

Submitted by: Chair of the Assembly at the  
Request of the Mayor  
Prepared by: Anchorage Water and Wastewater  
Utility  
For reading: August 11, 2009

CLERK'S OFFICE  
APPROVED

Date:

10-13-09

ANCHORAGE, ALASKA  
AO No. 2009-99

1 AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE, ALASKA,  
2 AUTHORIZING AND PROVIDING FOR THE BORROWING FROM THE STATE  
3 OF ALASKA DRINKING WATER FUND AN AGGREGATE AMOUNT NOT TO  
4 EXCEED \$28,612,000 FOR THE PURPOSE OF FINANCING A PORTION OF THE  
5 COSTS OF VARIOUS AWWU 2009 CAPITAL IMPROVEMENT BUDGET (CIB)  
6 WATER IMPROVEMENTS PROJECTS AND PROVIDING FOR RELATED  
7 MATTERS.

8  
9 WHEREAS, the State of Alaska (the "State") has, pursuant to Alaska Statutes 46.03.036 and  
10 18 AAC 76.200 et seq of the Alaska Administrative Code, established the Alaska Drinking  
11 Water Fund (the "Fund"), a fund which makes use of U.S. Government grants as authorized  
12 by the Safe Drinking Water Act, Amendments of 1996, P. L. 104-182; and,

13  
14 WHEREAS, the Municipality of Anchorage (the "Municipality") is eligible to borrow from  
15 the Fund to assist in the planning, designing, constructing, equipping, modifying, improving  
16 and expanding of public water treatment, transmission and distribution facilities; and,

17  
18 WHEREAS, the interest rate to be paid by the Municipality on money borrowed from the  
19 Fund is a favorable rate considering other sources of funds available to the Municipality; and,

20  
21 WHEREAS, the Home Rule Charter of the Municipality provides at Section 15.03 that the  
22 Assembly by ordinance shall provide for the form and manner of sale of bonds and notes;  
23 and,

24  
25 WHEREAS, the Assembly of the Municipality has determined and does hereby determine  
26 that it is necessary to proceed to plan, design, develop, construct, equip, acquire property for,  
27 or otherwise obtain items of capital improvements in connection with the following AWWU  
28 water improvements projects listed in the Alaska Drinking Water approved FY10 Intended  
29 Use Plan:

30		
31	Hiland Road Water Intertie-Phase 2 ( <i>loan increase</i> )	\$7,000,000
32	Reservoir Goldenview-172nd	\$5,000,000
33	Reservoir 135th-Davis / Elmore Reservoir ( <i>loan increase</i> )	\$2,667,000
34	Girdwood Water Improvements - Ph2B ( <i>loan increase</i> )	\$2,000,000
35	Eklutna Treatment Facility Roof-Window Upgrade	\$2,000,000
36	Tidewater-Gull Water Upgrade	\$1,275,000
37	Hillside Transmission Main ( <i>loan increase</i> )	\$1,260,000
38	San Ernesto Water Upgrade ( <i>loan increase</i> )	\$1,200,000
39	Norm-Newt Drive Water Upgrade ( <i>loan increase</i> )	\$1,100,000
40	Well_7_Capacity_Upgrade ( <i>loan increase</i> )	\$1,000,000

1	South Addition Phase 4 ( <i>loan increase</i> )	\$900,000
2	Downtown CIPP Water Improvements ( <i>loan increase</i> )	\$810,000
3	Christensen Drive Water Upgrade ( <i>loan increase</i> )	\$700,000
4	DeBarr-Klevin-Hoyt Water Upgrade ( <i>loan increase</i> )	\$570,000
5	SCWTF Heat Exchanger	\$500,000
6	68 <sup>th</sup> Avenue - Redhawk ( <i>loan increase</i> )	\$430,000
7	Island-Kodiak-Kalgin Water Upgrade	\$200,000

8  
9 and,

10  
11 WHEREAS, at its July 2, 2009 meeting, the AWWU Board supported this ordinance to  
12 authorize and provide for the borrowing from the State of Alaska Drinking Water Fund; and,

13  
14 WHEREAS, it is deemed necessary and advisable and in the best interests of the  
15 Municipality and its inhabitants that a final application be submitted and such other actions  
16 as may be necessary be taken to borrow an amount not to exceed \$28,612,000 from the Fund  
17 for the purpose of financing a portion of the costs associated with said Projects.

18  
19 NOW THEREFORE, the Municipality of Anchorage ordains:

20  
21 **Section 1. Definitions.** As used in this Ordinance, unless a different meaning clearly  
22 appears from the context:

23  
24 "Gross Revenues" means all rates and charges and other income, in each case derived by or  
25 for the account of the Municipality, from the ownership, leasing or operation of the System  
26 except proceeds from the sale of bonds or notes, any grants received for the Anchorage  
27 Water Utility, and interest received and profits derived from the investment of moneys  
28 obtained from such sources or from moneys held in any fund to pay or secure the payment of  
29 any bonds or notes issued in connection with the System. For the purposes of this Ordinance,  
30 Gross Revenues shall not include allowance for funds used during construction.

31  
32 "Operating Expenses" means the current expenses incurred for operation, maintenance or  
33 repair of the System of a non-capital nature, and shall include, without limiting the generality  
34 of the foregoing, water purchase agreements, source of supply expenses, water treatment,  
35 transmission and distribution expenses, fuel and electricity expenses, chemical expenses,  
36 customer accounts expenses, administrative and general expenses, insurance premiums, lease  
37 rentals, legal, regulatory, and engineering expenses, payments to pension, retirement, group  
38 life insurance, health and hospitalization funds or other employee benefit funds which are  
39 properly chargeable to current operations, interest on customers' deposits, payroll tax  
40 expenses, Municipal Utility Service Assessments or any assessment levied in lieu of  
41 municipal taxes and any other expenses required to be paid under the provisions of this  
42 Ordinance or by law or permitted by standard practices for public utility systems similar to  
43 the properties and business of the System (adjusted to reflect public ownership) and  
44 applicable in the circumstances. Operating Expenses shall not include any allowances for  
45 depreciation or amortization or any principal, redemption price or purchase price of, or

1 interest on, any obligations of the Municipality incurred in connection with and payable from  
2 Gross Revenues.

3  
4 "System" means the existing water utility system of the Municipality as the same will be  
5 added to, improved and extended as authorized and provided in this Ordinance, and as the  
6 same may be added to, improved and extended for as long as the loan authorized by this  
7 Ordinance is outstanding, but shall not include such water supply, treatment, transmission  
8 and distribution facilities that may be hereafter purchased, constructed or otherwise acquired  
9 by the Municipality as a separate water utility system, the revenues of which may be pledged  
10 to the payment of bonds or notes issued to purchase, construct or otherwise acquire and  
11 improve such separate system. The term System shall also include the wastewater system of  
12 the Municipality if hereafter combined with the water utility.

13  
14 "Lien Revenue Bonds" means all publicly marketed revenue bonds or other obligations  
15 issued by the Municipality having a lien on net revenue (Gross Revenues less Operating  
16 Expenses).

17  
18 **Section 2. Purpose.** The purpose of this Ordinance is to authorize the borrowing of not to  
19 exceed \$28,612,000 from the Fund in the form of a loan to provide funds to finance a portion  
20 of the capital costs of the Projects and to fix certain details of said loan.

21  
22 **Section 3. Authority for Ordinance.** The Assembly has ascertained and hereby determines  
23 that each and every matter and thing as to which provision is made in this Ordinance is  
24 necessary in order to carry out and effectuate the purposes of the Municipality in accordance  
25 with the Constitution and statutes of the State of Alaska, and the Home Rule Charter of the  
26 Municipality, and to incur the indebtedness authorized by this Ordinance.

27  
28 **Section 4. Obligation of Loan.** The obligation to repay the loan authorized by this  
29 Ordinance shall not be a direct and general obligation of the Municipality and neither the  
30 faith and credit nor the taxing power of the Municipality is pledged to the payment of the  
31 principal of and interest on the loan. The Gross Revenues less the Operating Expenses of the  
32 System are hereby pledged to repayment of the loan authorized by this Ordinance. Such  
33 pledge shall be subordinate to the lien on net revenues of lien revenue bonds of the  
34 Municipality heretofore and hereafter issued.

35  
36 **Section 5. Authorization of Loan and Purpose of Issuance.** For the purpose of providing  
37 a portion of the funds required to pay the cost of the Projects described herein, and to pay all  
38 costs incidental thereto, the Municipality hereby authorizes and determines to borrow money  
39 from the Fund in the form of a loan in an aggregate principal amount not to exceed  
40 \$28,612,000.

41  
42 **Section 6. Loan Application.** The General Manager of the Anchorage Water and  
43 Wastewater Utility ("AWWU") is hereby authorized and directed to complete and submit to  
44 the State Department of Environmental Conservation an application to borrow money from  
45 the Fund for the purpose of financing a portion of the costs of the Projects as authorized in  
46 this Ordinance.

1  
2 **Section 7. Negotiation of Terms and Approval of Amount, Interest Rates, Maturities**  
3 **and Other Details of Loans.**


4 The General Manager of AWWU shall negotiate with the  
5 State and the Assembly shall by resolution approve the total amount of the loan to be entered  
6 into for the Projects; the interest rate, as defined by 18AAC76.080(b)(1) "for a contract term  
7 of five to 20 years, accrual of finance charges begins one year after the date of the first  
8 payment to the borrower; the department will assess a finance charge at a rate of one and  
9 one-half percent of the total amount of financial assistance disbursed, or 30 percent of the  
10 current bond rate as defined by the Municipal Bond Index, whichever is higher"; the interest  
11 and principal payment dates, the maturities, which shall not exceed 20 years, and any other  
12 details of the loan.

13 **Section 8. Authority of Officers.** The Mayor, the Acting Mayor from time to time, the  
14 Municipal Manager, the Chief Fiscal Officer, the General Manager of AWWU, the  
15 Municipal Clerk and the Acting Municipal Clerk from time to time, are, and each of them  
16 hereby is, authorized and directed to do and perform all things and determine all matters not  
17 determined by this Ordinance, or to be determined by a subsequent ordinance or resolution of  
18 the Municipality, to this end that the Municipality may carry out its obligations under the  
19 loan and this Ordinance.

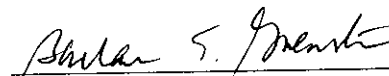
20  
21 **Section 9. Severability.** If any one or more of the covenants and agreements provided in  
22 this Ordinance to be performed on the part of the Municipality shall be declared by any court  
23 of competent jurisdiction to be contrary to law, then such covenant and agreements shall be  
24 null and void and shall be deemed separable from the remaining covenant and agreement in  
25 this Ordinance and shall in no way affect the facility of the other provisions of this Ordinance  
26 or of the loan entered into pursuant to this Ordinance.

27  
28 **Section 10. Effective Date.** This Ordinance shall take effect immediately.

29  
30 PASSED AND APPROVED by the Anchorage Assembly this 13<sup>th</sup> day of October,  
31 2009.

32  
33   
34 \_\_\_\_\_  
35 Chairman

36  
37 ATTEST:

38  
39   
40 \_\_\_\_\_  
41 Municipal Clerk  
42

MUNICIPALITY OF ANCHORAGE  
Summary of Economic Effects - Utilities

AO Number: 2009-99      Title: **An Ordinance authorizing and providing for the borrowing of a total amount not to exceed \$28,612,000 from the State of Alaska Drinking Water Fund for the purpose of paying a portion of the cost of various water capital improvements**

Sponsor:

Preparing Agency: **Anchorage Water and Wastewater Utility**      Others Affected: **None**

CHANGES IN EXPENDITURES AND REVENUES (Thousands of dollars)

	FY08	FY09	FY10	FY11	FY12
Operating Revenues:					
TOTAL OPERATING REVENUES:					
Operating Expenses:					
TOTAL OPERATING EXPENSES:					
Non-Operating Revenues:					
TOTAL NON-OPERATING REVENUES:					
Non-Operating Expenses:	0	0	0	0	0
Interest Expense	0	0	430,000	410,000	395,000
TOTAL NON-OPERATING EXPENSES:	0	0	0	0	0
NET INCOME (REGULATED)	0	0	0	0	0
POSITIONS: FT/PT/TEMP					

Impact on General Government (Yes or No) **No**      (If yes, attach SEE for General Government agency impacted.)

