

Submitted by: Chairman of the Assembly at the
Request of the Mayor
Prepared by: Anchorage Water & Wastewater Utility
For reading: July 20, 2004

CLERK'S OFFICE
AMENDED AND APPROVED ANCHORAGE, ALASKA
Date: 9-21-04 AR No. 2004-185

**A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE, ALASKA,
CONFIRMING AND LEVYING ASSESSMENTS FOR THE WATER SPECIAL
IMPROVEMENTS WITHIN LEVY UPON CONNECTION (LUC) ROLL 04-W-2,
SETTING DATE OF PAYMENT AND PROVIDING FOR PENALTIES AND
INTEREST IN THE EVENT OF DELINQUENCY.**

THE ANCHORAGE ASSEMBLY RESOLVES:

SECTION 1. As authorized by Anchorage Municipal Code (AMC) 19.90.010, assessments shall be levied upon those properties set forth on the attached assessment roll. These properties have connected to public water in accordance with provisions of AMC 19.90.020.

SECTION 2. Timely notice of assessment was sent to each property owner whose parcel is benefited by the improvements as indicated on the attached assessment roll. Each property owner was given notice of a Public Hearing to be held before the Municipal Assembly, providing an opportunity to present objections and/or inequalities regarding LUC Roll 04-W-2. In conformance with the notice to the property owners, the Municipal Assembly held a public hearing on, **September 21, 2004**. At said hearing all errors and inequalities to which valid objections were raised were corrected and the amounts now indicated on the assessment roll are those amounts determined to be assessed. Said 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.

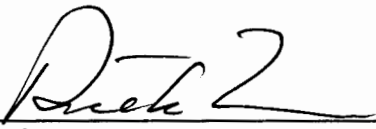
SECTION 3. Assessments shall be paid in annual installments, in accordance with the Anchorage Water Utility Tariff. The first installment is due by **November 30 2004, January 31, 2005**, and is payable on the same day of each subsequent year. Interest on unpaid installments starts to accrue on **November 1, 2004 January 1, 2005**. 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

1 annum until paid. For delinquencies, payment shall be applied in accordance with
2 AMC 19.20.280.

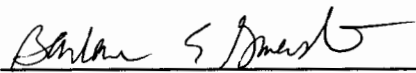
3
4 **SECTION 4.** A Special Assessment Collection Charges, as authorized in
5 Section 13.4 of the Anchorage Water Tariff, will be charged to those properties
6 identified in this resolution.

