

**MUNICIPALITY OF ANCHORAGE**  
**PLANNING AND ZONING COMMISSION RESOLUTION NO. 2015-005**

A RESOLUTION RECOMMENDING APPROVAL TO THE ASSEMBLY OF AN ORDINANCE AMENDING "OLD" AND "NEW" TITLE 21 (SECTION 21.08.060 IN BOTH) TO EXEMPT GOVERNMENTAL UNITS FROM POSTING FINANCIAL PERFORMANCE AND WARRANTY GUARANTEES.

(Case 2014-207)

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WHEREAS, pursuant to Anchorage Municipal Code Title 21, Land Use Planning, all subdividers are required to enter into a subdivision agreement that includes a requirement to post performance guarantees in the form of escrowed cash, performance bonds, or letters of credit;

WHEREAS, the Municipality of Anchorage and state and federal governmental units that receive their funding from the public are treated as subdividers under Title 21, Land Use Planning;

WHEREAS, setting aside public funds for purposes of performance guarantees reduces the amount of public funds available for the actual construction of a given project;

WHEREAS, there is no known instance where a governmental unit has failed to meet its performance or warranty obligations such that posting a guarantee is necessary;

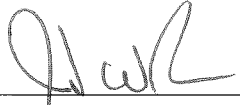
WHEREAS, the Planning and Zoning Commission held a public hearing and considered this matter on February 9, 2015.

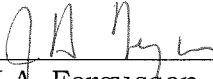
NOW, THEREFORE, BE IT RESOLVED by the Anchorage Planning and Zoning Commission that:

- A. The Commission makes the following findings of fact:
  - 1. Municipality of Anchorage and its own agencies should not need to post performance guarantee funds to themselves.
  - 2. Governmental units will still contractually perform and warrant the work.
  - 3. The ordinance appears to be a housecleaning issue.
- B. The Commission recommends approval of the proposed ordinance.

PASSED AND APPROVED by the Anchorage Planning and Zoning Commission  
on the 9<sup>th</sup> day of February, 2015.

ADOPTED by the Anchorage Planning and Zoning Commission this 2<sup>nd</sup> day of  
March, 2015.

  
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Jerry T. Weaver, Jr.  
Secretary

  
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J.A. Fergusson  
Chair

(Case No. 2014-207)

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