Public Sector Economic Effects:

- **Interest expense is 30 percent of the current bond rate as defined by the Municipal Bond Index or 1.5%, whichever is greater (1.5%) Interest rate used = 1.5%**
- **Terms of Loans - fully amortizing, equal payments, 20 years, end of period, annual payments**
- **Total Principal and Interest per year = \$1.7 million**
- **Payments to begin one year after construction completion**
- **Program offers a lower cost alternative when compared to the issuance of revenue bonds**

Private Sector Economic Effects:

- **None**

If further explanation is necessary, a separate page may be attached.

Prepared by: Wendy Drew, Project Support/Grants Supervisor      Telephone: 564-2710

Approved by: Glenda Gibson, CPA, CFO, AWWU

Approved by: Mark Premo, General Manager, AWWU

**MUNICIPALITY OF ANCHORAGE**  
**ASSEMBLY MEMORANDUM**  
**No. AM 448-2009**

**Meeting Date: August 11, 2009**

1 **From:** Mayor

2  
3 **Subject:** AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE,  
4 ALASKA, AUTHORIZING AND PROVIDING FOR THE BORROWING  
5 FROM THE STATE OF ALASKA DRINKING WATER FUND AN  
6 AGGREGATE AMOUNT NOT TO EXCEED \$28,612,000 FOR THE  
7 PURPOSE OF FINANCING A PORTION OF THE COSTS OF VARIOUS  
8 AWWU 2009 CAPITAL IMPROVEMENT BUDGET (CIB) WATER  
9 IMPROVEMENTS PROJECTS AND PROVIDING FOR RELATED  
10 MATTERS.

11  
12 The State of Alaska Department of Environmental Conservation offers low-interest loans  
13 through the Alaska Drinking Water Fund program to communities for the planning, design,  
14 and construction of publicly-owned water capital projects.

15  
16 The attached Ordinance authorizes borrowing of not to exceed \$28,612,000 to be used  
17 specifically for financing a portion of the costs of the following AWWU 2009 CIB projects  
18 included in the Alaska Drinking Water Fund FY10 Intended Use Plan:

19  
20

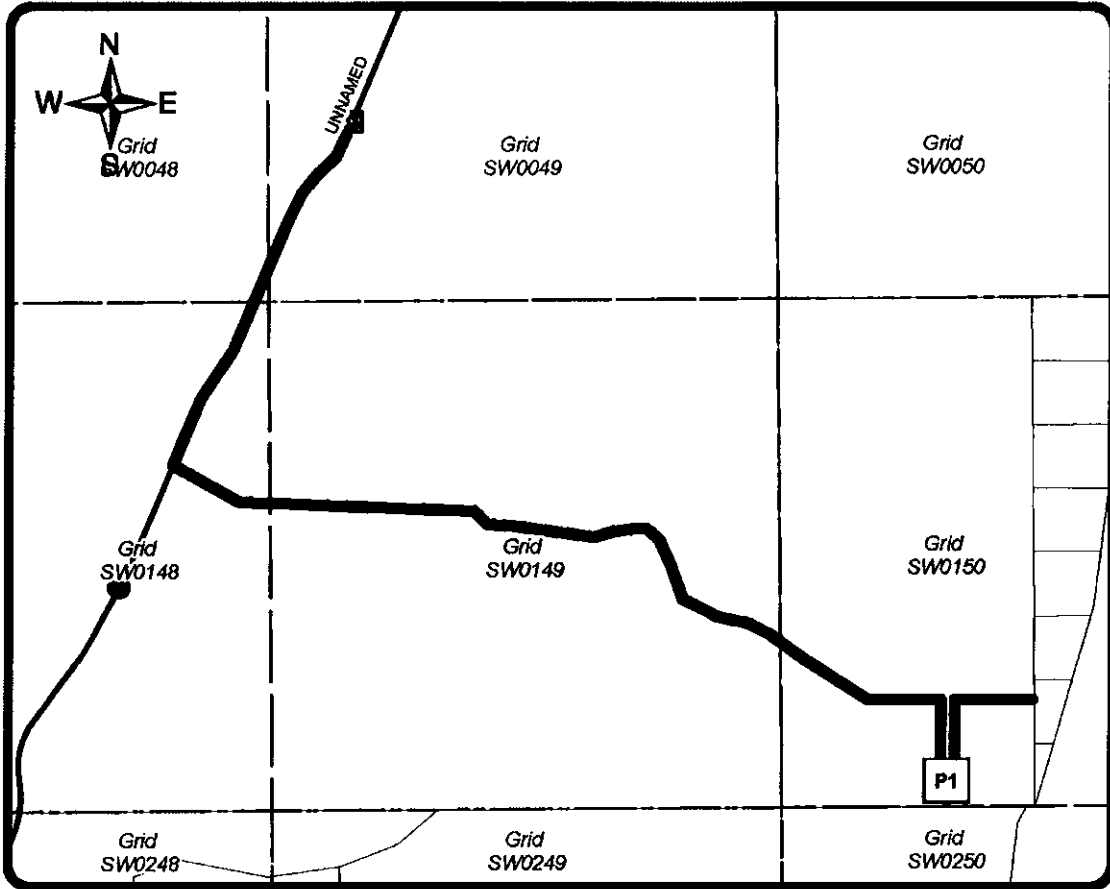
Hiland Road Water Intertie-Phase 2 ( <i>loan increase</i> )	\$7,000,000
Reservoir Goldenview-172nd	\$5,000,000
Reservoir 135th-Davis / Elmore Reservoir ( <i>loan increase</i> )	\$2,667,000
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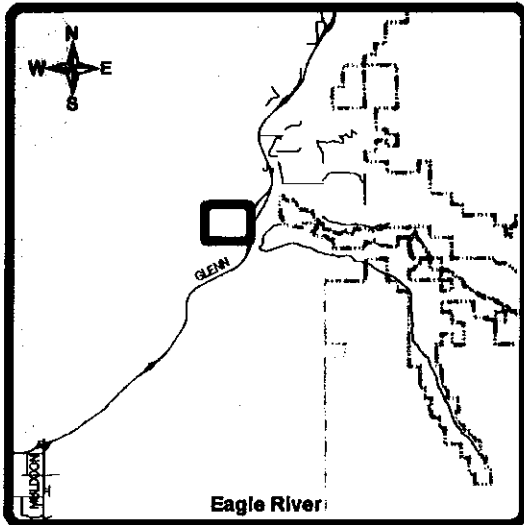
37  
38 At its July 2, 2009 meeting, the AWWU Board supported this ordinance to authorize and  
39 provide for the borrowing from the State of Alaska Drinking Water Fund.

1 THE ADMINISTRATION CONCURS IN THE AWWU BOARD  
2 RECOMMENDATION AND REQUESTS APPROVAL OF AN ORDINANCE OF  
3 THE MUNICIPALITY OF ANCHORAGE, ALASKA, AUTHORIZING AND  
4 PROVIDING FOR THE BORROWING OF NOT TO EXCEED \$28,612,000 FROM  
5 THE STATE OF ALASKA DRINKING FUND FOR THE PURPOSE OF  
6 FINANCING A PORTION OF THE COSTS OF VARIOUS AWWU 2009 WATER  
7 CAPITAL IMPROVEMENT BUDGET (CIB) PROJECTS.




8  
9 Prepared by: Anchorage Water and Wastewater Utility  
10 Recommended by: Mark Premo, P.E., General Manager, AWWU  
11 Concur: George Vakalis, Municipal Manager  
12 Respectfully submitted: Dan Sullivan, Mayor



Maps Not-to-Scale



**LEGEND**

-  Existing Water Mains
-  Project Water Mains
-  Project Area



Map Created  
by AJU  
4/17/2008

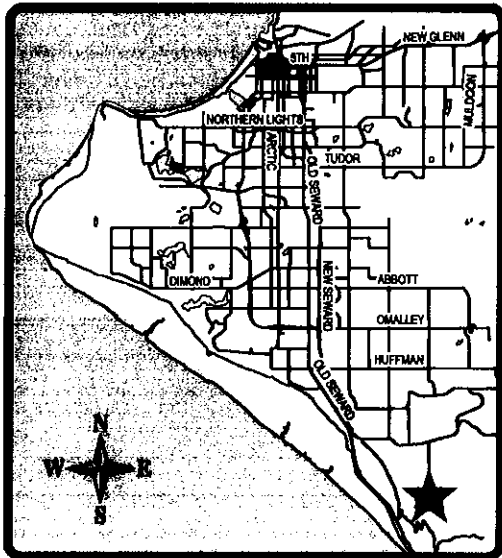
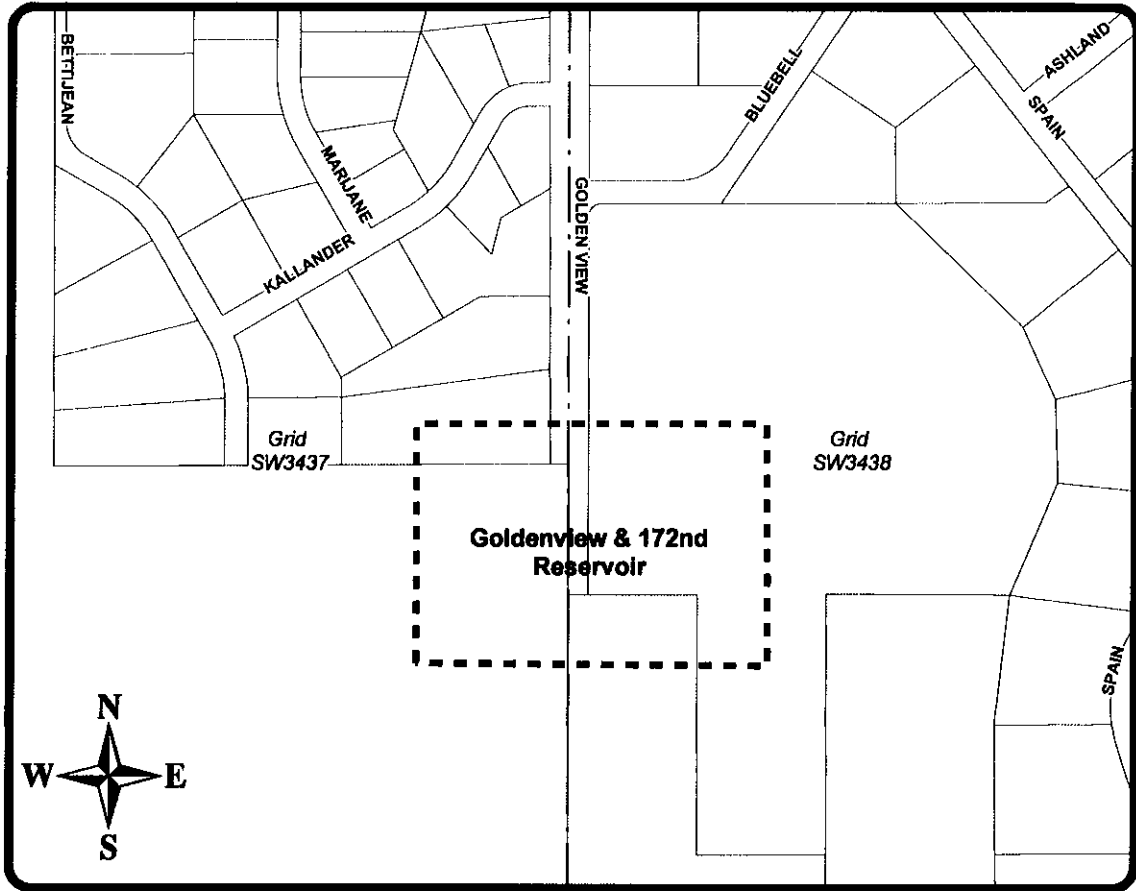
**Hiland\_Rd\_Wtr\_Intertie\_Ph\_2**

