

**ANCHORAGE, ALASKA
AO No. 2017-38(S)**

1 **AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY**
2 **SUBMITTING TO QUALIFIED VOTERS RESIDING IN ALL AREAS OF THE**
3 **MUNICIPALITY NOT CURRENTLY IN A SERVICE AREA PROVIDING POLICE**
4 **PROTECTION SERVICES AT A SPECIAL ELECTION TO BE HELD**
5 **CONCURRENTLY WITH THE REGULAR MUNICIPAL ELECTION ON APRIL 4,**
6 **2017, A BALLOT PROPOSITION TO CREATE A TURNAGAIN ARM POLICE**
7 **SERVICE AREA (TAPSA), WITH THE POWER TO PROVIDE FOR POLICE**
8 **SERVICES AT THE SOLE EXPENSE OF THE TAPSA, AND TO SET A**
9 **MAXIMUM ATTAINABLE MILL LEVY RATE; AND AMENDING TITLE 27, AS**
10 **APPROPRIATE, UPON VOTER APPROVAL OF THE BALLOT PROPOSITION,**
11 **EFFECTIVE RETROACTIVELY TO JANUARY 1, 2017.**

12
13 **WHEREAS**, Anchorage Municipal Charter section 9.01 provides that “[a]
14 service area may be created, altered, or abolished only with the approval of a
15 majority of those voting on the question within the area affected”;

16
17 **WHEREAS**, the area of the Municipality located outside of both the
18 Anchorage Metropolitan Police Service Area and the Girdwood Valley Service
19 Area is not in a police service area;

20
21 **WHEREAS**, the area without local police services includes the communities
22 of Indian, Rainbow, Bird Creek and Portage;

23
24 **WHEREAS**, the investigation of crimes occurring in the portion of the
25 Municipality not located within a service area has historically been performed by
26 the Alaska State Troopers;

27
28 **WHEREAS**, the Alaska State Troopers recently indicated that, as of May 1,
29 2017, it will no longer provide routine service to the Municipality;

30
31 **WHEREAS**, creating a Turnagain Arm Police Service Area would permit
32 police services to be provided to the area, on a fee-for-service basis, by the
33 Anchorage Police Department;

34
35 **WHEREAS**, on February 16, 2017 the Turnagain Arm Community Council
36 adopted a resolution in favor of the Assembly's adoption of an ordinance to call a
37 special election, concurrent with the April 4, 2017 regular election, for the purpose
38 of submitting to voters the question of whether to create a service area for the
39 Turnagain Arm area; now, therefore,

40
41 **THE ANCHORAGE ASSEMBLY ORDAINS:**

42
43 **Section 1.** A ballot proposition in substantially the following form shall be placed
44 on a special election ballot and submitted to the qualified voters residing in the
45 portions of the Municipality not currently located in a service area that provides

1 police protection services at a special election to be held concurrently with the
2 April 4, 2017 regular municipal election:

3 **Proposition No. _____**
4 **TURNAGAIN ARM POLICE SERVICE AREA**

5
6 This proposition would create a new Turnagain Arm Police Service
7 Area (TAPSA) [~~effective retroactively to January 1, 2017~~].

8
9 The Service Area would consist of all areas of **the** Municipality not
10 located within a service area with police powers as of May 4, 2017.
11 The communities of Rainbow, Indian, Bird Creek, Portage, and the
12 northern portion of Crow Creek Road outside the Girdwood Valley
13 Service Area would be included in the new TAPSA.

14
15 The service area would be empowered to provide police services
16 for the area. The mill rate of taxes levied from the area for
17 purposes of providing police protection services shall not exceed
18 0.5 mills in any calendar year, beginning with the 2017 tax levy, or
19 \$50 per \$100,000 of assessed value. **Unused taxes collected in**
20 **one year would roll over to the following year, and could result**
21 **in reduced future levies.**

22
23 Funds collected in the service area would initially be used to pay
24 the Anchorage Police Department, on a fee-for-service, to
25 investigate crimes that occur within TAPSA [~~and would not~~
26 ~~provide for regular patrols~~]. **Another provider could be**
27 **selected on a future date. Funds would not provide for regular**
28 **patrols or regular response to accidents on the Seward**
29 **Highway.** The service area would be supervised and administered
30 by the Anchorage Police Department.

31
32 Shall a new Turnagain Arm Police Service Area be created, as
33 described above? (AO 2017-____)

34
35 YES NO

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37
38 **Section 2.** If, and only if, the ballot proposition contained in Section 1 is approved
39 by a majority of the qualified voters voting on the question, then Anchorage
40 Municipal Code chapter 27.30 shall be amended to add a new section to read as
41 follows, which shall be effective retroactively to January 1, 2017:

42
43 **27.30.670 Turnagain Arm Police Service Area.**

44
45 There is established a service area within the municipality to be the
46 Turnagain Arm Police Service Area (TAPSA) of the municipality, as
47 outlined on the map located in Section 27.30.700. The following
48 powers shall be exercised within the service area: the provision of
49 police services, at the sole expense of the Turnagain Arm Police

Service Area. The maximum attainable mill levy rate shall not exceed 0.5 mills in any calendar year.

Section 3. If, and only if, the ballot proposition contained in Section 2 is approved by a majority of the qualified voters voting on the question, then Anchorage Municipal Code section 27.30.700 shall be amended, effective retroactively to January 1, 2017, as follows (*the remainder of the section is not affected and therefore not set out*):

27.30.700 Service Area Maps.

This section contains the following maps.

*** **

TURNAGAIN ARM POLICE SERVICE AREA - 27.30.670

[Insert map as Exhibit A if it excludes all of the Girdwood Valley Service Area as it exists on May 4, 2017; else insert map attached as Exhibit B]

Turnagain Arm Police Service Area

Section 5. The southern boundary of the Anchorage Metropolitan Police Service Area, which is coterminous with the northern landward boundary of the portion of the municipality that is not within a service area with police powers (i.e., Tax District 15) is hereby confirmed to be defined by a boundary line described as running:

from the mouth of McHugh Creek following the mainstem of McHugh Creek upstream to its origin at McHugh Lake, then following the high water mark of McHugh Lake around its western and northern shore continuing to the easternmost point of McHugh Lake, then easterly to the eastern boundary of Township 11 North, Range 2 West, Seward Meridian, Alaska, then northerly to the northern boundary of Township 11 North, Range 2 West, Seward Meridian, Alaska, then easterly to the eastward boundary of the Municipality.

Section 6. Sections 2 and 3 of this ordinance shall become effective as provided in the respective sections. The remainder of this ordinance shall become effective immediately upon passage and approval by the Assembly.

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PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2017.

Chair

ATTEST:

Municipal Clerk