

Submitted by: Assembly Vice Chair Zaletel  
Prepared by: Assembly Counsel's Office  
For reading: December 19, 2023

**ANCHORAGE, ALASKA  
AO No. 2023-81(S-1)**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY ADOPTING**  
2 **THE PUBLIC NAMING PANEL'S UNANIMOUS RECOMMENDATION TO NAME**  
3 **THE PORT OF ALASKA AS THE DON YOUNG PORT ANCHORAGE; AND**  
4 **AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 11.50, CERTAIN**  
5 **OTHER SECTIONS OF THE CODE AND ANCHORAGE MUNICIPAL CODE OF**  
6 **REGULATIONS ACCORDINGLY.**

7 *\*(NOTE: in this S-1 version, the markup shows changes from the original AO only,*  
8 *and does not reflect any of the additions or deletions proposed in the S version.*  
9 *Therefore, additions are shown in underline and bold, deletions of current code*  
10 *are indicated in [BOLD, BRACKETS, AND ALL CAPS], and deletions of proposed*  
11 *new code language are in [bold, brackets, underlined, and struck through].*

12  
13 **WHEREAS**, in April 2022 AM 2022-208 established a public naming panel to  
14 consider renaming the Port of Alaska, located at 2000 Anchorage Port Road, in  
15 honor of the late Congressman Don Young; and

16  
17 **WHEREAS**, the public naming panel (Jim Jansen, Gail Schubert, Amanda  
18 Moser, and Aaron Leggett), met, conducted public outreach, solicited public  
19 comments, and held public hearings on July 27, 2022, and June 8, 2023, as  
20 required by AMC 3.97; and

21  
22 **WHEREAS**, the Port of Alaska is the primary inbound-cargo port to the  
23 State of Alaska, has the distinction of being Anchorage's only foreign trade zone  
24 [FTZ no. 160], handles half of all Alaska inbound freight, and more than eighty  
25 percent of vans and containers shipped into Southcentral Alaska; and

26  
27 **WHEREAS**, Congressman Young first entered public service in 1964 when  
28 he was elected Mayor of Fort Yukon. Two years later, Alaskans voted him to the  
29 State Legislature in Juneau where he served in the State House from 1966 to 1970,  
30 and later in the State Senate from 1970 to 1973.

31  
32 **WHEREAS**, Congressman Young served in the United States House of  
33 Representatives with distinction for 49 years and, during his tenure, he made  
34 enormous contributions to and accomplishments within the State of Alaska; and

35  
36 **WHEREAS**, Congressman Young was instrumental in the designation of  
37 the Port of Alaska as a Commercial Strategic Seaport in support of National  
38 Defense, crafting law that requires the Corps of Engineers to dredge the port  
39 annually, and overseeing the investment of hundreds of millions of dollars for the  
40 intermodal expansion project, now the Port of Alaska Modernization Program; and

41  
42 **WHEREAS**, ports in the United States are typically named for their



1 AO No. 91-173(S); AO No. 92-79; AO No. 92-148; AO No. 94-135(S), § 8,  
2 7-12-94; AO No. 95-141, § 1, 7-11-95; AO No. 96-47, § 2, 3-5-96; AO No.  
3 98-115(S), § 3, 7-1-98; AO No. 2003-109, § 6, 9-9-03; AO No. 2004-132, §  
4 2, 10-12-04; AO No. 2004-136, § 2, 12-7-04; AO No. 2005-142, § 2, 10-25-  
5 05; AO No. 2008-90(S), § 2, 1-1-09; AO No. 2009-21, § 2, 2-24-09; AO No.  
6 2009-101, § 6, 8-25-09; AO No. 2010-64, § 2, 9-28-10; AO No. 2010-93, §  
7 2, 1-11-11; AO No. 2011-40, § 1, 3-29-11; AO No. 2011-25, § 2, 5-24-11;  
8 AO No. 2012-106, § 3, 11-13-12; AO No. 2013-34, § 3, 2-26-13; AO No.  
9 2015-112(S), § 5, 1-1-16 ; AO No. 2017-122(S), § 4, 10-24-17; AO No. 2018-  
10 24 , § 3, 4-10-18; AO No. 2018-108(S) , § 3, 12-31-18; AO No. 2018-118 , §  
11 2, 1-1-19; AO No. 2019-42 , § 2, 4-23-19; AO No. 2019-133 , § 1, 11-5-19;  
12 AO No. 2020-23 , § 2, 3-10-20; AO No. 2020-24 , § 1, 3- 10-20; AO No. 2020-  
13 79(S) , § 2, 8-26-20; AO No. 2020-109 , § 2, 10-13- 20; AO No. 2020-121 , §  
14 2, 1-1-21; AO No. 2021-113(S) , § 3, 11-10-21; AO No. 2021-114 , § 2, 1-  
15 31-22; AO No. 2022-40(S) , § 3, 3-22-22)

