MUNICIPALITY OF ANCHORAGE

ORDINANCE No. 2019-150


Prepared by

K&L GATES LLP
MUNICIPALITY OF ANCHORAGE
ORDINANCE No. 2019-150

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* This Table of Contents and the cover page are for convenience of reference and are not intended to be a part of this ordinance.
MUNICIPALITY OF ANCHORAGE
ORDINANCE No. 2019-150


WHEREAS, the best interest of the citizens and property owners in the Anchorage Parks and Recreation Service Area serving the Municipality of Anchorage, Alaska (the "Municipality") require the Municipality to construct, renovate and equip various park and trail improvements, recreational facilities, and related capital improvements (the "Projects"); and

WHEREAS, in order to provide financing for the Projects, it is deemed necessary and advisable that the Municipality issue and sell its general obligation bonds in the principal amount of not to exceed $3,950,000 (the "Bonds"); and,

WHEREAS, the 2020 General Government Capital Improvement Budget (CIB) was approved on November 19, 2019 by AO 2019-118 as Amended and in accordance with AMC 6.10.045, the 2020 General Government CIB shall be revised to include the changes as reflected in this ordinance; now, therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Purpose. The Assembly hereby determines that the parks, trails and recreation facilities within the Anchorage Parks and Recreation Service Area are in need of construction, renovation and equipping of the Projects. The Assembly of the Municipality hereby determines that the best interest of the residents and
property owners within the Anchorage Parks and Recreation Service Area require
the Municipality to undertake the Projects at the time and in the order and in the
manner deemed most necessary and advisable by the Municipality. The estimated
cost of the Projects, including incidental costs and costs related to issuing and
selling the Bonds as provided in this ordinance, is estimated to be $3,950,000.

The Projects are described in more detail in the attachment to the Assembly
Memorandum accompanying this ordinance. The cost of all necessary planning,
acquisition of property, site preparation, construction, installing and equipping of the
Projects, architectural, engineering, design, and other consulting services,
inspection and testing, administrative expenses, costs of issuance of the Bonds and
other costs incurred in connection with the Projects shall be deemed to be costs of
the approved Projects. The approved Projects may be completed with all necessary
equipment and appurtenances.

The Municipality shall determine the application of available moneys between
the various Projects so as to accomplish, as nearly as may be, all of the Projects
described or provided for in this section.

If the Municipality shall determine that it has become impractical to accomplish
any portion of the approved Projects by reason of changed conditions or needs,
incompatible development or costs substantially in excess of those estimated, the
Municipality shall not be required to accomplish such portions and shall apply Bond
proceeds as set forth in this section.

If the approved Projects have been completed in whole or in part, or their
completion duly provided for, or their completion found to be impractical, the
Municipality may apply Bond proceeds or any portion thereof to other Municipality
park and recreation capital improvements at its sole discretion. Otherwise, the
Municipality shall apply such remaining proceeds solely to payment of principal or
interest on the Bonds, as provided in the Home Rule Charter. In the event that the
proceeds of sale of the Bonds, plus any other monies of the Municipality legally
available, are insufficient to accomplish the approved Projects, the Municipality shall
use the available funds for paying the cost of those portions of the approved Projects
deemed by the Municipality most necessary and in the best interest of the
Municipality. No Bond proceeds shall be used by the Municipality for any purpose
other than a capital improvement of the Municipality.

For the purpose of providing funds for the undertaking of the Projects, which
are hereby found to be a public purpose and in the public interest, the Municipality
hereby proposes to issue general obligation bonded indebtedness in an amount not
to exceed Three Million Nine Hundred Fifty Thousand Dollars ($3,950,000).

Section 2. Details of Bonds. The Bonds shall be sold in such amounts and at
such time or times as deemed necessary and advisable by the Assembly and as
permitted by law and shall mature over a period of up to 20 years from date of issue.
The Bonds shall be issued in an aggregate principal amount of not to exceed $3,950,000. The Bonds shall bear interest to be fixed at the time of sale or sales thereof. The exact form, terms, conditions, contents, security, options of redemption, and such other matters relating to the issuance and sale of said Bonds as are deemed necessary and advisable by the Assembly shall be as hereinafter determined and/or delegated by ordinance and/or resolution of the Assembly.

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

Section 3. Ballot Proposition. The Assembly hereby submits to the qualified voters of the Municipality the proposition of whether or not the Municipality should issue the Bonds for the purpose of financing the costs of the approved Projects at the regular municipal election to be held on April 7, 2020.