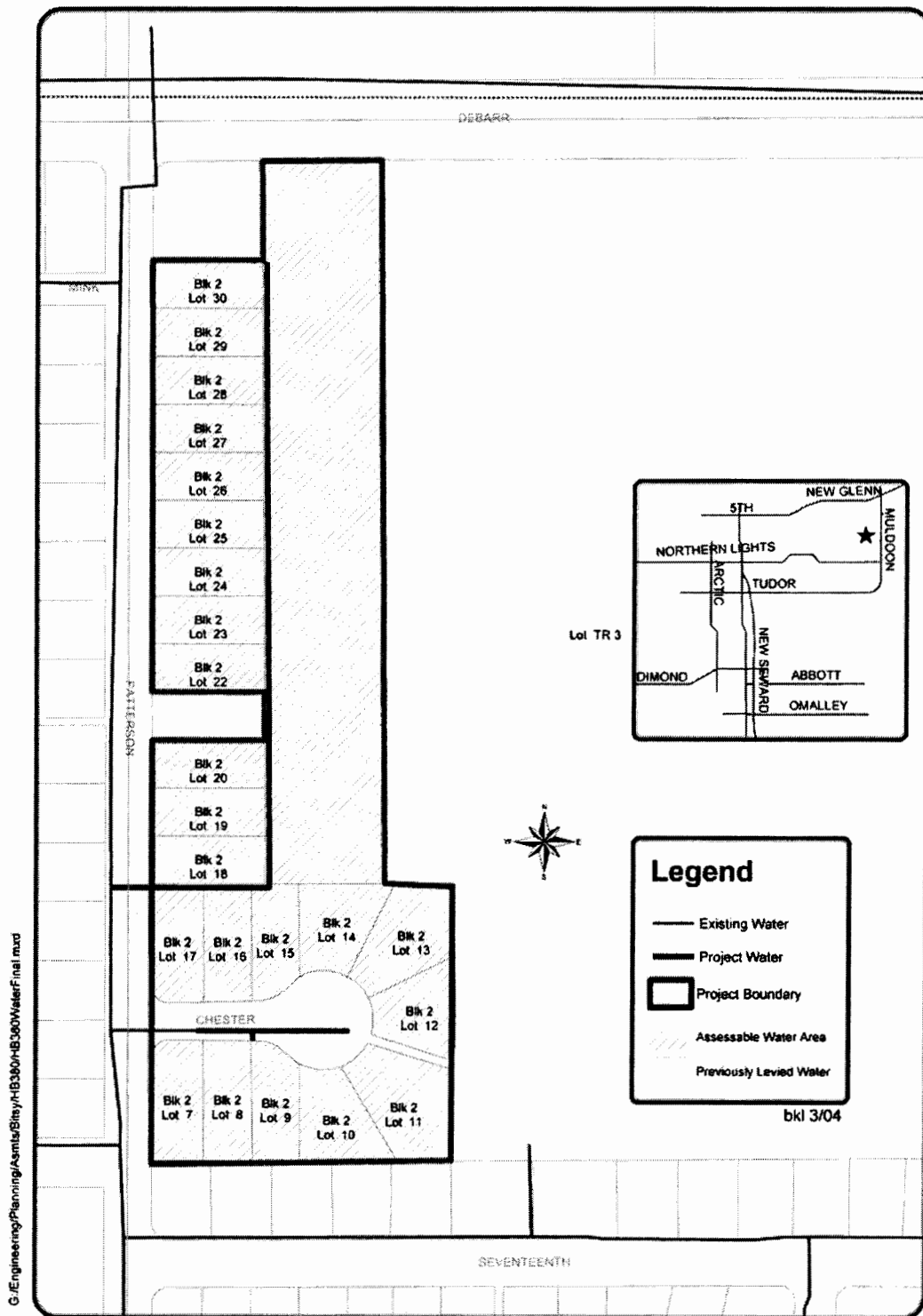
7
8 **SECTION 5.** Within thirty (30) days after the passage of this resolution, the
9 municipal treasurer shall mail a notice to any owners of property whose assessment,
10 schedule of payments, delinquencies, or amount of penalty and interest has been
11 changed as a result of the public hearing concerning this resolution. Not more than
12 sixty (60) day nor less than thirty (30) days before the date the assessment or the
13 first installment of the assessment becomes delinquent, the treasurer shall mail a
14 payment notice to each property owner, but the failure to mail the notice shall in no
15 way affect any liability for or enforcement of payment of all or any part of the special
16 assessment levied by this resolution.

17
18 PASSED AND APPROVED by the Anchorage Assembly this 21st day of
19 September, 2004.

20
21
22 
23 _____
24 Chairman

25
26 ATTEST:

27
28 
29 _____
30 Municipal Clerk



W02-018 Alaska Village Water Main Extension

Anchorage Water & Wastewater Utility

LUC 04-W-2 ALASKA VILLAGE AND CHESTER COURT
Water Levy Upon Connection Roll
Assessment Roll AMS 1632
Interest Rate: 4.417%

