

**ANCHORAGE, ALASKA
EO No. 2024-1(S)**

1 **AN EMERGENCY ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
2 **PROVIDING FINANCIAL RESOURCES FOR LABOR, SUPPLIES, AND OTHER**
3 **EXPENDITURES REQUIRED TO ADDRESS MUNICIPAL RESPONSE TO THE**
4 **COLD WEATHER SHELTERING CIVIL EMERGENCY [AVALANCHE] BY:**
5 **APPROPRIATING AN AMOUNT NOT TO EXCEED TWO HUNDRED THOUSAND**
6 **DOLLARS (\$200,000) FROM THE AREAWIDE GENERAL FUND (101000) TO A**
7 **FUND TO BE DETERMINED BY THE CHIEF FINANCIAL OFFICER; APPROVING**
8 **A TEMPORARY EXCEPTION TO THE UNRESERVED FUND BALANCE**
9 **DESIGNATION POLICY FOR THE MUNICIPALITY OF ANCHORAGE.**

10
11 **WHEREAS**, on January 25, 2024, the Municipality of Anchorage began to
12 experience sustained sub-zero temperatures, with the extended forecast projecting
13 these conditions to last for the foreseeable future; and

14
15 **WHEREAS**, at the onset of these extreme cold weather conditions, the
16 Administration lacked the necessary resources to provide adequate shelter and care
17 to vulnerable populations within the Municipality; and

18
19 **WHEREAS**, on January 26, 2024, pursuant to authority granted in Article V, Section
20 5.02 of the Home Rule Charter for the Municipality of Anchorage and AMC 3.80.040,
21 the Mayor declared that a civil emergency existed within the Municipality of
22 Anchorage based upon the events and circumstances specified above ("**Cold**
23 **Weather Sheltering Civil Emergency**"); and

24
25 **WHEREAS**, the Anchorage Home Rule Charter, Article X, Section 10.03, provides
26 that, in case of an emergency as defined in Charter § 17.13(c), "an ordinance may
27 be introduced and adopted at the same meeting," provided the Assembly makes a
28 finding in the emergency ordinance that an emergency exists and provides a
29 statement of the facts constituting the emergency; and

30
31 **WHEREAS**, Charter § 17.13(c) states that "*Emergency*" means an unforeseen
32 occurrence or condition which results or apparently will result in an insufficiency of
33 services or facilities substantial enough to endanger the public health, safety or
34 welfare"; and

35
36 **WHEREAS**, pursuant to AMC 12.25.040B.5., if necessary, taxes required to fund
37 the cost of an emergency ordinance enacted pursuant to Charter Section 10.03 are
38 excluded from the tax increase limitation otherwise imposed by Charter Section
39 14.03 and AMC Chapter 12.25, allowing for the recovery of any costs without
40 curtailment by the tax increase limitation; now, therefore,

41
42 **THE ANCHORAGE ASSEMBLY ORDAINS:**

43
44 **Section 1.** Pursuant to Anchorage Municipal Charter Section 10.03, the
45 Assembly hereby specifically finds that the sustained period of the sub-zero

1 temperatures constitutes a civil emergency within the Municipality of Anchorage.
2 The Assembly further finds that (1) such emergency now requires immediate
3 appropriation of funds for labor, supplies and other expenditures to address the
4 critical efforts by the Municipality to preserve and protect the public safety, health
5 and welfare from extreme cold weather, including but not limited to expansion of
6 Municipal facilities used for sheltering or warming services, and the acquisition of
7 supplies, equipment, services, personnel, fuel, or food in support thereof; and (2) a
8 failure to immediately address these issues will result in an insufficiency of services
9 or facilities substantial enough to endanger the public health, safety or welfare.

10
11 **Section 2. The funds appropriated and authorized by this Emergency**
12 **Ordinance shall be collected in 2024 pursuant to Charter § 14.03(b)(5).** The
13 sum of not to exceed Two Hundred Thousand Dollars (\$200,000) is hereby
14 reappropriated from the Areawide General Fund (101000) to the [A] fund, **or funds,**
15 **that [AS DETERMINED BY] the Chief Financial Officer determines will best**
16 **enable to the Municipality to effectuate the acquisitions and expenditures**
17 **anticipated in Section 1, and thereby most effectively respond to the Cold**
18 **Weather Sheltering Civil Emergency.**

19
20 **Section 3.** The Assembly hereby approves a temporary exception to the
21 unreserved fund balance policy of the Municipality of Anchorage, permitting the
22 Municipality to conclude the 2024 fiscal year with less than the unrestricted fund
23 balances dictated by AR 2015-084 in light of the emergency circumstances outlined
24 in this ordinance[, **THROUGH STATE AND FEDERAL ASSISTANCE OR TAX**
25 **REVENUE].**

26
27 **Section 4.** This ordinance shall take effect immediately upon passage and
28 approval by the Anchorage Assembly and remain in effect for sixty (60) days
29 pursuant to Charter § 10.03, unless sooner repealed by the Assembly.

30
31 PASSED AND APPROVED by the Anchorage Assembly this 28th day of
32 January, 2024.

33
34
35
36
37 _____
Chair

38 ATTEST:

39
40
41 _____
42 Municipal Clerk
43



**MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM**

No. AM ____-2024

Meeting Date: January 28, 2024

1 **From: Assembly Chair Constant**

2
3 **Subject: EO 2024-1(S) – AN EMERGENCY ORDINANCE OF**
4 **THE ANCHORAGE MUNICIPAL ASSEMBLY PROVIDING**
5 **FINANCIAL RESOURCES FOR LABOR, SUPPLIES, AND OTHER**
6 **EXPENDITURES REQUIRED TO ADDRESS MUNICIPAL**
7 **RESPONSE TO THE COLD WEATHER SHELTERING CIVIL**
8 **EMERGENCY [AVALANCHE] BY: APPROPRIATING AN AMOUNT**
9 **NOT TO EXCEED TWO HUNDRED THOUSAND DOLLARS**
10 **(\$200,000) FROM THE AREAWIDE GENERAL FUND (101000) TO**
11 **A FUND TO BE DETERMINED BY THE CHIEF FINANCIAL**
12 **OFFICER; APPROVING A TEMPORARY EXCEPTION TO THE**
13 **UNRESERVED FUND BALANCE DESIGNATION POLICY FOR**
14 **THE MUNICIPALITY OF ANCHORAGE.**

15
16 The Mayor issued an Emergency Proclamation January 26, 2024 to address the
17 extreme cold weather and dangers it poses to the lives and welfare of vulnerable
18 residents. The Assembly Chair has consulted with the Chief Fiscal Officer and he
19 provides fund certification for this emergency below.

20
21
22 Prepared by: Assembly Counsel's Office

23
24 Fund Certification: Alden Thern, Chief Fiscal Officer
25 101000-305070 \$200,000
26 (2024 Fund Balance, Areawide General Fund)

27
28 Respectfully submitted: Christopher Constant, Assembly Chair
29 District 1 – North Anchorage