See AR 98-6

Submitted by:

Prepared by: For reading:

Assemblymembers Mark Begich and Fay Von Gemmingen Municipal Attorney April 7, 1998

ANCHORAGE, ALASKA AR NO. <u>98-6(S2)</u>

A RESOLUTION CONFIRMING AND LEVYING ASSESSMENTS FOR THE SANITARY SEWER IMPROVEMENTS ON PROPERTY BENEFITED IN NE TURNAGAIN LATERAL SEWER IMPROVEMENT DISTRICT NUMBER 101, SETTING DATE OF PAYMENT AND PROVIDING FOR PENALTIES AND INTEREST IN THE EVENT OF DELINQUENCY.

THE ANCHORAGE ASSEMBLY RESOLVES:

SECTION 1. The lateral sewer improvements authorized in Ordinance AO 79-6 and AO 85-25 have been completed and costs for the improvements computed. Lateral and trunk sewer assessments are levied against the property benefited for said improvements as set forth on the attached assessment roll.

SECTION 2. The lateral sanitary sewer assessments levied are subject to review and concurrence by the Alaska Public Utilities Commission, as the cost of such improvements shall be allocated in the manner and according to the criteria provided in the approved tariff of the municipal sewer utility. These assessments as levied are computed on costs attributed to the construction contract, design, engineering, and surveying for the improvement, net interest (interest paid less interest earned) anticipated reserve or guarantee fund costs, legal and other professional services, and the cost of notice. Costs for the improvement or service which are not included in the assessment calculations are the actual cost pertaining to Municipal personnel labor for design and construction administration, construction inspection, administrative overhead, collections, and other similar costs resulting from the formation of the district and providing the service. Proposed deletions of properties and proposed deferral of any assessments against benefited property are also subject to review and concurrence by the Alaska Public Utilities Commission.

if regid X low. **39** 31 SECTION 3. Timely notice was sent to each property owner whose property is benefited by the improvements as indicated on the attached assessment roll. Each 32 property owner was given notice of a public hearing to be held before the Municipal 33 Assembly, for the purpose of giving the property owners an opportunity to present 34 objections to the assessment roll by showing errors and inequalities in the 35 assessment roll and submitting any reason for amendment and correction of the 36 assessment roll for NE Turnagain Lateral Sewer Improvement District Number 101. 37 In conformance with the notice to the property owners, the Municipal Assembly held 38 , 199 , to hear any objections to the a public meeting on 39 assessment roll by property owners. At said hearing all errors and inequalities to 40 which valid objections were raised were corrected and the amounts now indicated 41 on the assessment roll are those amounts determined to be assessed. Said 42

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amounts are equal to, or less than, the direct benefit each property derives from the improvements constructed. The assessment roll has been duly certified by the Municipal Clerk.

SECTION 4. Assessments shall be paid in annual installments, in accordance with the Anchorage Wastewater Utility Tariff in effect at the time of levy. The first installment is due on _______, 199_____, and is payable on the same day of each subsequent year. Interest on unpaid installments starts to accrue on _______, 199____. An installment payment shall be applied first to accrued interest then to principal. A penalty of eight percent (8%) shall be added to any assessment, or assessment installment, not paid before the date of delinquency. The assessment, installment and penalty shall draw interest at the rate of eight percent (8%) per annum until paid. For delinquencies, payment shall be applied in accordance with AMC 19.20.280.

SECTION 5. Within thirty (30) days after the passage of this resolution, the Municipal Treasurer shall mail a notice to any owners of property whose assessment, schedule of payments, delinquencies, or amount of penalty and interest has been changed as a result of the public hearing concerning this resolution. Not more than sixty (60) days nor less than thirty (30) days before the date the assessment or the first installment of the assessment becomes delinquent, the treasurer shall mail a payment notice to each property owner, but failure to mail the notice shall in no way affect the special assessment levied by this resolution.

SECTION 6. The Special Assessment Collection Charge, as authorized by AMC 19.20.265.B, and Section 7.4 of the Anchorage Wastewater Utility's Tariff, will be applied to those properties included within this resolution.

of _	PASSED AND APPROVED by the Assembly of Anchorage this, 199	day
AT	Chairman TEST:	
Mu	nicipal Clerk	

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