16  
17 **Editor's note**— AO No. 2000-105(S), § 2, adopted June 27, 2000, repealed  
18 § 3.20.070, which pertained to municipal organizations. See the Code  
19 Comparative Table. Subsequently, AO No. 2003-109, § 6, effective Sept. 9,  
20 2003, added provisions designated as 3.20.070 to read as herein set out.

21  
22 **Charter reference**— Appointment of department heads, § 5.02(a);  
23 municipal manager, § 5.03; municipal attorney, § 5.04.

24  
25 **Cross reference**— Principal executive personnel, boards and  
26 commissions, § 1.35.010.

27  
28 **Section 3.** Anchorage Municipal Code section 3.70 is hereby amended to read  
29 as follows (*the remainder of the section is not affected and therefore not set out*):

30  
31 **3.70.010 - Definitions.**

32  
33 *Port operation* means those employee services, as determined by the  
34 board, which are essential to the continued transshipment of commodities  
35 through the [Don Young] Port of Alaska[Anchorage][ALASKA].

36  
37 \*\*\*                      \*\*\*                      \*\*\*  
38 (AO No. 69-75; AO No. 88-76; AO No. 77-376; AO No. 84-221(S); AO No.  
39 88-131(S); AO No. 89-46(S-1); AO No. 2008-135(S), § 1, 9-29-09; AO No.  
40 2017-122(S), § 5, 10-24-17; AO No. 2018-64(S-1), § 1, 8-28-18)

41  
42 **Cross reference**— Definitions and rules of construction generally,  
43 §1.05.020

44  
45 **Section 4.** Anchorage Municipal Code section 3.90.020 is hereby amended to  
46 read as follows (*the remainder of the section is not affected and therefore not set*  
47 *out*):

48  
49 **3.90.020 - Definitions.**  
50

1 The following words, terms and phrases, when used in this chapter, shall  
2 have the meanings ascribed to them in this section, except where the context  
3 clearly indicates a different meaning:  
4

5 *Critical infrastructure* means public buildings, telecommunications centers  
6 and computers systems, information systems, power generation plants,  
7 dams, bridges, road systems, the **[Don—Young]** Port of  
8 **Alaska[Anchorage]**[ALASKA], and similar key resources, and systems  
9 related to utility services (whether public or private), including fuel supply,  
10 energy, hazardous liquid, natural gas, or coal, whether physical or virtual, so  
11 vital to the municipality that the incapacity or destruction of these systems  
12 would have a debilitating impact on security, municipal economic security,  
13 municipal public health or safety, or any combination of those matters.

14 \*\*\* \*\*

15 (AO No. 77-50A; AO No. 85-14; AO No. 89-85; AO No. 91-173(S); AO No.  
16 2015-23(S), § 18, 3-24-15; AO No. 2019-133, § 2, 11-5-19)  
17

18 **Section 5.** Anchorage Municipal Code section 3.90.040 is hereby amended to read  
19 as follows (*the remainder of the section is not affected and therefore not set out*):  
20

21 **14 3.90.040 Exemptions for particular records.**

22 This chapter shall not be construed to require disclosure of:  
23 \*\*\* \*\*

24 E. Records held by the **[Don—Young]** Port of  
25 **Alaska[Anchorage]**[ALASKA] or any public utility pertaining to any  
26 client, customer or subscriber, the release of which would constitute  
27 an unwarranted invasion of the privacy of that customer.  
28 \*\*\* \*\*

29 (AO No. 77-50A; AO No. 91-7(S-1); AO No. 91-173(S); AO No. 92-18; AO  
30 No. 96-102, § 1, 8-6-96; AO No. 2012-59, § 1, 7-10-12, eff. retroactive from  
31 5-14-12; AO No. 2015-23(S), § 16, 3-24-15; AO No. 2017-122(S), § 6, 10-  
32 24-17; AO No. 2019-133, § 3, 11-5-19)  
33  
34