Revised

PeopleSoft Project ID 0000002800




Anchorage Water & Wastewater Utility





Maps Not-to-Scale

**LEGEND**

-  Project Water Main
-  Existing Water Mains
-  Project Map Area

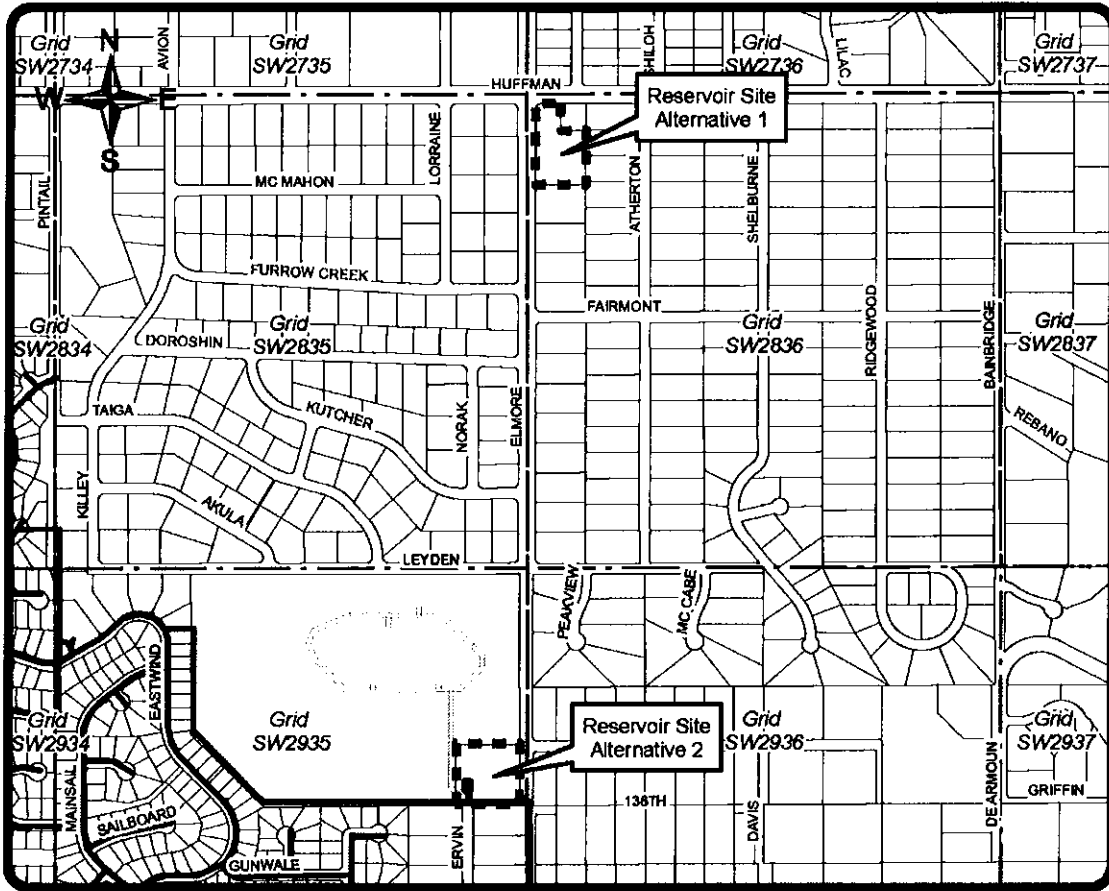


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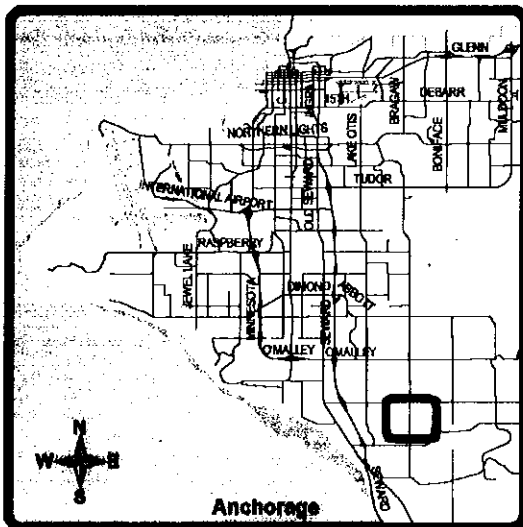
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PeopleSoft Project ID 000004005



Anchorage Water & Wastewater Utility



Maps Not-to-Scale



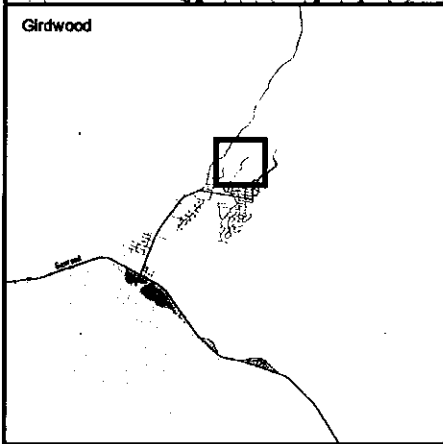
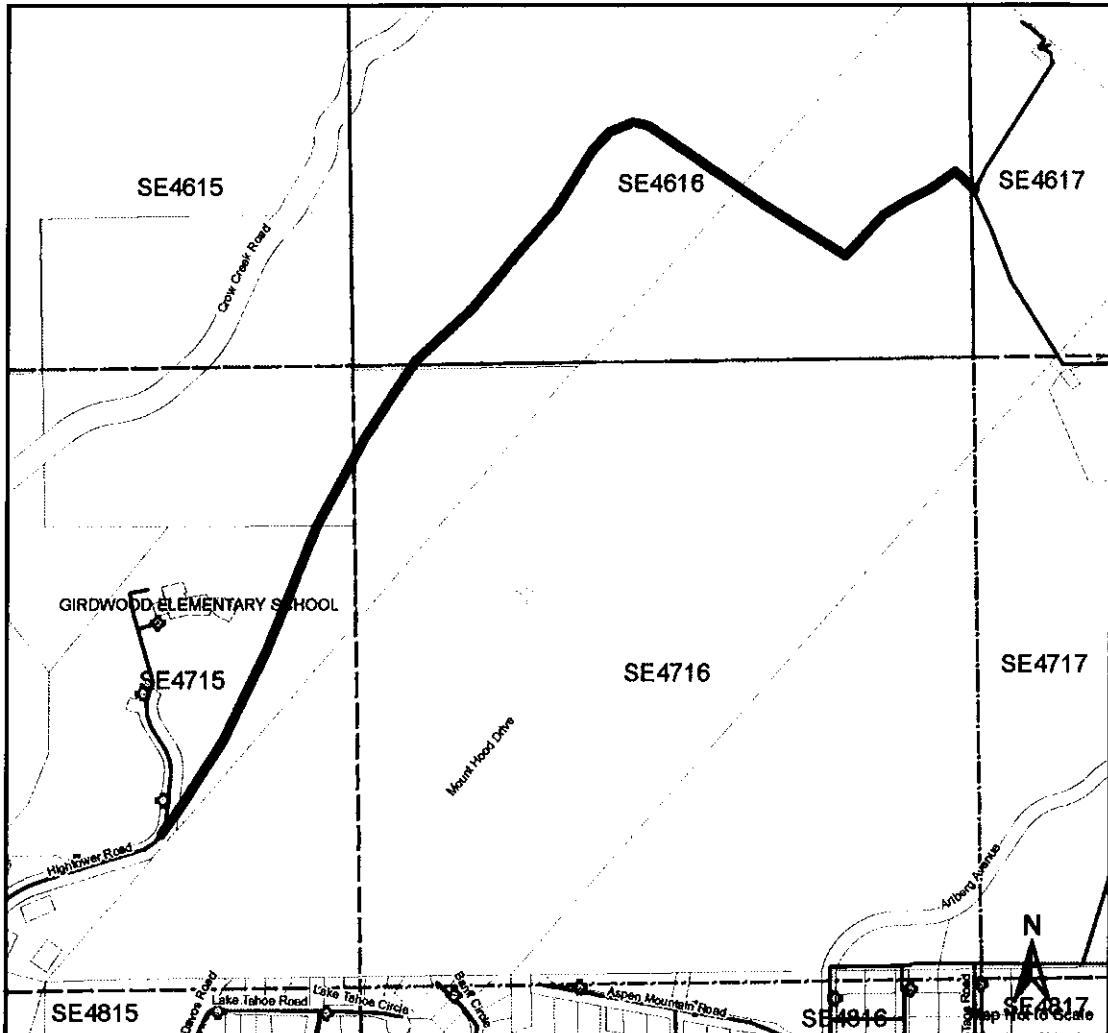
**LEGEND**