Line No.	Tax Code	Legal Description	Total Area	Assessable Area	Rate per Sq. Ft.	Mainline Charge	Deferred Recurring Charges	Service Connection	Water Principal	No. Yrs	Payment Amount	Owner 1
1	006-182-24-000	CHESTER VALLEY #6	9,838	9,838	\$1.0749	\$10,574.87	\$112.71	\$3,256.70	\$13,944.28	20	\$1,019.27	TIX KIM E
2	006-182-23-000	CHESTER VALLEY #6	14,002	13,297	\$1.0749	\$14,292.95	\$112.71	\$3,256.70	\$17,662.36	20	\$1,291.04	SANDSTROM C & W
3	006-182-22-000	CHESTER VALLEY #6	9,406	9,406	\$1.0749	\$10,110.51	\$112.71	\$3,256.70	\$13,479.92	20	\$985.32	WAHTO DAVID
4	006-182-21-000	CHESTER VALLEY #6	13,812	13,014	\$1.0749	\$13,988.75	\$112.71	\$3,256.70	\$17,358.16	20	\$1,268.81	SCHRAM DALE H
5	006-182-20-000	CHESTER VALLEY #6	9,874	9,874	\$1.0749	\$10,613.56	\$185.24	\$3,256.70	\$14,055.50	20	\$1,027.40	MOWREY MATT
6	006-182-19-000	CHESTER VALLEY #6	8,515	8,515	\$1.0749	\$9,152.77	\$112.71	\$3,256.70	\$12,522.18	20	\$915.32	FRANKLIN ALLENE
7	006-182-18-000	CHESTER VALLEY #6	9,000	9,000	\$1.0749	\$9,674.10	\$112.71	\$3,256.70	\$13,043.51	20	\$953.42	LUCAS M & URSULA M
8	006-182-17-000	CHESTER VALLEY #6	9,664	9,664	\$1.0749	\$10,387.83	\$112.71	\$3,256.70	\$13,757.24	20	\$1,005.59	GIPSON LOUISE P
9	006-182-16-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	LEBAR B E & RUTH
10	006-182-15-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	KOSUSNIK R A & TAMARA L
11	006-182-14-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	STEVENSON DAVID R
12	006-182-12-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	MATHER R W & BARBARA J
13	006-182-11-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	SUCHAN T W & C L
14	006-182-10-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	BRENNER MARILYN J
15	006-182-09-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$185.24	\$3,256.70	\$12,621.59	20	\$922.58	SECRETARY OF VA
16	006-182-08-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	TAYLOR D R & P K
17	006-182-07-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	WHITE BETTY J
18	006-182-06-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	CHOQUETTE ROSIE I
19	006-182-05-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$112.71	\$3,256.70	\$12,549.06	20	\$917.28	URBINA JULIAN
20	006-182-04-000	CHESTER VALLEY #6	8,540	8,540	\$1.0749	\$9,179.65	\$185.24	\$3,256.70	\$12,621.59	20	\$922.58	EDWARDS CYNTHIA E
21	006-182-27-000	CHESTER VALLEY #6	9,660	9,660	\$1.0749	\$10,383.53	\$185.24	\$3,256.70	\$13,825.47	20	\$1,010.58	DRUSSELL SHIRLEY K
22	006-182-26-000	CHESTER VALLEY #6	8,992	8,992	\$1.0749	\$9,665.50	\$185.24	\$3,256.70	\$13,107.44	20	\$958.10	BRADY TERRANCE J
23	006-182-25-000	CHESTER VALLEY #6	8,497	8,497	\$1.0749	\$9,133.43	\$112.71	\$3,256.70	\$12,502.84	20	\$913.90	WINN C H & R L
							\$228,133.60	\$74,904.10	\$305,992.68			
							\$2,954.98					

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 572-2004

Meeting Date: July 20, 2004

From: Mayor

Subject: Confirmation and Levying of Water Special Assessments under Levy
Upon Connection (LUC) Roll 04-W-2

On July 23, 2002, the Anchorage Municipal Assembly approved AR 2002-247 for the construction of a public water line extension along the western boundary of Tract 3, The Alaska Village Subdivision (formerly Tract A, Alaskan Village Mobile Home Park). The resolution acknowledged preliminary and estimated water assessments to be levied against certain parcels upon connection to the water line. The water line extension was developer-installed under Anchorage Water & Wastewater Utility's (AWWU) water main extension agreement (W2002-018) program specifically to restore water service to twenty-three (23) parcels east of Patterson Street between Debarr Road and Chester Court, to include parcels abutting Chester Court. These parcels were previously connected to a private water system that served the former Alaskan Village Mobile Home Park, a system now decommissioned, retired and/or removed to make way for planned redevelopment of Tract A.

On July 23, 2003, the new public water main passed a final inspection. The developer has submitted certified project costs to the AWWU, and all adjoining twenty-three (23) parcels have connected to the public water system. Therefore, the attached roll contains water assessments to be levied on twenty-three (23) properties within the Municipality of Anchorage that have connected to the municipal water system and are being levied in accordance with AMC 19.90 and Anchorage Water Utility Tariff.

