

*Postponed Indefinitely 2/2/10*

**MUNICIPALITY OF ANCHORAGE  
ORDINANCE No. 2010-14**

**AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF ANCHORAGE, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED ONE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$1,400,000) OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY OF ANCHORAGE TO PAY THE COSTS OF FIRE PROTECTION CAPITAL IMPROVEMENTS AND THE QUESTION OF AN INCREASE IN THE MUNICIPAL TAX CAP LIMITATION TO PAY ASSOCIATED OPERATIONS AND MAINTENANCE COSTS IN THE ANCHORAGE FIRE SERVICE AREA AT THE ELECTION TO BE HELD IN THE MUNICIPALITY ON APRIL 6, 2010.**

**WHEREAS**, the best interest of the citizens and property owners in the Anchorage Fire Service Area serving the Municipality of Anchorage, Alaska (the "Municipality") require the Municipality to acquire replacement fire engines (the "Project"); and

**WHEREAS**, in order to provide financing for the acquisition of such Project, it is deemed necessary and advisable that the Municipality issue and sell its general obligation bonds in the principal amount of not to exceed \$1,400,000 (the "Bonds"); now, therefore,

**THE ANCHORAGE ASSEMBLY ORDAINS:**

**Section 1. Purpose.** The Assembly of the Municipality hereby determines that the best interest of the residents and property owners within the Anchorage Fire Service Area require the Municipality to acquire replacement fire engines at the time and in the order and in the manner deemed most necessary and advisable by the Municipality. The estimated cost of the Project, including incidental costs and costs related to issuing and selling the Bonds as provided in this ordinance, is estimated to be \$1,400,000.

The Project is described in more detail in the attachment to the Assembly Memorandum accompanying this ordinance. The cost of all necessary consulting services, inspection and testing, administrative expenses, and costs of issuance of the Bonds (hereinafter defined) and other costs incurred in connection with the acquisition of the Project shall be deemed to be costs of the approved Project.

The Assembly shall determine the application of available moneys for the Project so as to acquire, as nearly as may be, all of the Project described or provided for in this section.

1 If the Assembly shall determine that it has become impractical to acquire  
2 any portion of the approved Project by reason of changed conditions or needs, or  
3 costs substantially in excess of those estimated, the Assembly shall not be  
4 required to accomplish such portions and shall apply Bond proceeds as set forth in  
5 this section.  
6

7 If all of the approved Project has been acquired and duly provided for, or  
8 found to be impractical, the Assembly may apply Bond proceeds or any portion  
9 thereof to other Municipality fire service capital improvements at its sole discretion.  
10 Otherwise, the Municipality shall apply such remaining proceeds solely to payment  
11 of principal or interest on the Bonds, as provided in the Home Rule Charter. In the  
12 event that the proceeds of sale of the Bonds, plus any other monies of the  
13 Municipality legally available, are insufficient to acquire the approved Project, the  
14 Assembly shall use the available funds for paying the cost of those portions of the  
15 approved Project deemed by the Municipality most necessary and in the best  
16 interest of the Municipality. No Bond proceeds shall be used for any purpose  
17 other than a capital improvement.  
18

19 For the purpose of providing funds for the acquisition of the Project, which  
20 is hereby found to be a public purpose and in the public interest, the Municipality  
21 hereby proposes to issue general obligation bonded indebtedness in an amount  
22 not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000) (the  
23 "Bonds").  
24

25 **Section 2.** Details of Bonds. The Bonds shall be sold in such amounts and at  
26 such time or times as deemed necessary and advisable by the Assembly and as  
27 permitted by law and shall mature over a period of up to 20 years from date of  
28 issue. The Bonds shall be issued in an aggregate principal amount of not to  
29 exceed \$1,400,000. The Bonds shall bear interest to be fixed at the time of sale or  
30 sales thereof. The exact form, terms, conditions, contents, security, options of  
31 redemption, and such other matters relating to the issuance and sale of said  
32 Bonds as are deemed necessary and advisable by the Assembly shall be as  
33 hereinafter determined and/or delegated by ordinance and/or resolution of the  
34 Assembly.  
35