-  Existing Water Mains
-  Project Area



Map Created  
by AJU  
9/23/2008

**Res\_135th-Davis**  
Revised  
PeopleSoft Project ID 0000004004  
Anchorage Water & Wastewater Utility



Municipality of Anchorage  
Anchorage Water and Wastewater Utility

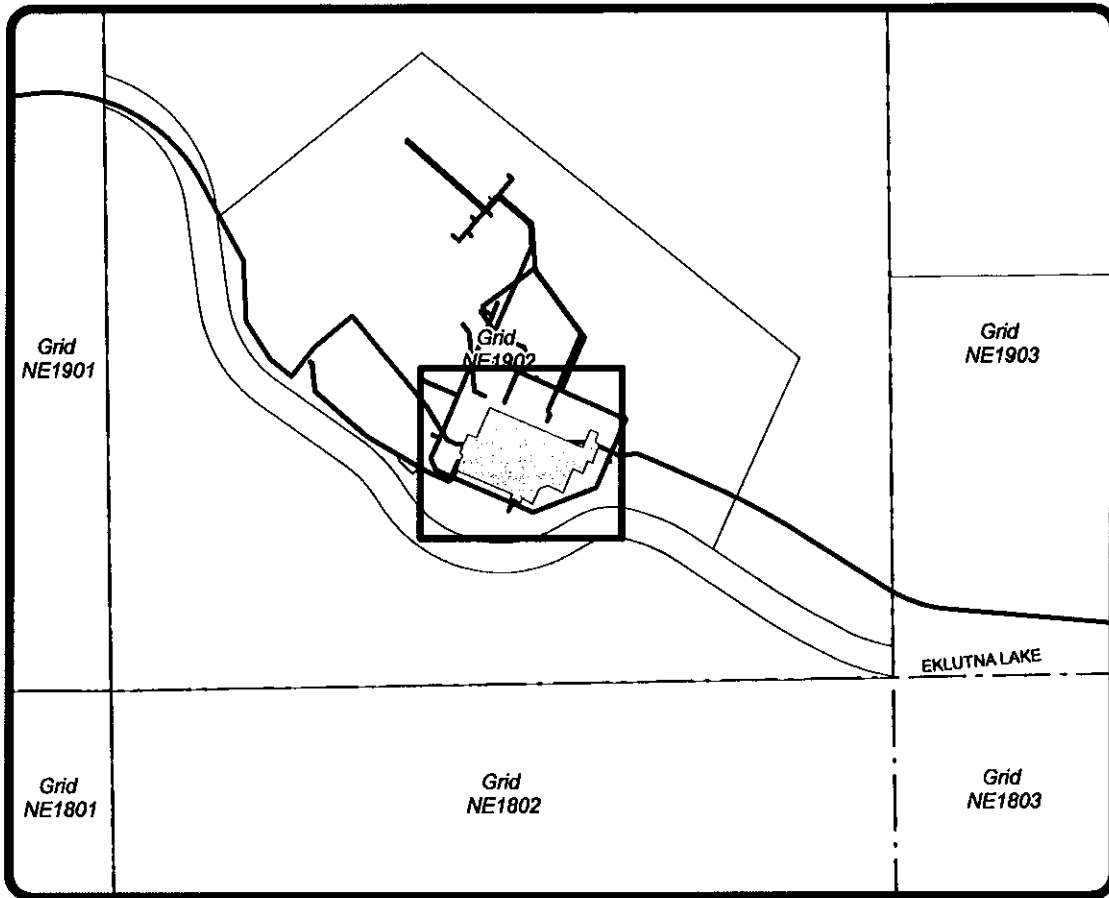


### Girdwood Water Improvements Phase IIB

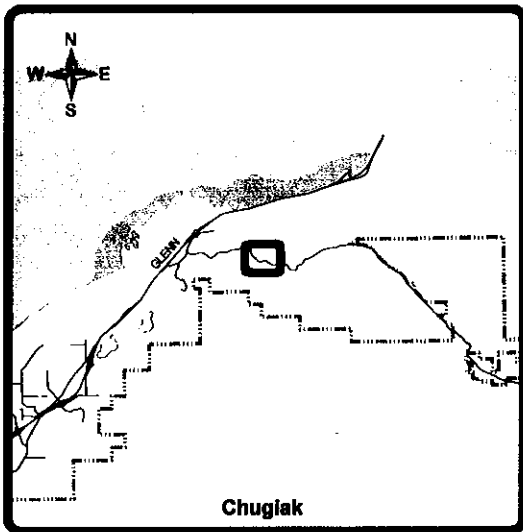
PeopleSoft Project ID 0000004236

- ◊ AWWU Water Hydrant
- AWWU Water Pipe
- Project Water Main



Map Created: 3/13/09



Maps Not-to-Scale



**LEGEND**

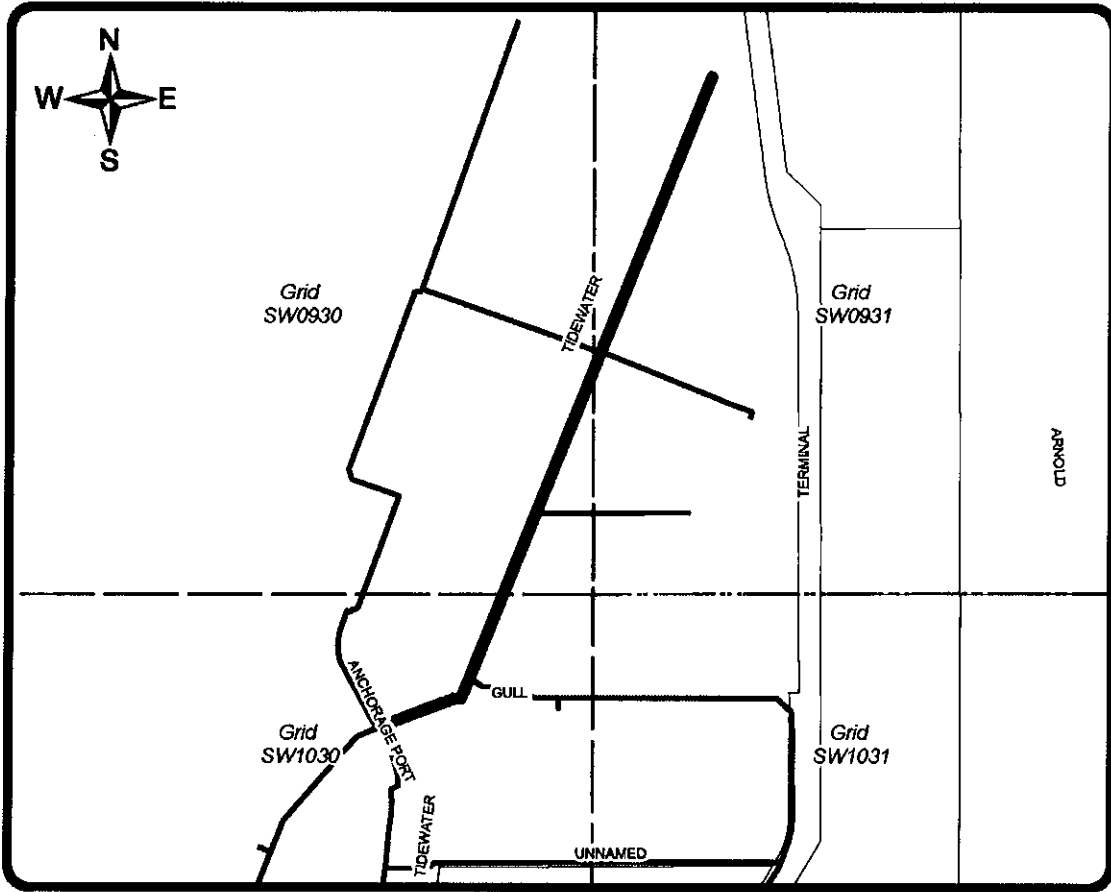
-  Existing Water Mains
-  Project Area



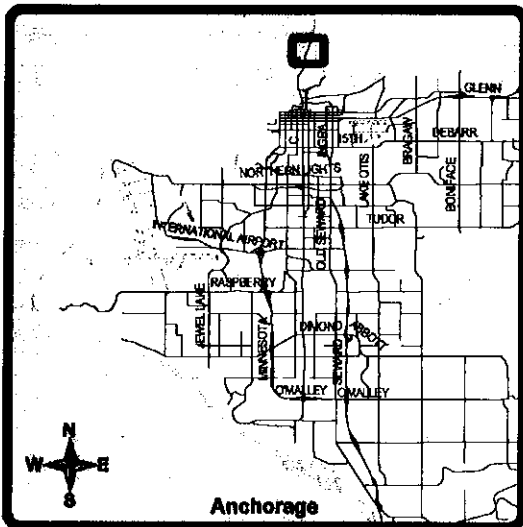
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by AJU  
1-31-08

**EWTF Roof / Window  
Replacement**




PeopleSoft Project ID 000004877  
Anchorage Water & Wastewater Utility



Maps Not-to-Scale



**LEGEND**

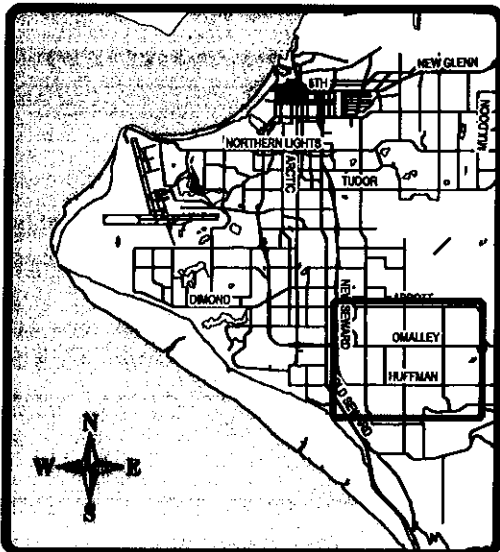
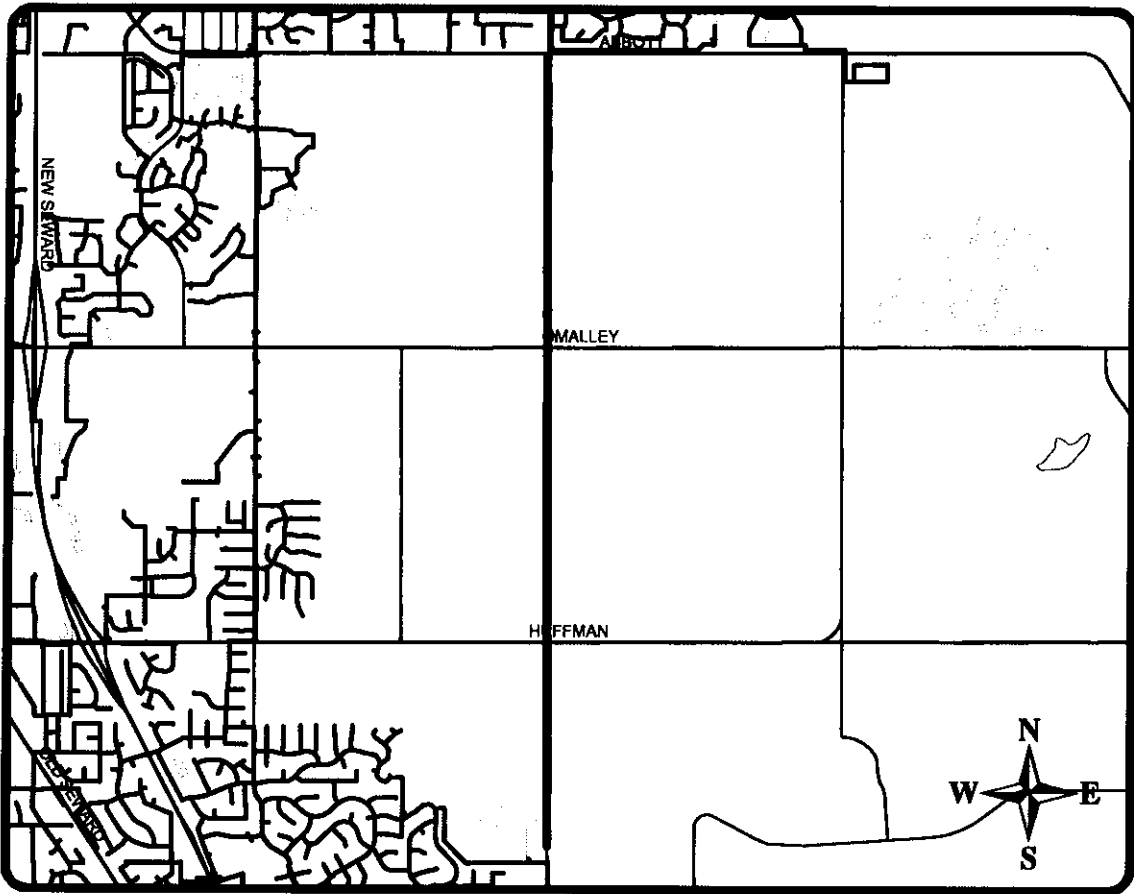
-  Existing Water Mains
-  Project Water Mains
-  Project Area



Map Created  
by AJU  
1/05/2009




**Tidewater Gull Water Upgrade**

Revised  
PeopleSoft Project ID 0000004898  
Anchorage Water & Wastewater Utility