Proration of the certified project cost to benefited parcel areas results in an actual water assessment rate of \$1.32 per square foot of benefited and assessable area. This rate exceeds the 2003 water levy-upon-connection (LUC) rate applied to construction under the water main extension agreements program. The 2003 LUC rate is \$1.07490 per square foot of benefited property. Per Rule 13.3.A.3 of the Anchorage Water Utility Tariff, assessments will be levied at whichever rate yields a lower assessment, the 2003 LUC rate.

AWWU sent certified letters to all affected property owners, informing them of the assessment and proposed levy action. On June 1, 2004, AWWU hosted a public meeting to address the questions and concerns of affected property owners. No municipal-owned parcels are fiscally impacted by passage of this resolution.

Approval of this resolution will enable the Municipality to appropriate pre-paid collections and/or to start collections.

THE ADMINISTRATION SUPPORTS THE NECESSARY LEVYING OF ASSESSMENTS BY ASSEMBLY RESOLUTION 2004-185 AND RECOMMENDS THAT A PUBLIC HEARING BE SCHEDULED FOR THIS RESOLUTION.

Prepared by: Mark Premo, P.E., General Manager, AWWU
Concur: Denis C. LeBlanc, Municipal Manager
Respectfully submitted: Mark Begich, Mayor

Content Information**Content ID :** 001961**Type:** AM_CitingFunds - Citing Funds Memorandum**Title:** Confirmation and Levying of Water Special Assessments under
Levy Upon Connection (LUC) Roll 04-W-2**Author:** gibsonam**Initiating Dept:** AWWU**Date Prepared:** 6/30/04 12:58 PM**Director Name:** Mark Premo**Assembly Meeting Date** 7/20/04
MM/DD/YY:**Public Hearing Date** 8/17/04
MM/DD/YY:**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
CitingFundsWorkflow	6/30/04 12:59 PM	Checkin	gibsonam	Public	001961
AWWU_SubWorkflow	6/30/04 1:01 PM	Approve	premomc	Public	001961
Finance_SubWorkflow	7/2/04 8:14 AM	Approve	sinzje	Public	001961
MuniManager_SubWorkflow	7/7/04 5:22 PM	Approve	leblancdc	Public	001961
MuniMgrCoord_SubWorkflow	7/9/04 9:26 AM	Approve	katkusja	Public	001961

CONSENT AGENDA - INTRODUCTION

59

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CLERK'S OFFICE

M.O.A.

MUNICIPALITY OF ANCHORAGE

INFORMATION MEMORANDUM

AIM No. 71 -2004

Meeting Date: August 17, 2004

1 From: Mayor

2
3 Subject: Resolution No. AR 2004-185, a resolution of the Municipality of Anchorage, Alaska,
4 confirming and levying assessments for the water special assessments within **Levy Upon**
5 **Connection (LUC) Roll 04-W-2**, setting date of payment and providing for penalties and
6 interest in the event of delinquency. Corresponding Memorandum: AM 572-2004
7

8 Resolution No. AR 2004-186, a resolution of the Municipality of Anchorage, Alaska,
9 confirming and levying assessments for the sewer special improvements within **Levy-Upon-**
10 **Connection (LUC) Roll 04-S-6**, setting date of payment and providing for penalties and
11 interest in the event of delinquency, Anchorage Water & Wastewater Utility. Corresponding
12 Memorandum: AM 573-2004
13

14 This information memorandum is offered to aid discussion of the subject resolutions and to
15 memorialize the answers to questions and comments that were frequently asked by the public during
16 the scoping, design and construction of private developer constructed water and sanitary sewer
17 extensions to properties east of Patterson Street between DeBarr Road and Chester Court and
18 properties abutting Chester Court.
19

20 February 20, 2001, the Muldoon Community Improvement LLC (MCI LLC) purchased the property on
21 which the Alaska Village Mobile Home Park (Park) was located. With the closing of the Park and
22 preparing the site for redevelopment, MCI LLC slated the private water and sanitary sewer mains in
23 the Park for removal and/or decommission. The properties on these LUC rolls were connected to
24 these private mains. MCI LLC notified properties of intent to decommission water and sanitary sewer
25 mains effective June 2002. Since October 2001, MCI LLC has coordinated with AWWU and the
26 Patterson and Chester Court property owners to settle on a program to reestablish water and sanitary
27 sewer services to the properties by extending public mains, and then contributing the mains to AWWU
28 through developer extension agreements.
29

