

CLERK'S OFFICE

APPROVED

Date: 3-3-98

ANCHORAGE, ALASKA

AR No. 98-47

2 A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE, ALASKA, ACCEPTING AND
3 APPROPRIATING ALASKA CLEAN WATER FUND LOAN OFFERS IN THE AMOUNT OF TWO
4 MILLION TEN THOUSAND SIX HUNDRED FIFTY DOLLARS (\$2,010,650) FOR FINANCING A
5 PORTION OF THE COSTS FOR FUEL TANK UPGRADES, WASTEWATER SYSTEM
6 EXPANSION-1998, EQUIPMENT WASTEWATER-1998, WASTEWATER FACILITY
7 REPLACEMENT AND REHABILITATION-1998 AND THE CHESTER CREEK SEWER TRUNK
8 STUDY
9

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11
12 WHEREAS, the State of Alaska (the "State") has, pursuant to Alaska Statutes 46.03.032
13 and 18 AAC 76.005 et seq. of the Alaska Administrative Code, U.S. Government grants as
14 authorized by the Clean Water Act, as amended by P.L. 100-4; and;
15

16 WHEREAS, the Municipality of Anchorage (the "Municipality") is eligible to borrow from the
17 Fund for the purposes of planning, designing, constructing, equipping, modifying, improving
18 and expanding of public wastewater collection, treatment and discharge facilities; and
19

20 WHEREAS, the Assembly of the Municipality in its Ordinance No. AO 97-119 on October 7,
21 1997, determined it was necessary to proceed to plan, design, develop, construct, equip,
22 acquire property for, or otherwise obtain items of capital improvements in connection with:
23 **(1) Wastewater System Expansion-1998 (2) Equipment-Wastewater-1998; (3)**
24 **Wastewater Facility Replacement and Rehabilitation-1998; and (4) Chester Creek**
25 **Sewer Trunk Study**, authorized the **borrowing of an amount not to exceed \$2,010,650**
26 (pro-rated amount for listed projects) from the Fund for the purpose of paying a portion of the
27 costs of said projects; and authorized and directed the General Manager of the Anchorage
28 Water & Wastewater Utility ("AWWU") to complete and submit to the State Department of
29 Environmental Conservation ("DEC") applications to borrow monies from the Fund and to
30 negotiate with the DEC the terms of such loans; and
31

32 WHEREAS, AWWU has submitted applications for loans in connection with the stated
33 Projects, said applications for loans have been approved, and AWWU has negotiated the
34 terms of these loans from the Fund totaling \$2,010,650 to pay a portion of the costs of the
35 Projects; and
36

37 WHEREAS, the terms and conditions of said loans are contained in the Alaska Clean Water
38 Fund Loan Agreements between the Municipality and ADEC entered into as of January 21,
39 1998; and
40

41 WHEREAS, it is hereby found to be in the best interest of the Municipality that said loan
42 offers be accepted and that the Loan Agreements be executed on behalf of the Municipality.

AM 167-98

1 NOW THEREFORE, BE IT RESOLVED THE MUNICIPALITY OF ANCHORAGE, as follows:
2

3 Section 1. Loan Terms: The following primary terms of the loans which are among those
4 incorporated in the Loan Agreement as hereby specifically approved:
5

6 Principal Amount: Not to exceed \$2,010,650 (subject to individual draws)
7

8 Interest Rate: 3.57% per annum
9

10 Interest Accrual: Interest on each draw begins to accrue from the date
11 funds are available to AWWU
12

13 Term: 20 years from the date of initiation of operation
14

15 Date of First Payment: One year following the date of initiation of operation of
16 the Projects
17

18 Payment Interval: Annual
19

20 Amortization Schedule: Level, fully amortizing
21

22 Security: A pledge of the Gross Revenues less the Operating
23 Expenses of the System as those terms are defined in
24 Ordinance No. AO No. 97-119; provided that if such
25 monies are not sufficient, repayment of the loans shall
26 be from any legally available funds accruing to or in the
27 possession of the Municipality; and provided further
28 that repayment of the loans are not a direct obligation
29 of the Municipality and neither the faith and credit nor
30 the taxing power of the Municipality are pledged
31 therefor.
32

33 Section 2. Approval and Executing of Loan Agreements: The Loan Offers in the amount of
34 Two Million Ten Thousand Six Hundred Fifty Dollars (\$2,010,650) are accepted and
35 appropriated and the Mayor with the Chief Fiscal Officer of the Municipality and the General
36 Manager of AWWU, are hereby authorized, empowered and directed to execute and deliver
37 the Loan Agreements for and on behalf of the Municipality, including necessary
38 counterparts, and, from and after the executing and delivery of the Loan Agreements, the
39 Mayor, the Chief Fiscal Officer of the Municipality and the General Manager of AWWU, are
40 hereby authorized, empowered and directed to do all such acts and things and to execute all
41 such documents as may be necessary to carry out and comply with the provisions of the
42 Loan Agreements as executed.

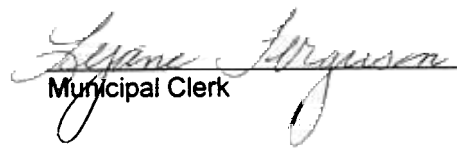
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2 Section 3. Effective Date: This Resolution shall take effect immediately.
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4 PASSED AND APPROVED by the Anchorage Assembly, this 3rd day of
5 March, 1998.
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10 
Chairman

11 ATTEST:

12 Area Capital Improvement Fund:
13 0551-1310
14 Anchorage Wastewater Utility - \$2,010,650
15 (Designated Loans)


Municipal Clerk