35 **Editor's note—** Ch. 118 SLA 1994 repealed AS 12.62.010 et seq., formerly  
36 referred to in subsection C, and enacted corresponding sections AS  
37 12.62.110 et seq.  
38

39 **Cross reference—** Personnel rules, ch. 3.30; employee relations, ch. 3.70;  
40 penal code, tit. 8; business licenses and regulations, tit. 10; Port of Alaska,  
41 ch. 11.50; health, tit. 16.  
42

43 **Section 6.** Anchorage Municipal Code section 4.50.110 is hereby amended to read  
44 as follows (*the remainder of the section is not affected and therefore not set out*):  
45

46 **4.50.110 - [Don—Young] Port of Alaska Modernization Program and**  
47 **Design Advisory Board.**

48 A. There is established a **[Don—Young]** Port of  
49 **Alaska[Anchorage]**[ALASKA] Modernization Program and Design  
50

Advisory Board that shall function as a steering committee with powers and duties more specifically set forth in chapter 11.50.

\*\*\* \*\*

(AO No. 2020-81, § 1, 8-27-20)

**Section 7.** Anchorage Municipal Code section 11.10.130 is hereby amended to read as follows *(the remainder of the chapter is not affected and therefore not set out)*:

**11.10.130 - Penalties and remedies.**

\*\*\* \*\*

10. The violation of any provision of chapters 11.50, **[Don Young]** Port of **Alaska[Anchorage]**[ALASKA], and 11.60, Municipal Airports, or any municipal regulation promulgated pursuant thereto shall be an infraction, and any person convicted of such a violation shall be subject to a fine of not more than \$300.00.

\*\*\* \*\*

(AO No. 57-75; AO No. 78-177; AO No. 80-131; AO No. 84-18; AO No. 85-87; AO No. 93-167(S-1), § 10, 4-13-94; AO No. 93-220, § 10, 8-21-94; AO No. 94-170, § 1, 9-20-94; AO No. 98-51(S), § 1, 5-4-99; AO No. 98-51(S), § 1, 5-4-99; AO No. 2013-109(S-1), § 1, 12-3-13; AO No. 2017-122(S), § 7, 10-24-17)

**Section 8.** Anchorage Municipal Code chapter 11.50 is hereby amended to read as follows *(the remainder of the chapter is not affected and therefore not set out)*:

**Chapter 11.50 [Don Young] Port of Alaska[Anchorage][ALASKA]**

**11.50.010 - 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:

\*\*\* \*\*

**[Don Young]** Port of **Alaska[Anchorage]**[ALASKA] and *port* means the port property as defined by Tracts H and I, Port of Alaska Subdivision, Addition 1, per Plat No. 2015-122, and Tract J, Port of Alaska Subdivision, Addition No. 2, per Plat No. 2012-19, tidelands which have been transferred to the municipality, and tidal waters within the corporate limits of the municipality, exclusive of those areas which are within the exclusive jurisdiction of either the state or the United States.

*Tariff charges* means those charges included in the current **[Don Young]** Port of **Alaska[Anchorage]**[ALASKA] terminal tariff as filed with the Federal Maritime Commission.

\*\*\* \*\*

(CAC 12.08.020; AO No. 78-177; AO No. 79-58; AO No. 82-49; AO No. 85-8; AO No. 2016-116, § 1, 10-18-16; AO No. AO No. 2017-122(S), § 3, 10-24-17)



Advisory Board shall develop and recommend for adoption basis-of-design documents for future cargo and fuels infrastructure.

1. *Recommendation of basis-of-design documents and dispute resolution to the mayor.* The board is advisory to the mayor and assembly.

a. The board shall advise the mayor to propose for adoption by the assembly design criteria in basis-of-design documents to govern additional cargo and fuels infrastructure at the [Don—Young] Port of Alaska[Anchorage][ALASKA].

\*\*\* \*\*\* \*\*\*

( AO No. 2020-81 , § 2, 8-27-20)

\*\*\* \*\*\* \*\*\*

**11.50.280 Municipal Enterprise Service Assessment (MESA).**

A. The [Don—Young] Port of Alaska[Anchorage][ALASKA] shall pay a municipal enterprise service assessment (MESA) for governmental services provided by the municipality, other than those services received by the [Don—Young] Port of Alaska[Anchorage][ALASKA] [ALASKA] from the municipality on a contract or interfund basis.