30 In October 2001, AWWU met with the property owners and a representative of MCI LLC at AWWU to
31 explain AWWU's system extension programs. This initial meeting explained the similarities and
32 differences between AWWU's special assessment improvement district program and the mainline
33 extension agreement (developer) program. After a few weeks to gather more information and to think
34 programs over, the parties reconvened at the Muldoon Community Center to decide on a plan. At the
35 second meeting, the property owners, by hand vote, made a group decision to have the public
36 systems extended under AWWU's mainline extension agreement program. MCI was to coordinate
37 the design and construction; the properties would reimburse MCI LLC an allocation of project costs.
38 Property owners and MCI LLC believed the extensions could be completed at a lower cost under this
39 program when compared to the special assessment improvement district program.
40

41 On July 23, 2003, the Assembly passed Resolution No. AR 2002-247 (attached), a resolution
42 approving construction of the Alaskan Village & Chester Valley (W02-018) **water** line extension, and
43 providing for the eventual assessment against benefited property. Also attached is the corresponding
44 AM 682-2002.
45

46 On July 23, 2002, the Assembly passed Resolution No. AR 2002-248 (attached), a resolution
47 approving construction of the Alaskan Village & Chester Valley (S02-018) **sewer** line extension, and
48 providing for the eventual assessment against benefited property. Also attached is the corresponding
49 AM 683-2002.

These resolutions acknowledged preliminary and estimated water and sanitary sewer assessments to be levied against these properties upon connection to the utility lines. Property owners, via signed affidavits, supported extension of the utilities and waived requirements for a public hearing on the extension approvals.

Muldoon Community Improvement LLC entered into water and sanitary sewer mainline extension agreements with the Municipality (AWWU) with the understanding property owners were to reimburse the LLC an allocation of project costs upon project completion. Mainline extensions were completed under AWWU's mainline extension agreement program with Muldoon Community Improvement LLC having coordinated the effort.

July 2003, the new mains passed final inspections. The developer submitted certified project costs to AWWU, and all adjoining parcels have connected to the public systems.

Proration of the certified project cost to benefited parcel areas results in an actual **water** assessment rate of \$1.32 per square foot of benefited and assessable area. This rate exceeds the 2003 water levy-upon-connection (LUC) rate applied to construction under the water main extension agreement program. The 2003 LUC rate is \$1.07490 per square foot of benefited property. Per Rule 13.3.A.3 of the Anchorage Water Utility Tariff, assessments will be levied at whichever rate yields a lower assessment. Therefore, the 2003 LUC rate is applicable.

Proration of the certified project cost to benefited parcel areas results in an actual **sanitary sewer lateral** assessment of \$1.40 per square foot of benefited and assessable area. This rate exceeds the 2003 wastewater levy-upon-connection (LUC) rate applied to construction under the sanitary sewer main extension agreement program. The 2003 LUC rate is \$1.0379 per square foot of benefited property. Per Rule 7.3.B.3 of the Anchorage Wastewater Utility Tariff, assessments will be levied at whichever rate yields a lower assessment. Therefore, the 2003 LUC rate is applicable.

Under AWWU's tariffs project cost allocation rules and regulations, MCI LLC is absorbing about 39% of the water extension project costs and 41.5% of the sanitary sewer extension project costs.

AWWU sent certified letters to all affected property owners, informing them of the assessment and proposed levy action. On June 1, 2004, AWWU hosted a public meeting to address the questions and concerns of affected property owners.

Frequently asked questions and discussions follow:

1. **Question:** Why did the project end up costing more than initially estimated?

Answer: The project was constructed by MCI LLC through developer extension agreements. Information provided by MCI LLC indicates project cost overruns are attributed to easement purchases; replacing property improvements; poor private utility record drawings; extensive trench dewatering during construction; additional survey requirements; and, use of a temporary water service for a longer duration than expected.

The following information is offered comparing allocations of project costs to the properties (collectively) on the LUC rolls that were 1) estimated before construction; 2) computed on certified costs, and 3) what is proposed for levy as a result of construction. This comparison does not include costs of service line reconnections from the new mains to each property. The final column reflects an adjustment from AWWU tariff rules and regulations, in essence, setting a ceiling for the mainline assessments on this project.