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

PROPOSITION NO. __

ANCHORAGE PARKS AND RECREATION SERVICE AREA CAPITAL IMPROVEMENT BONDS

For the purpose of renovating and rehabilitating trails and parks, making playground, parking, safety, ADA and park improvements at various parks and recreational facilities, and making related capital improvements in the Anchorage Parks and Recreation Service Area, as provided in AO 2019-__, shall Anchorage borrow money and issue up to $3,950,000 in principal amount of general obligation bonds and increase the municipal tax cap by an annual amount not to exceed $197,000 to pay for associated annual operations and maintenance costs?

Voter approval of this bond proposition authorizes for each $100,000 of assessed taxable property value
(based on the estimated 2020 assessed valuation in the Anchorage Parks and Recreation Service Area): (i) an annual increase in taxes of approximately $1.02 to retire the proposed bonds, and (ii) an annual increase in the municipal tax cap (Charter 14.03(b)(2)) of approximately $0.66 to pay for annual operation and maintenance costs related to the proposed capital improvements.

The debt shall be paid from real and personal property taxes levied and collected within the Anchorage Parks and Recreation Service Area, without cost to properties in Chugiak, Eagle River, Girdwood, and other areas outside the Service Area. The Municipality will also pledge its full faith and credit for payment of the bonds.

Section 4. 2020 General Government Capital Improvement Budget (CIB). The 2020 General Government CIB was approved on November 19, 2019 by AO 2019-118 as Amended, and in accordance with AMC 6.10.045, the 2020 General Government CIB is hereby revised to include the changes as identified in the accompanying Assembly Memorandum and Exhibit A.

Section 5. Effective Dates. Section 2 of this ordinance shall become effective only if the proposition described in Section 3 is approved by a majority of the qualified voters voting on the proposition at the regular election held on April 7, 2020. The remaining sections of this ordinance shall become effective upon passage and approval by the Assembly.

PASSED AND APPROVED by the Assembly of the Municipality of Anchorage, this 14th day of January 2020.

By Chair of the Assembly

ATTEST:

Jennifer Vanervason
Municipal Clerk
From: Mayor


The ordinance will place a general obligation bond proposition for the Anchorage Parks and Recreation Service Area on the ballot for the Municipal election to be held on April 7, 2020.

The administration recommends scheduling a public hearing for this bond ordinance on January 14, 2020.

The 2020 General Government CIB was approved on November 19, 2019 by AO 2019-118 as Amended. This ordinance changes the project titles within the Parks and Recreation Service area as follows:

• Chanshtnu Muldoon Park, Phase III to Chanshtnu Muldoon Park, Phase II
• Elderberry Park to Elderberry Park Master Plan Implementation
• Government Hill Community-wide Park Plan and Improvements to Government Hill Park and Trail Improvements
• Playground Development – All-Inclusive to Playground Development
• Taku Park Improvements to Taku Lake Park
• Tikishla Park to Tikishla Park Improvements

The scope of work for each project remains as identified in the approved 2020 General Government CIB and only the project title has been revised.
Please see the attached Project List, attached as Exhibit A.

THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ORDINANCE.

Prepared By: Office of Management & Budget Staff
Approved By: Alexander Slivka, CFO
Concur: Lance Wilber, Director, Office of Management & Budget
Concur: Rebecca A. Windt Pearson, Municipal Attorney
Concur: William D. Falsey, Municipal Manager
Respectfully submitted: Ethan A. Berkowitz, Mayor
EXHIBIT A

Anchorage Parks and Recreation Service Area
2020 Bond Project List
(000)'s

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<tr>
<th>Project</th>
<th>Amount</th>
<th>O&amp;M</th>
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<tr>
<td>Campbell Creek Trail Rehabilitation and Way Finding</td>
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<td>Chanshtnu Muldoon Park, Phase II</td>
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<td>Chester Creek Complex Facility Safety, Security and ADA Upgrades</td>
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<td>Dave Rose Park Parking Lot Expansion</td>
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<td>Elderberry Park Master Plan Implementation</td>
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<td>Facility Safety Upgrades</td>
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<td>Far North Bicentennial Park Trail Safety Upgrades</td>
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<td>Government Hill Park and Trail Improvements</td>
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<td>Playground Development</td>
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<td>Russian Jack Springs Park Safety and ADA Improvements</td>
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<td>Taku Lake Park</td>
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<td>Tikishla Park Improvements</td>
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<td>University Lake Park</td>
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