36 The full faith and credit of the Municipality is pledged for the payment of the  
37 principal of and interest on the Bonds, and ad valorem taxes upon all taxable  
38 property in the Municipality shall be levied without limitation as to rate or amount to  
39 pay the principal and interest on the Bonds when due. The principal of and  
40 interest on the Bonds are to be paid first from ad valorem taxes levied and  
41 collected within the Anchorage Fire Service Area.  
42

43 **Section 3.** Ballot Proposition. The Assembly hereby submits to the qualified  
44 electors of the Municipality the proposition of whether or not the Municipality  
45 should issue the Bonds for the purpose of financing the costs of the approved  
46 Project at the regular municipal election to be held on April 6, 2010.

1  
2 The Clerk shall prepare the ballot proposition to be submitted to the voters  
3 as provided by this ordinance and the Municipal Code and shall perform all  
4 necessary steps in accordance with law to place this proposition before the voters  
5 at the regular election. The proposition must receive a majority vote of those in  
6 the Municipality voting, both in the Anchorage Fire Service Area and areawide, on  
7 the question to be approved. The proposition shall be substantially in the following  
8 form:

9 PROPOSITION NO. \_\_\_\_\_

10  
11 ANCHORAGE FIRE SERVICE AREA FIRE PROTECTION BONDS

12  
13 For the purpose of providing fire protection capital  
14 improvements and undertaking other related capital  
15 improvements as provided in Ordinance  
16 No. AO 2010-\_\_\_ in the Anchorage Fire Service Area,  
17 shall Anchorage borrow money and issue up to  
18 \$1,400,000 in principal amount of general obligation  
19 bonds and increase the municipal tax cap by an annual  
20 amount not to exceed \$ \_\_\_\_\_ to pay the associated  
21 annual operations and maintenance costs?

22  
23 Voter approval of this bond proposition authorizes for  
24 each \$100,000 of assessed taxable property value  
25 (based on the estimated 2010 assessed valuation in  
26 the Anchorage Fire Service Area): (i) an annual  
27 increase in taxes of approximately \$0.31 to retire the  
28 proposed bonds, and (ii) an annual increase necessary  
29 to fund the proposed increase in the municipal tax cap  
30 (Charter 14.039b)(2)) of approximately \$0.\_\_\_ to pay for  
31 annual operations and maintenance costs related to  
32 the proposed capital improvements.

33  
34 The debt shall be paid from real and personal property  
35 taxes levied and collected within the Anchorage Fire  
36 Service Area. Anchorage will also pledge its full faith  
37 and credit for payment of the bonds.

38  
39 (No. AO 2010-\_\_\_)  
40

1 **Section 4. Submission of Question to Voters.** The proposition, both for paper  
2 ballots and machine ballots, shall be printed on a ballot which may set forth other  
3 general obligation bond propositions, and the following words shall be added as  
4 appropriate and next to a square provided for marking the ballot or voting by a  
5 machine:

6 PROPOSITION NO. \_\_\_\_\_

BONDS, YES

7 BONDS, NO

8  
9 **Section 5. Effective Dates.** Section 2 of this ordinance shall become effective  
10 only if the proposition described in Section 3 is approved by a majority of the  
11 qualified voters voting on the proposition at the regular election held on April 6,  
12 2010. The remaining sections of this ordinance shall become effective upon  
13 passage and approval.

14  
15 PASSED AND APPROVED by the Assembly of the Municipality of Anchorage, this  
16 \_\_\_\_ day of \_\_\_\_\_, 2010.

17  
18  
19  
20 By \_\_\_\_\_  
21 Chair of the Assembly

22 ATTEST:

23  
24  
25 \_\_\_\_\_  
26 Municipal Clerk  
27