B. The MESA for the [Don—Young] Port of Alaska[Anchorage][ALASKA] shall be calculated in accordance with subsection 1., below, provided, however, that leasehold improvements and public access or public right-of-way improvements shall be excluded from the Port's adjusted plant in service.

\*\*\* \*\*\* \*\*\*

C. The [Don—Young] Port of Alaska[Anchorage][ALASKA] shall budget annually for the MESA as an operating expense. It is the policy of the municipality that the MESA be considered a part of the [Don—Young] Port of Alaska[Anchorage][ALASKA] rate base as it represents a contribution to local government services comparable to that contributed by municipal utilities and private property owners. In the event that MESA cannot be treated as an operating expense and recovered through the [Don—Young] Port of Alaska[Anchorage][ALASKA] rate base, [Don—Young] Port of Alaska[Anchorage][ALASKA] retained earnings, if available, may be used to fund the MESA payment.

\*\*\* \*\*\* \*\*\*

(AO No. 98-107, § 1, 1-1-99; AO No. 2014-57(S), § 1, 5-20-14; AO No. 2017-122(S) , § 3, 10-24-17; AO No. 2019-135 , § 1, 12-3-19)

**Section 9.** Anchorage Municipal Code section 25.30.040 is hereby amended to read as follows (*the remainder of the section is not affected and therefore not set out*):

**25.30.040 - Disposal for fair market value or for less than fair market**





1 **THEY APPEAR IN HISTORY NOTES, EDITOR NOTES, AND OTHER END**  
2 **NOTES AND ANNOTATIONS THROUGHOUT THE ANCHORAGE MUNICIPAL**  
3 **CODE AND ANCHORAGE MUNICIPAL CODE OF REGULATIONS, UNLESS**  
4 **THE CONTEXT REQUIRES RETENTION OF THE FORMER NAME FOR**  
5 **PURPOSES OF ACCURACY OF REFERENCE TO SOURCE MATERIALS.**

6  
7 **SECTION 12.1** The Assembly hereby waives the applicable procedure required of  
8 Anchorage Municipal Code (“AMC”) 3.97.030B for submission of an Assembly  
9 Resolution for consideration by the Assembly.

10  
11 **Section 12[13]**. This ordinance shall be effective immediately upon passage and  
12 approval by the Assembly.

13  
14 PASSED AND APPROVED by the Anchorage Assembly this \_\_\_\_\_ day  
15 of \_\_\_\_\_, 2023.

16  
17  
18  
19  
20 \_\_\_\_\_  
Chair of the Assembly

21 ATTEST:

22  
23  
24 \_\_\_\_\_  
25 Municipal Clerk  
26

**LAI**D ON THE TABLE  
**MUNICIPALITY OF ANCHORAGE**



**ASSEMBLY MEMORANDUM**

No. AM \_\_\_\_-2023

Meeting Date: December 19, 2023

1 **From:** Assembly Vice Chair Meg Zaletel

2  
3 **Subject:** AO 2023-81(S-1), AN ORDINANCE OF THE ANCHORAGE  
4 MUNICIPAL ASSEMBLY ADOPTING THE PUBLIC NAMING  
5 PANEL'S UNANIMOUS RECOMMENDATION TO NAME THE  
6 PORT OF ALASKA AS THE DON YOUNG PORT ANCHORAGE;  
7 AND AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER  
8 11.50, CERTAIN OTHER SECTIONS OF THE CODE AND  
9 ANCHORAGE MUNICIPAL CODE OF REGULATIONS  
10 ACCORDINGLY.  
11

12 Ports in the United States are typically named for their location or the waterway in  
13 which they are located. Keeping the Port of Alaska named after its location and  
14 acknowledging its importance to being the jumping off point for goods reaching the  
15 entire state is consistent with current location-based naming conventions. Naming  
16 the cargo terminals within the Port allows us to maintain the naming conventions  
17 while also honoring Representative Don Young.  
18  
19  
20  
21

22 **I request your support for the ordinance.**

23  
24 Reviewed by: Assembly Counsel's Office

25  
26 Respectfully submitted: Meg Zaletel, Assembly Vice Chair  
27 District 4, Midtown