Maps Not-to-Scale

**LEGEND**

-  Project Water Main
-  Existing Water Main
-  Project Map Area

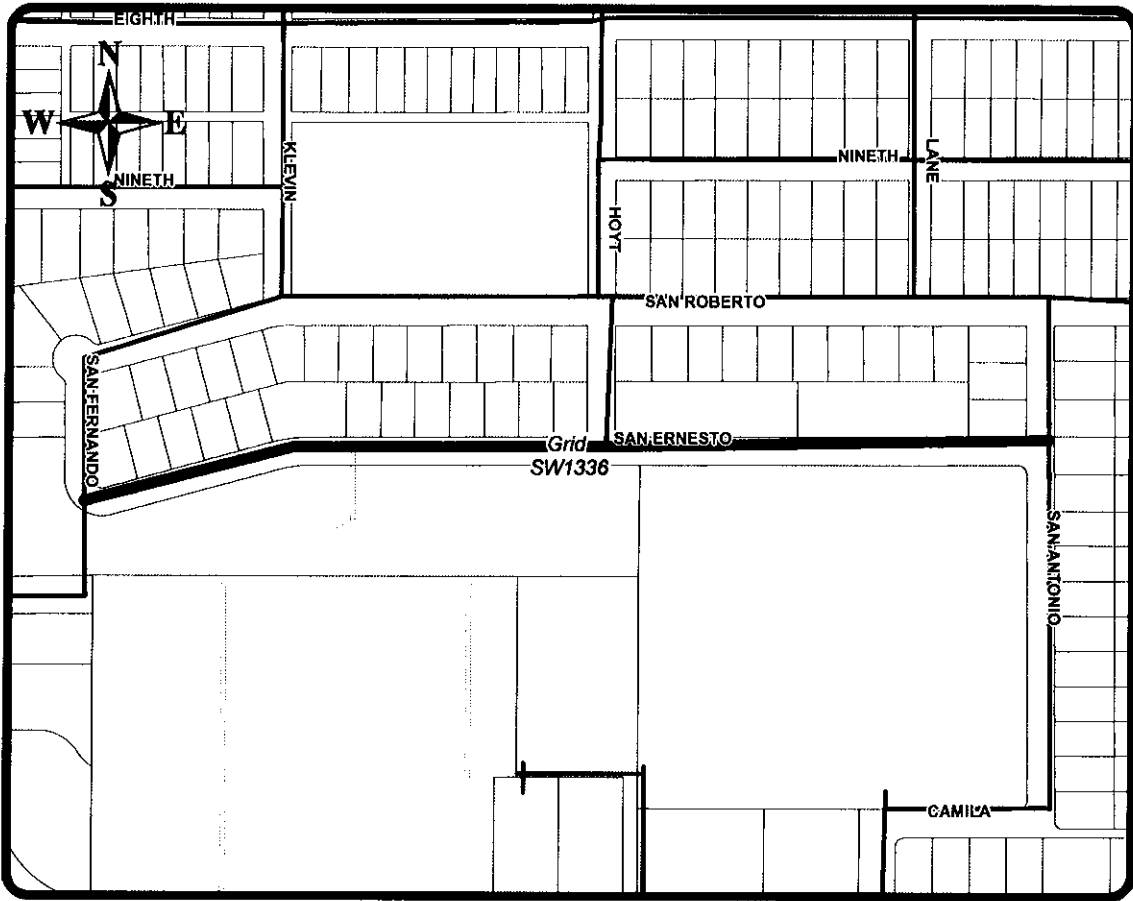


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08/17/2005

**Hillside\_Trans\_Main**




PeopleSoft Project ID 0000003491

Anchorage Water & Wastewater Utility



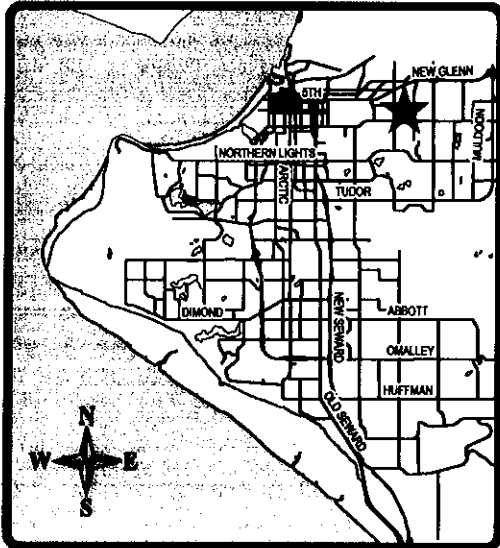
Maps Not-to-Scale

**LEGEND**

-  Project Water Main
-  Existing Water Main
-  Project Map Area



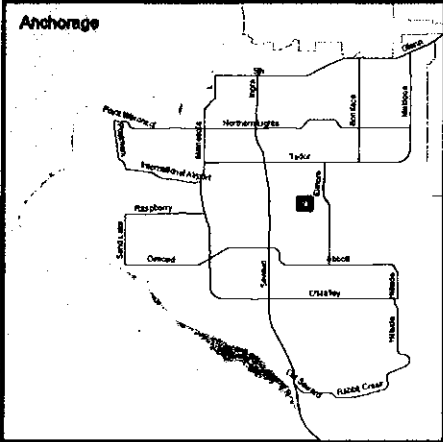
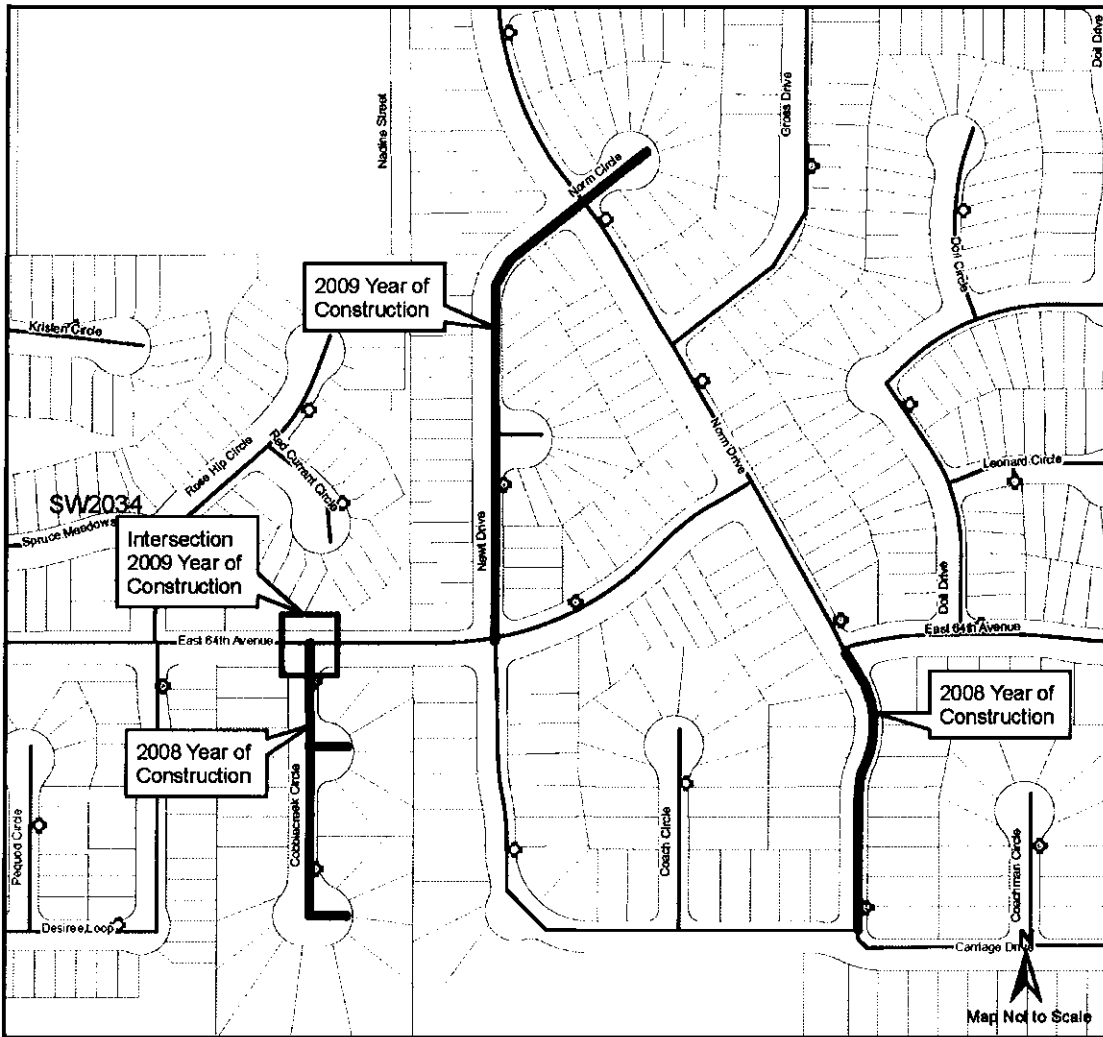
Map Created  
by AJU  
11/09/2005



**San\_Ernesto\_WTR\_Upgr**

PeopleSoft Project ID 000002179

Anchorage Water & Wastewater Utility



Municipality of Anchorage  
Anchorage Water and Wastewater Utility



### Norm-Newton\_Drive\_Wtr\_Upgr

Revised showing Intersection Site

PeopleSoft Project ID 0000004492

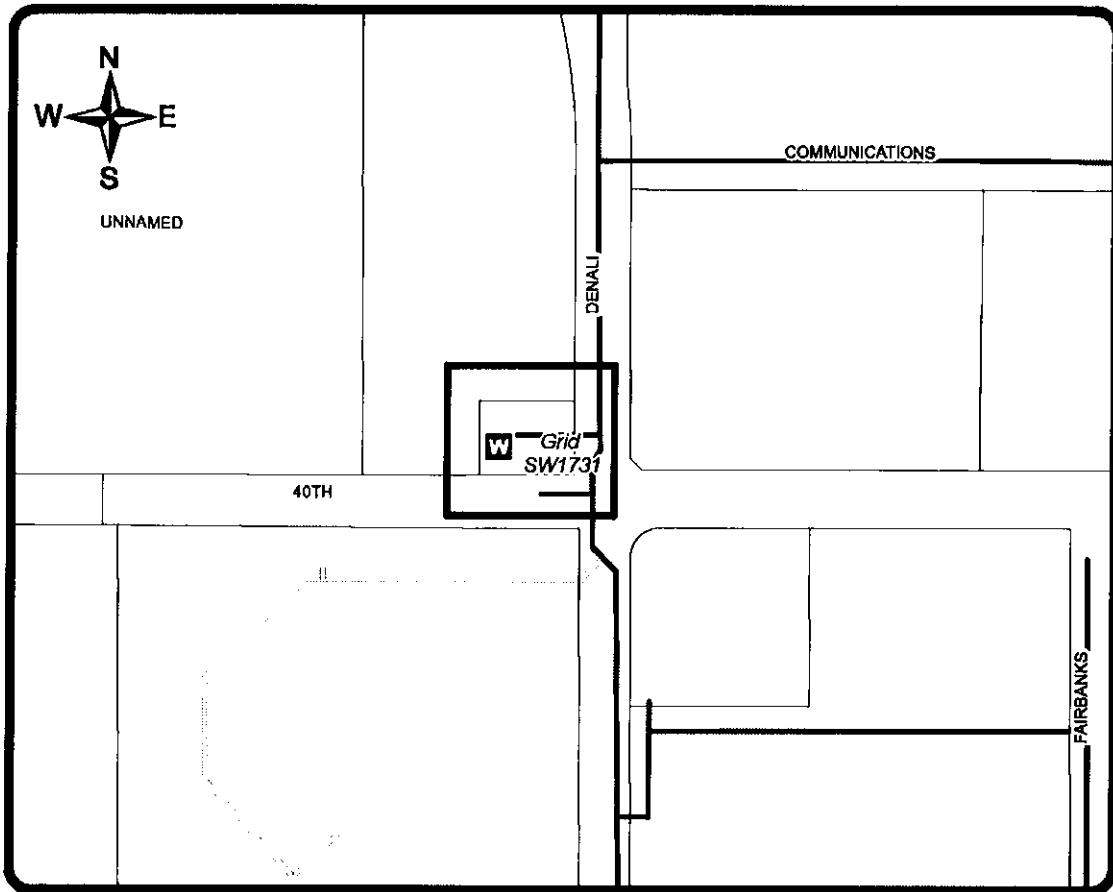
— Proposed Water Main

⊕ AWWU Water Hydrant

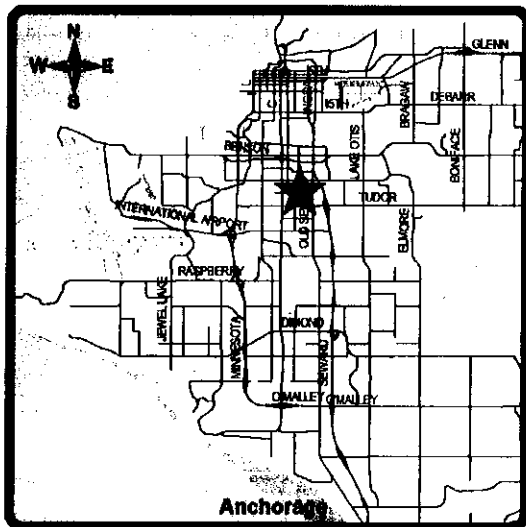
— AWWU Water Pipe

Map Created: 4/30/09








Maps Not-to-Scale



**LEGEND**

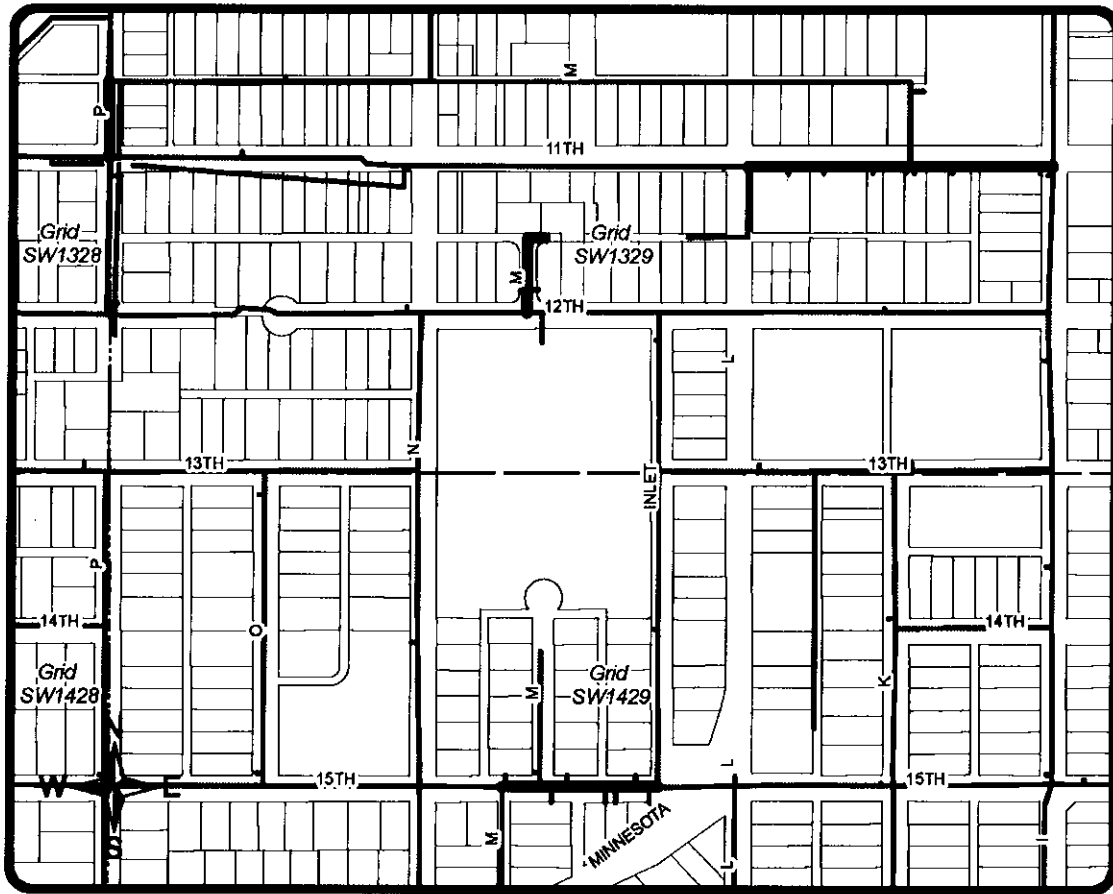
-  Existing Water Mains
-  Project Area
-  Project Location