	Estimate Before Construction	Actual After Construction	Proposed Levy
Utility Main			
Sanitary Sewer	\$141,092.14	\$336,879.65	\$247,528.02
Water	\$107,126.74	\$281,090.08	\$228,133.60

2. **Question:** Are project files and project costs open to review?

Answer: Yes, project files and project costs are available for review at AWWU's headquarters offices.

3. **Question:** Are there charges for copies of project file information?

Answer: Yes, AWWU charges for copies of municipal records according to a schedule in Anchorage Municipal Code 3.90.002 Copying charges.

4. **Question:** Why have the properties been paying a monthly service charge to AWWU?

Answer: The properties paid no monthly water service charges to the Utility. The properties were connected to a water system supplied, owned and operated by the Park, and the properties were not drawing from AWWU's water system. The Park's water system included its own well source(s) and was independent and separate from AWWU's water system.

The properties were billed monthly service charges for the sewer service they received from AWWU as discussed in correspondence dated October 16, 1971 from the Greater Anchorage Area Borough to Mr. Joseph C. Sheffield, owner/developer of the Park and the properties, which reads

"It has recently come to our attention that building construction is being started on several of the subject lots (Lots 18 through 36, Block 2, Chester Valley Subdivision). We would like to point out that sewer service to these lots is available only through a PRIVATE system located on private property within the Alaska Village Trailer Court,....."

"This area is also being assessed by the Borough for trunk costs by an assessment with Alaska Village which has a payback period of 10 years, starting July 31, 1969."

"Please be informed that all arrangements for sewer service to these lots (Lots 18-32, Block 2, Chester Valley Subdivision) must be made with Alaska Village Trailer Court. Also there will be a monthly sewer service charge of (presently \$5.00 for single family units) once the sewer service connect is made."

The same also applied to Lots 7 through 17 abutting Chester Court. Wastewater flow from Lots 7 through 32 flowed to private mains in the Park, before it, in turn, flowed to an AWWU public main south of the Park.

5. **Question:** Aren't monthly service charges applied or credited to assessments?

Answer: Special assessments are distinct and separate from monthly service fees. Special assessments are construction related project cost allocations against properties benefited by the construction of the project.

6. **Question:** Why weren't these properties already connected to public water and sanitary sewer mains?

Answer: In June 1970, sanitary sewer improvements were constructed and extended into an addition to the first phase of the Park before the Park land was subdivided creating the Patterson and Chester Court properties. In September 1970, the Park property subdivided, separating the land parcels on LUC Roll 04-S-6 from the remainder of the Park, without benefit of public water and wastewater extensions to serve the new land parcels. Instead the developer connected the parcels to the Park system.

The correspondence of April 16, 1971 reference above from the Greater Anchorage Area Borough (GAAB) Department of Public Works to the Park developer/owner at the time (Mr. Joseph Sheffield), placed the owner/developer of the Park (and subdivision) on notice ".....that sewer service to these lots is available only through a PRIVATE system located on private property within the Alaska Village Trailer Court,.....".

7. **Question:** Why did AWWU provide maintenance to the sewer line and not bill the owner?

Answer: In 1980, sewage backed up into basements of some of the homes along the east side of Patterson Street, as the Park was not maintaining the private sanitary sewer main, and wastewater flow was periodically obstructed. Property owners complained to AWWU and filed claims against the Municipality for damages to their properties. Correspondence dated April 30, 1980 between Municipal administration and Utility management indicates that after much review and discussion with the Park owner, AWWU voluntarily agreed to clean (or clear) the private sewer main to preclude future backups. The correspondence reads in part,

"Our recommendation to this situation is that we [AWWU] attempt to make available our resources to Olympic, Inc. [successor Park owner], to clear that piece of line (periodically), at no cost to them; thereby, alleviating any responsibility and/or liability we have to our paying customers who are on that line. Our long range recommendation is to install a new line down Patterson Drive, provided the property owners will be assessed for a lateral improvement district."

Since 1980 and until the Park closed, AWWU frequently cleaned this particular private line to keep the line free of obstructions and to prevent blockages and backups.

8. **Question:** Why did nothing show in a title search that the utility lines were private?

