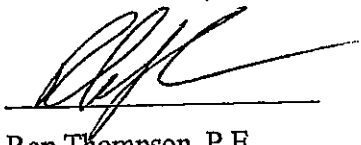
6. The State will furnish information and records including electronic files to the Municipality that are necessary to provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities and for preparation of the annual report to ADEC.
7. The Municipality will furnish information and records including electronic files to the State that were used to provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities and to prepare the annual report to ADEC.
8. The State shall pay the Municipality under the Agreement to provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities, and the Municipality shall provide said services. The Municipality shall also prepare and submit the annual report to the ADEC. The State shall pay the Municipality annually the amount of \$500,000 per year with \$160,000 of that amount being for APDES required mapping of State storm sewer system facilities, with the State payment being due by November 1, 2010 and subsequent annual payments being due by October 1st of each succeeding year.
9. If the State fails to pay the Municipality as required under this Agreement, the State shall provide the general storm water management and monitoring programs required under the Permit for the State separate storm sewer system facilities and prepare the annual report to ADEC for said system.
10. The Municipality shall ensure that none of the funds paid under this Agreement will be used for the purpose of lobbying activities before the Alaska State Legislature.
11. Term. The term of this intergovernmental agreement shall be for a period of five (5) years from the date of execution. The State and the Municipality shall review this agreement each year. This intergovernmental agreement may be renewed for a maximum of five (5) additional one (1) year periods upon mutual consent of the

parties. Either party may unilaterally terminate this agreement upon 180 days written notice to the other party.

12. Amendments. This intergovernmental agreement may only be amended, modified or changed in writing executed by authorized representatives of the parties, with the same formality as this agreement was executed and such writing shall be attached to this agreement. Any attempt to amend, modify, or change this agreement by either an unauthorized representative or unauthorized means shall be void.

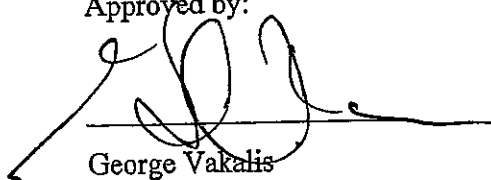
In witness whereof, the parties hereto have executed this agreement.

Recommended by:



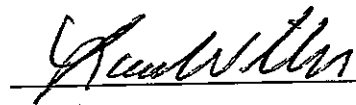
Ron Thompson, P.E.
Public Works Director

Approved by:



George Vakalis
Municipal Manager
Municipality of Anchorage

Approved by:



Lance Wilber, AICP
Regional Director
Alaska Department of Transportation
and Public Facilities

EXHIBIT A

Content ID: 010109**Type:** AR_FundsApprop - Funds Approp Resolution

A RESOLUTION APPROPRIATING TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) OF REVENUE FROM THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (DOT&PF) TO THE STATE DIR/FED PASS-THRU GRANTS FUND (231), IN THE PUBLIC WORKS DEPARTMENT, PROJECT MANAGEMENT AND ENGINEERING DIVISION (PM&E) FOR ALASKA POLLUTANT DISCHARGE ELIMINATION SYSTEM (APDES) PERMIT SERVICES PROVIDED FOR 2011 TO 2015.

Author: reddishba**Initiating Dept:** PME**Review Depts:** Purchasing**Date Prepared:** 4/8/11 10:26 AM**Assembly Meeting Date:** 5/10/11**Public Hearing Date:** 5/24/11

Workflow Name	Action Date	Action	User	Security Group	Content ID
Clerk_Admin_SubWorkflow	4/29/11 10:42 AM	Exit	Joy Maglaqui	Public	010109
MuniManager_SubWorkflow	4/29/11 10:42 AM	Approve	Joy Maglaqui	Public	010109
Finance_SubWorkflow	4/20/11 5:19 PM	Approve	Lucinda Mahoney	Public	010109
OMB_SubWorkflow	4/20/11 9:18 AM	Approve	Cheryl Frasca	Public	010109
Purchasing_SubWorkflow	4/20/11 8:40 AM	Approve	Werner Waak	Public	010109
Public_Works_SubWorkflow	4/20/11 8:30 AM	Approve	Ron Thompson	Public	010109
PME_SubWorkflow	4/20/11 8:30 AM	Approve	Steve Shrader	Public	010109
FundsAppropWorkflow	4/19/11 4:22 PM	Checkin	Brenda Reddish	Public	010109
OMB_SubWorkflow	4/19/11 10:02 AM	Reject	Cheryl Frasca	Public	010109
Purchasing_SubWorkflow	4/18/11 4:40 PM	Approve	Fred Kaltenbach	Public	010109
Public_Works_SubWorkflow	4/18/11 9:02 AM	Approve	Ron Thompson	Public	010109
PME_SubWorkflow	4/11/11 1:10 PM	Approve	Steve Shrader	Public	010109
FundsAppropWorkflow	4/11/11 11:51 AM	Checkin	Brenda Reddish	Public	010109
PME_SubWorkflow	4/11/11 8:05 AM	Reject	Steve Shrader	Public	010109
FundsAppropWorkflow	4/8/11 3:36 PM	Checkin	Brenda Reddish	Public	010109
PME_SubWorkflow	4/8/11 12:10 PM	Reject	Steve Shrader	Public	010109
FundsAppropWorkflow	4/8/11 12:06 PM	Checkin	Brenda Reddish	Public	010109
PME_SubWorkflow	4/8/11 11:38 AM	Reject	Steve Shrader	Public	010109
FundsAppropWorkflow	4/8/11 10:35 AM	Checkin	Brenda Reddish	Public	010109