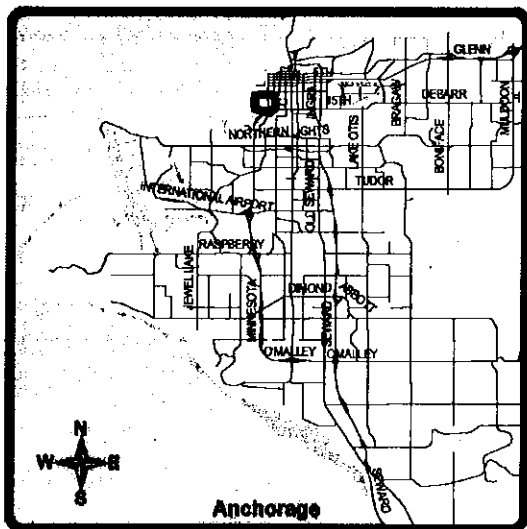
Map Created  
by AJU  
1/24/2008

**Well\_7\_Capacity\_Upgrade**




PeopleSoft Project ID 000004870  
Anchorage Water & Wastewater Utility



Maps Not-to-Scale



**LEGEND**

-  Existing Water Mains
-  Project Water Mains
-  Project Location



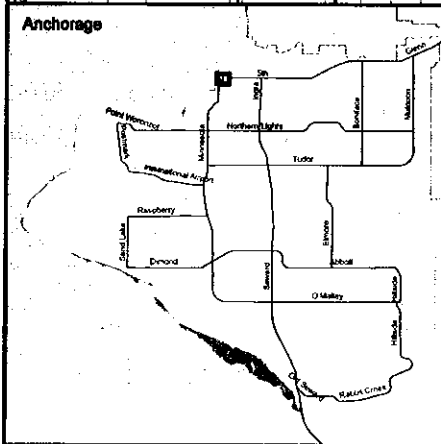
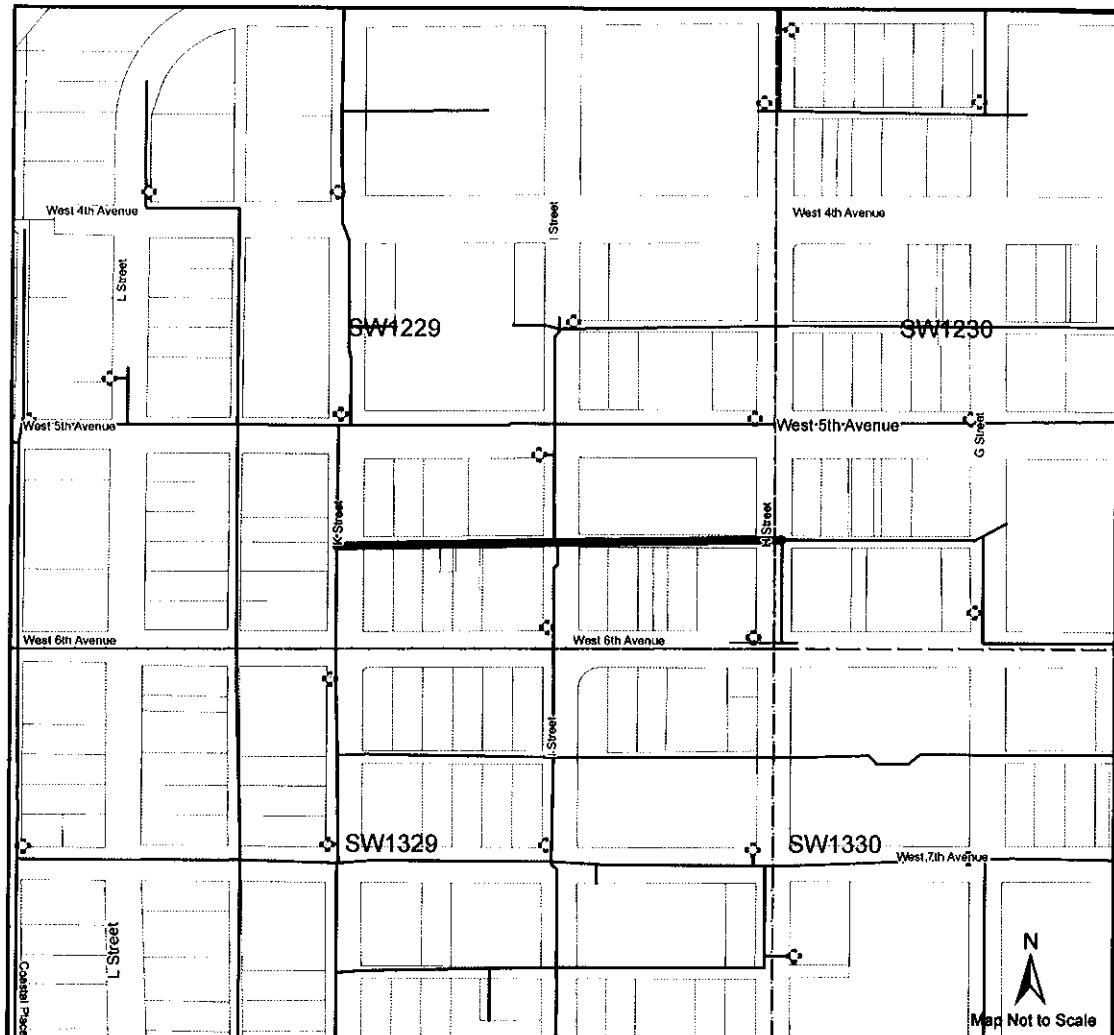
Map Created  
by AJU  
8/28/2008

**So Addn Wtr Improvements Ph4**

Revised

PeopleSoft Project ID 0000003472

Anchorage Water & Wastewater Utility



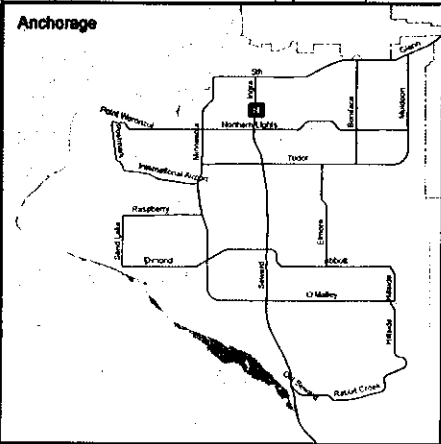
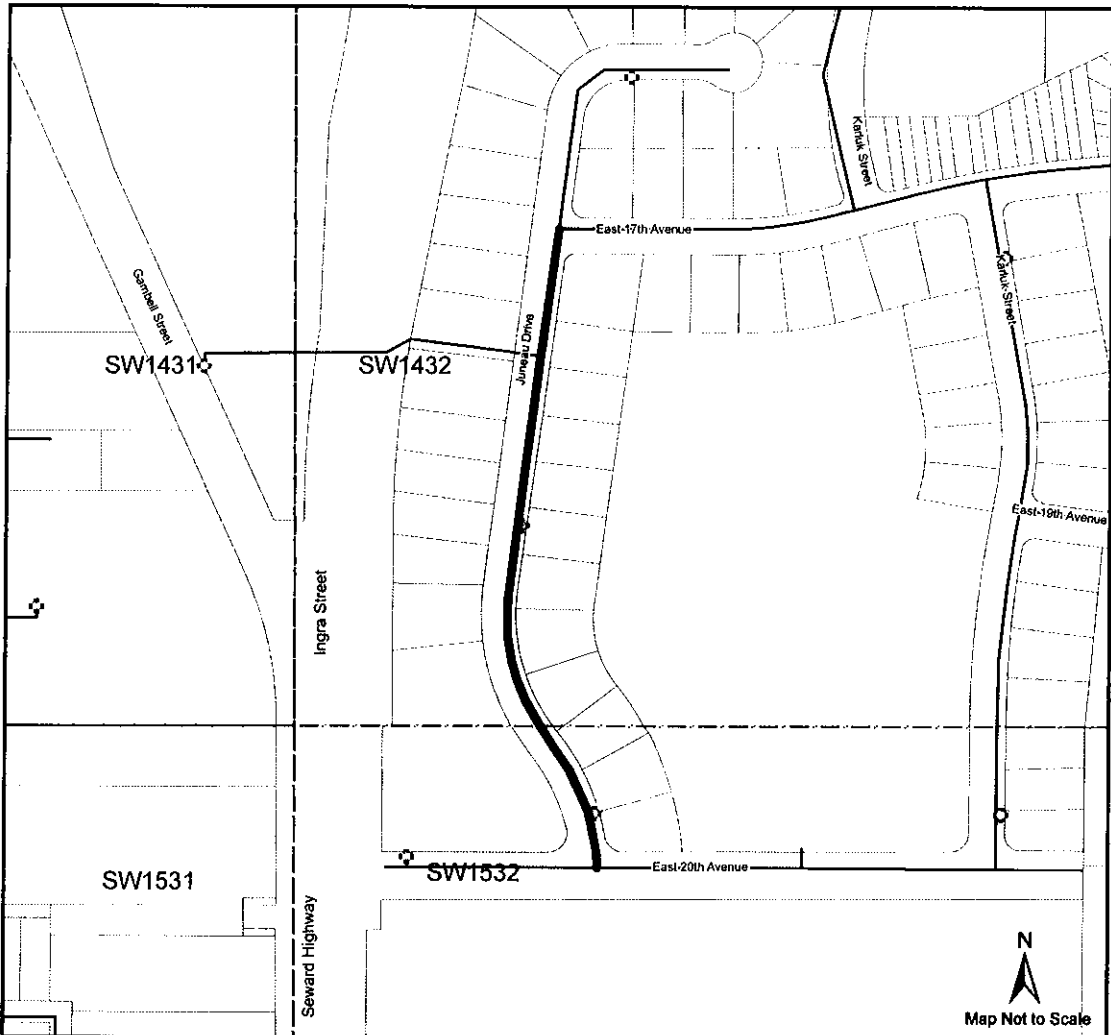
Municipality of Anchorage  
Anchorage Water and Wastewater Utility



**Downtown\_CIPP\_Wtr\_Improvements**  
H & K St. 5 & 6 Ave.  
PeopleSoft Project ID 000003548

- Proposed Water Main
- AWWU Water Hydrant
- AWWU Water Pipe

Map Created: 2/03/09



Municipality of Anchorage  
Anchorage Water and Wastewater Utility



**Downtown\_CIPP\_Wtr\_Improvements**

Juneau Dr.

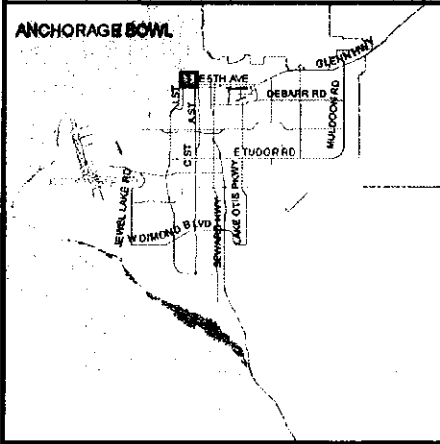
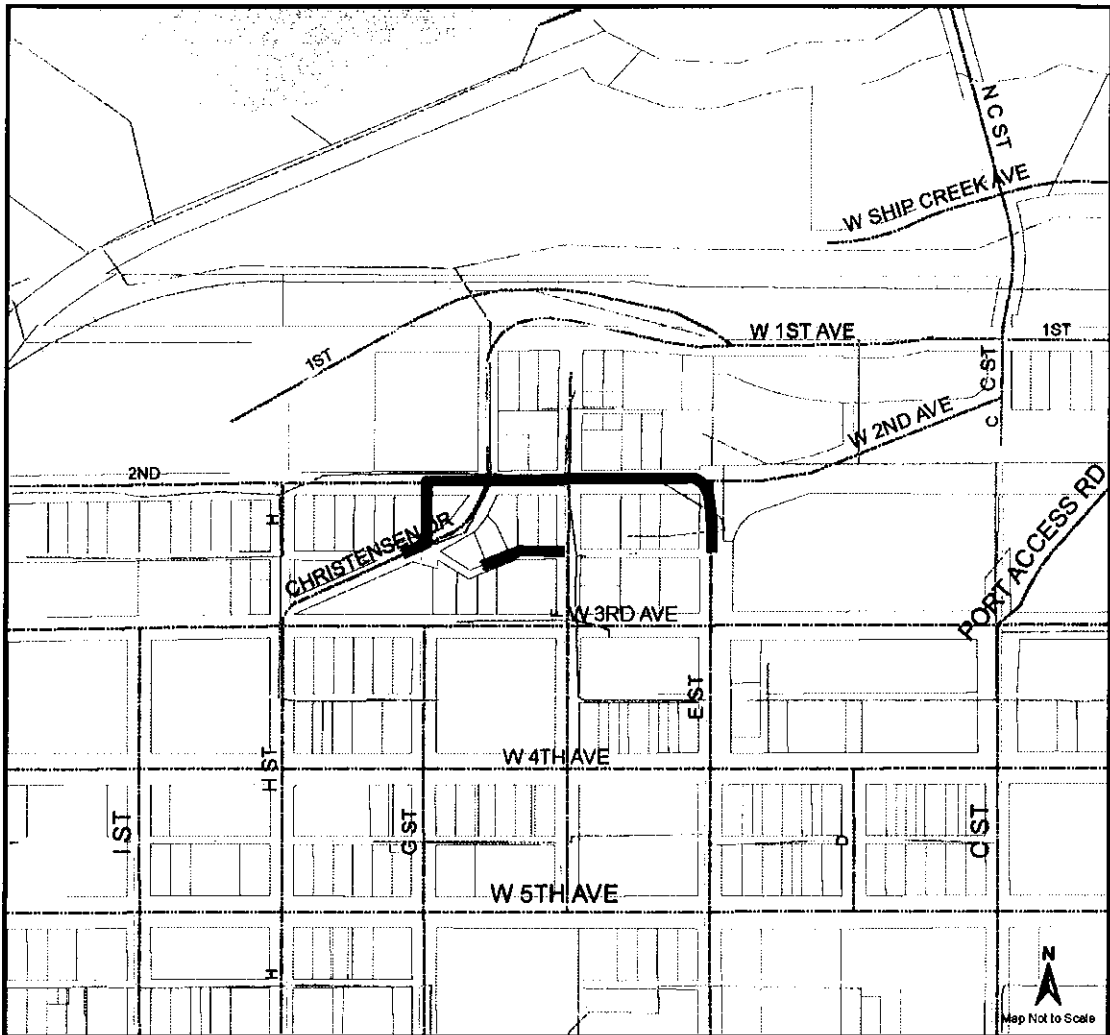
PeopleSoft Project ID 0000003548

— Proposed Water Main

⊕ AWWU Water Hydrant

— AWWU Water Pipe

Map Created: 2/03/09



Municipality of Anchorage



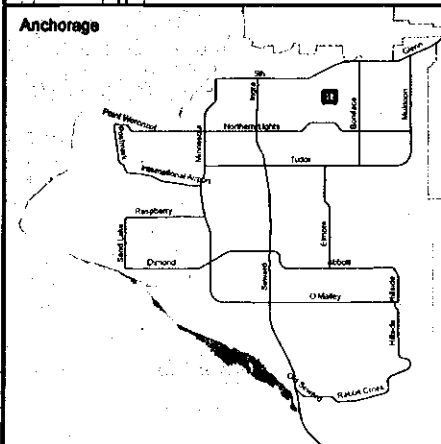
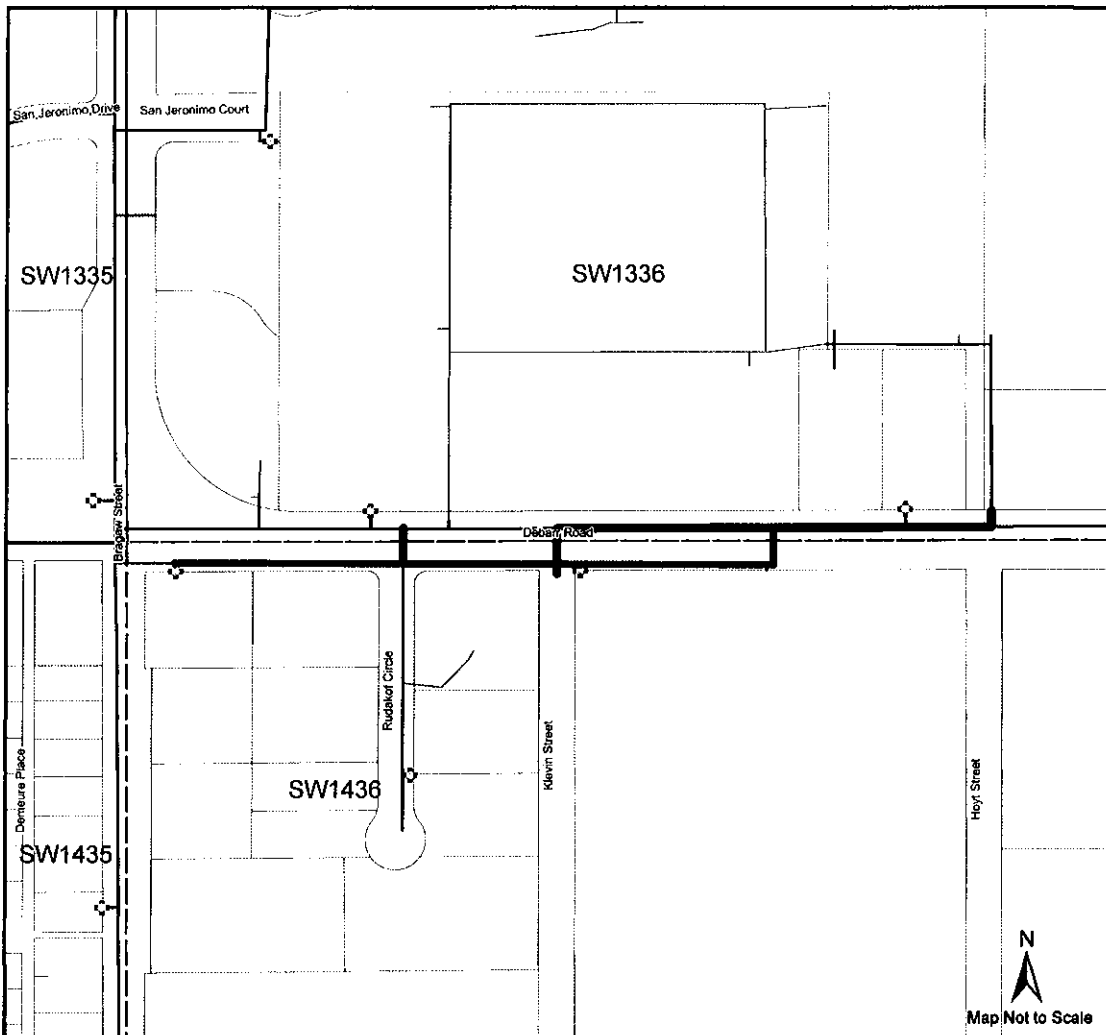
Anchorage Water and Wastewater Utility

**Christensen\_Dr\_Wtr\_Upgr**

People Soft Number 0000003853

- Water
- Wastewater
- Existing Water Pipe
- Existing Wastewater Pipe

Map Created: 09/25/2007



Municipality of Anchorage  
Anchorage Water and Wastewater Utility



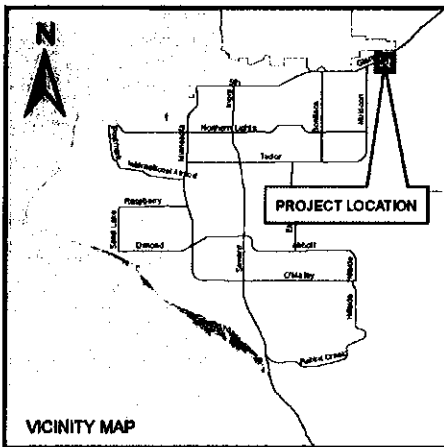
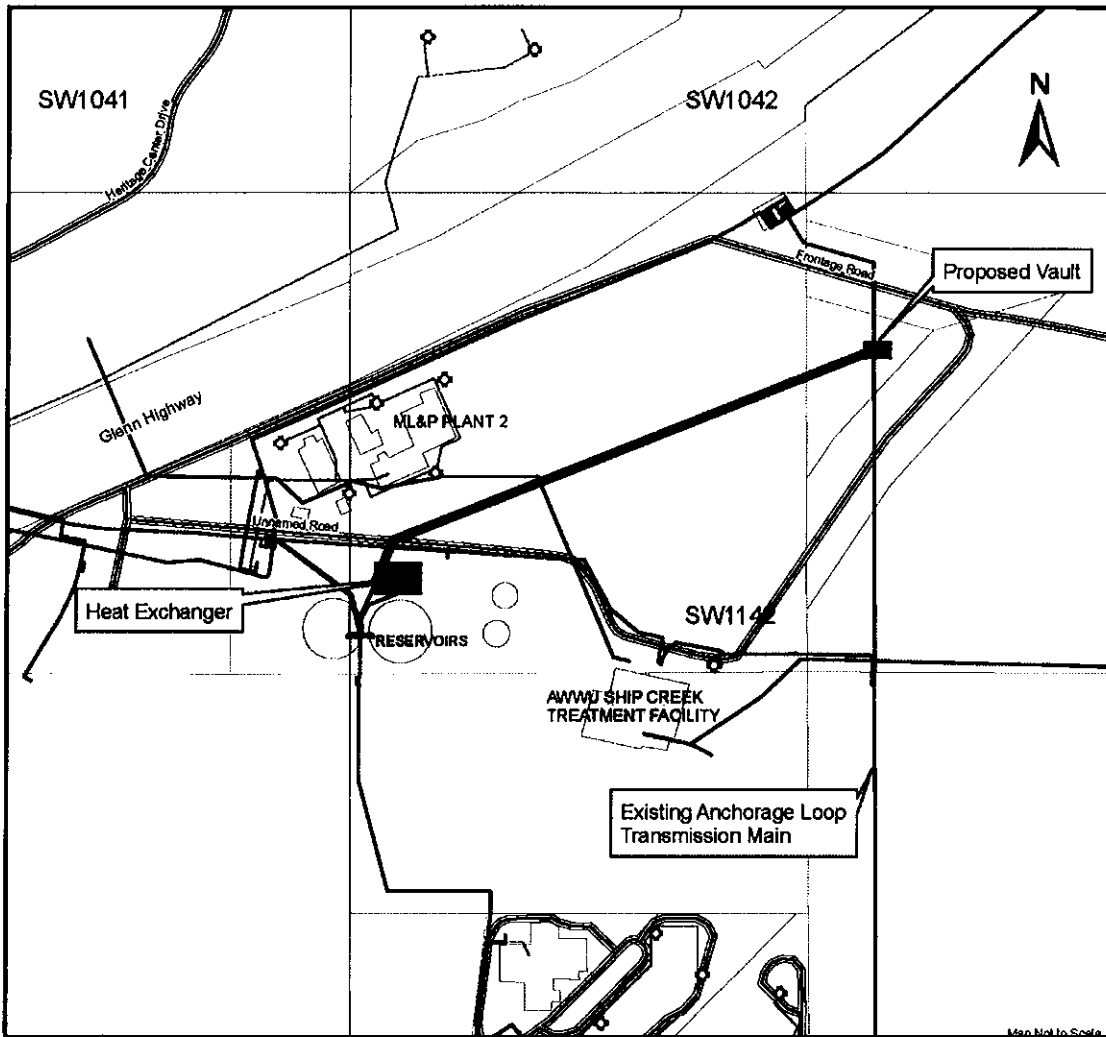
DeBarr\_Klevin-Hoyt\_Wtr\_Upgr

Revised

PeopleSoft Project ID 0000003549

-  Proposed Water Main
-  Proposed Abandon Water Main
-  AWWU Water Hydrant
-  AWWU Water Pipe
-  Private Water Pipe

Map Created: 1/28/09



Municipality of Anchorage  
Anchorage Water and Wastewater Utility



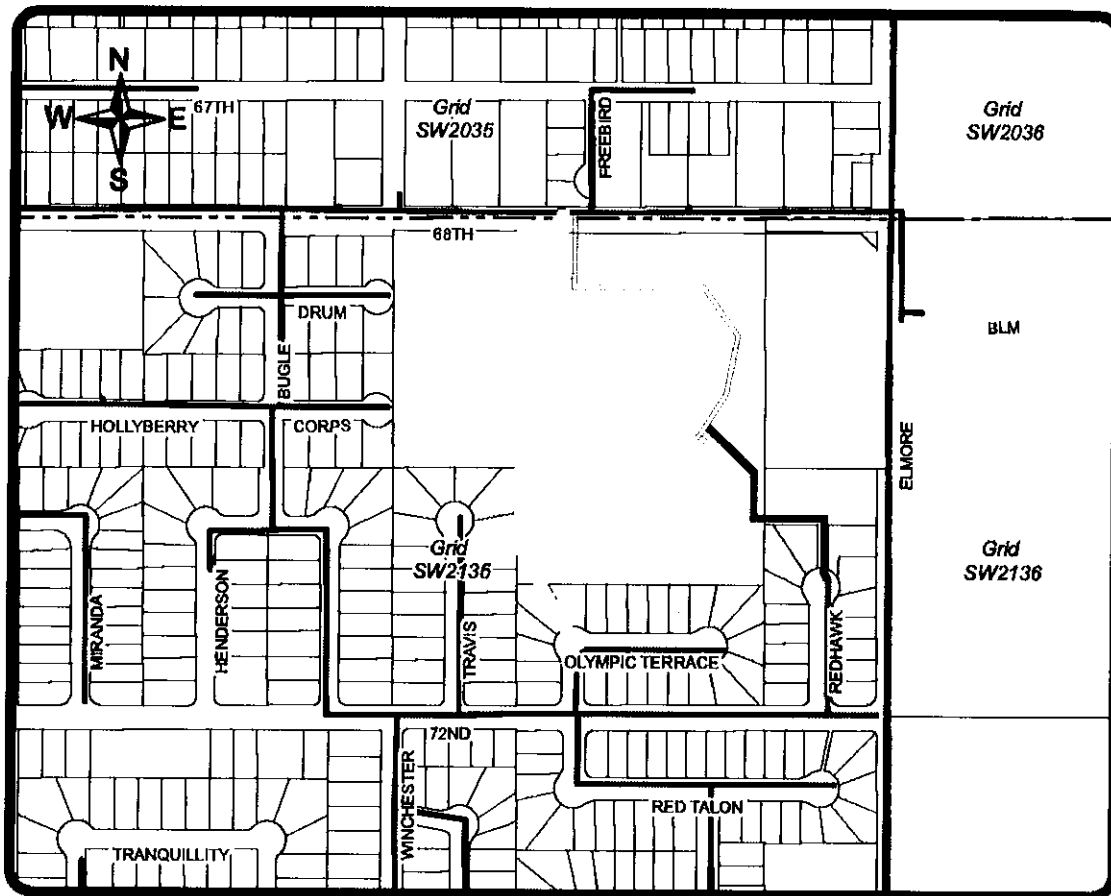
### SCWTF\_Heat\_Exchanger

PeopleSoft Project ID 0000004882

#### Legend




- Proposed Water Pipe
- AWWJ Water Pipe
- AWWJ Water Hydrant
- Private Water Pipe
- Private Water Hydrant

Map Created: March 12, 2009 (sdn 4037)



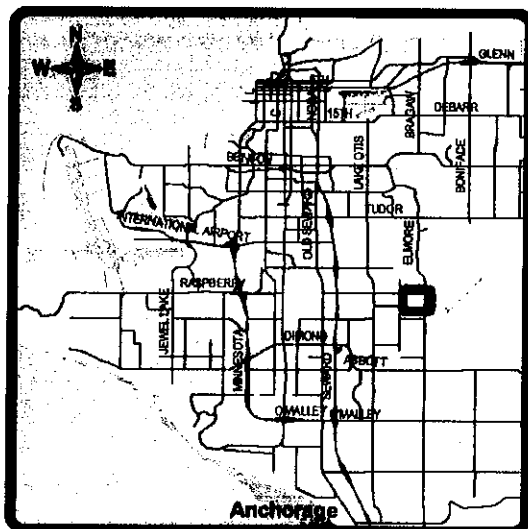
Maps Not-to-Scale

**LEGEND**

-  Project Water Mains
-  Existing Water Mains
-  Project Area



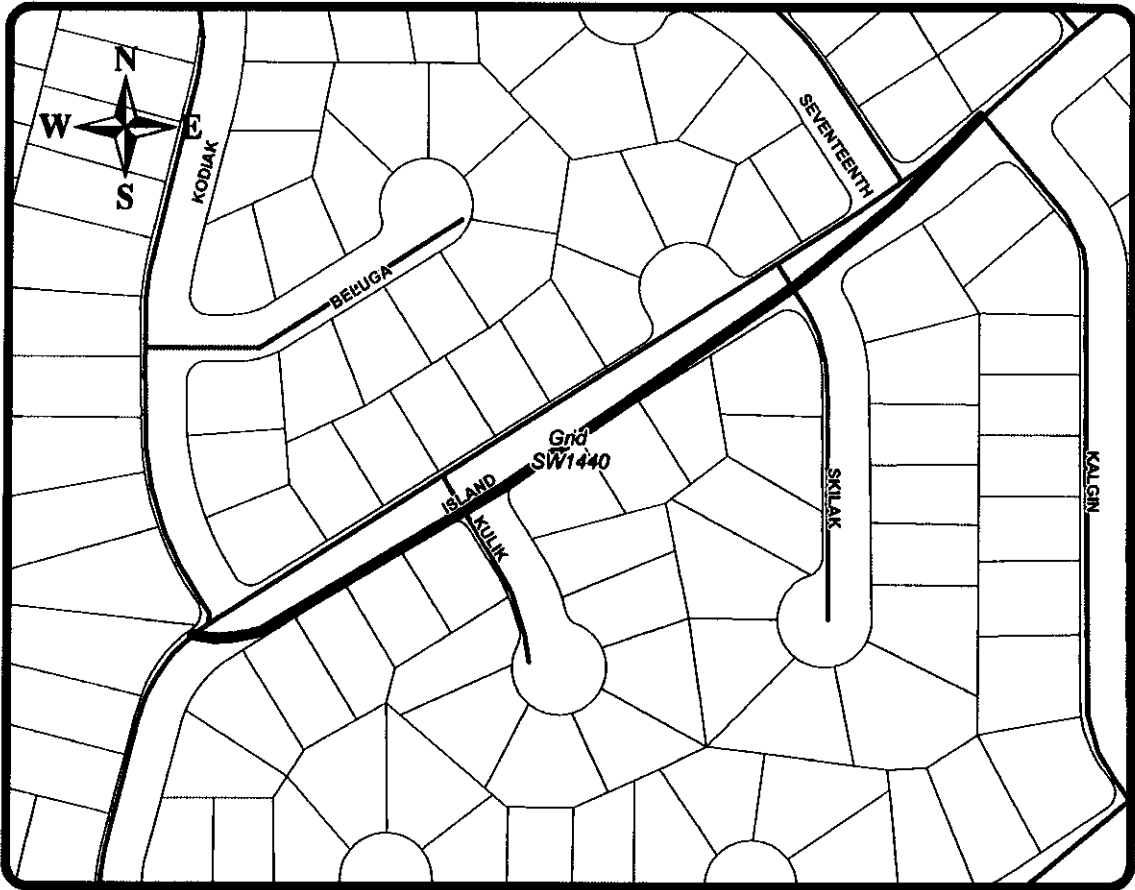
Map Created  
by AJU  
11/13/2007



**68th Ave-Redhawk Int**



PeopleSoft Project ID 000004871  
Anchorage Water & Wastewater Utility





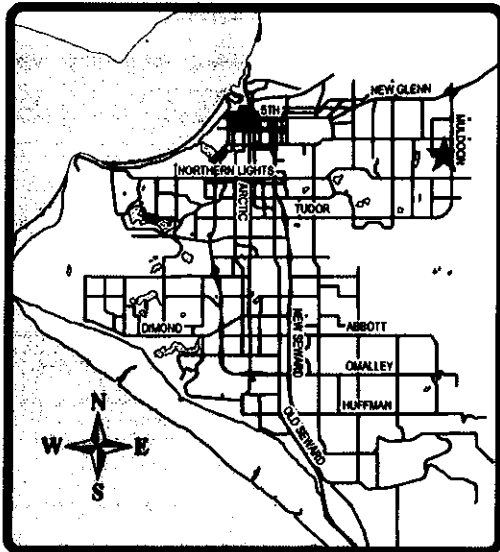
Maps Not-to-Scale

**LEGEND**

-  Project Water Main
-  Existing Water Mains
-  Project Area



Map Created  
by AJU  
08/18/2004



**Island - Kodiak - Kalgin  
Water Upgrade**

Anchorage Water & Wastewater Utility

**Content ID:** 007997

**Revision:** 0

**Type:** Ordinance - AO

AN ORDINANCE OF THE MUNICIPALITY OF ANCHORAGE, ALASKA, AUTHORIZING AND PROVIDING FOR THE BORROWING FROM THE STATE OF ALASKA DRINKING WATER FUND AN AGGREGATE AMOUNT NOT TO

**Title:** EXCEED \$28,612,000 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF VARIOUS AWWU 2009 CAPITAL IMPROVEMENT BUDGET (CIB) WATER IMPROVEMENTS PROJECTS AND PROVIDING FOR RELATED MATTERS.

**Author:** gibsonam

**Initiating Dept:** AWWU

**Select Routing:** Standard

**Review Depts:**

**Description:**

**Keywords:**

**Date Prepared:** 7/29/09 10:16 AM

**Director Name:** Mark Premo

**Addnl Dept Review ?:** No

**Addnl Review Depts:**

**Mayor Review?:** No

**Requested Assembly Meeting Date**  
**MM/DD/YY:** 8/11/09 12:00 AM

Request is available for review at: [http://www.municipalityofanchorage.org/awwu](#)

							<b>Revision:</b>
8/3/09 8:46 AM	007997	0	Step1	Joy Maglaqui	Exit	Public	
8/3/09 8:46 AM	007997	0	Step1	Joy Maglaqui	Approve	Public	
8/3/09 8:46 AM	007997	0	Step1	Joy Maglaqui	Approve	Public	
7/31/09 4:06 PM	007997	0	Step1	Rhonda Westover	Approve	Public	
7/31/09 6:28 AM	007997	0	Step1	Cheryl Frasca	Approve	Public	
7/29/09 5:40 PM	007997	0	Step1	Cheryl Frasca	Approve	Public	
7/29/09 10:18 AM	007997	0	Step1	Mark Premo	Approve	Public	
7/29/09 10:17 AM	007997	0	contribution	Alyssa Gibson	Checkin	Public	