Answer: AWWU is not aware of what information was and wasn't included in the title reports for these properties. Specific to sanitary sewer and as shown in 4 above, correspondence dated April 16, 1971 from the Greater Anchorage Area Borough to Mr. Joseph C. Sheffield, developer of the Park and the properties, gave notice as follows:

"Please be informed that all arrangements for sewer service to these lots (Lots 18-32, Block 2, Chester Valley Subdivision) must be made with Alaska Village Trailer Court. Also there will be a monthly sewer service charge of (presently \$5.00 for single family units) once the sewer service connect is made."

9. **Question:** Why didn't the municipality tell the property owners that the properties were connected to a private water and sanitary sewer line?

Answer: Supplementing 8 above, and referencing the April 16, 1971 correspondence from the Greater Anchorage Area Borough to Mr. Joseph C. Sheffield, disclosure to subsequent property owners would have been the responsibility of the developer/owner/seller of the Park and properties.

10. **Question:** Muldoon Community Improvements LLC chose to decommission the private water and sewer mains. Shouldn't they have installed the new mains at their cost?

Answer: AWWU is only aware of MCI LLC's obligation to provide advance and adequate notice to former customers prior to decommissioning the private systems.

Prepared by: Mark Premo, P.E., General Manager, AWWU
Concur: Denis C. LeBlanc, Municipal Manager
Respectfully submitted: Mark Begich, Mayor

2002-065101-0

Recording Dist: 301 - Anchorage
9/18/2002 1:00 PM Pages: 1 of 3

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**CLERK'S OFFICE
APPROVED**

Date: 7-23-02

Submitted by: Chairman of the Assembly at the
Request of the Mayor
Prepared by: Anchorage Water & Wastewater Utility
For reading: July 23, 2002

ANCHORAGE, ALASKA
AR NO. 2002-247

**A RESOLUTION APPROVING CONSTRUCTION OF THE ALASKAN VILLAGE &
CHESTER VALLEY (W02-018) WATER LINE EXTENSION, AND PROVIDING
FOR THE EVENTUAL ASSESSMENT AGAINST BENEFITED PROPERTY**

WHEREAS, Alaska State Statute 42.05.385 and AMC 19.90 mandate that when a water line extension will create any charge, or assessment, against the adjacent property, the water line extension may not be constructed unless the legislative body of each municipality through which the extension passes has approved the extension.

WHEREAS, the Anchorage Water and Wastewater Utility (AWWU) has received application from a Developer to extend a water line under AWWU's water line extension agreement program to serve property known as Chester Valley #6, Block 2, Lots 7 through 26 and Lots 28 through 30, per Plat #97-77 filed with the District Magistrate Office, Third Judicial District, Anchorage, Alaska.

WHEREAS, the extension of the water line will specially benefit and provide water service to twenty-three (23) properties (reimbursable properties) and in doing so will create charges or assessments against them.

NOW THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

SECTION 1. It is in the best interests of the community that said water line improvement proceed.

SECTION 2. The Developer shall keep, and provide to the AWWU, an accurate account of all costs of the water main improvements.

AM 682-2002

SECTION 3. The Developer has provided approximate costs for water main construction and these costs are allocated to each specially benefited parcel, as estimated on the attached water assessment roll per the AWWU Water Tariff.

SECTION 4. After the water line improvements have been completed and AWWU has received and approved the Developer's record drawings and certified project costs for the improvements, the Mayor shall cause the computation of all applicable assessment charges. At such time as each of the twenty-three (23) reimbursable properties cited on the attached assessment roll connect to the water line, the respective pro-rata charge, or assessment, for the water line shall be levied in accordance with Municipal Codes and the AWWU Water Utility Tariff in effect at the time the assessment is levied. Reference AMC 19.90 and Anchorage Water Utility Tariff Rules 13.0 and 14.0 for current (2002) reimbursement conditions and levy provisions.

SECTION 5. A special assessment Collection Charge, as authorized in Section 13.4 of the Water Utility Tariff, or in effect at the time the assessment is levied, will be charged those properties identified in this resolution.

SECTION 6. This resolution shall take effect immediately upon passage and approval by the Anchorage Municipal Assembly.

PASSED AND APPROVED by the Assembly of Anchorage this 23rd day of July, 2002.

Dick
Chairman

ATTEST:

[Signature]
Municipal Clerk

W02-018 ALASKAN VILLAGE & CHESTER VALLEY WATER IMPROVEMENTS

Water Main Extension Agreement Preliminary Estimated Assessment Roll

AR 2002-247

AMS 1469

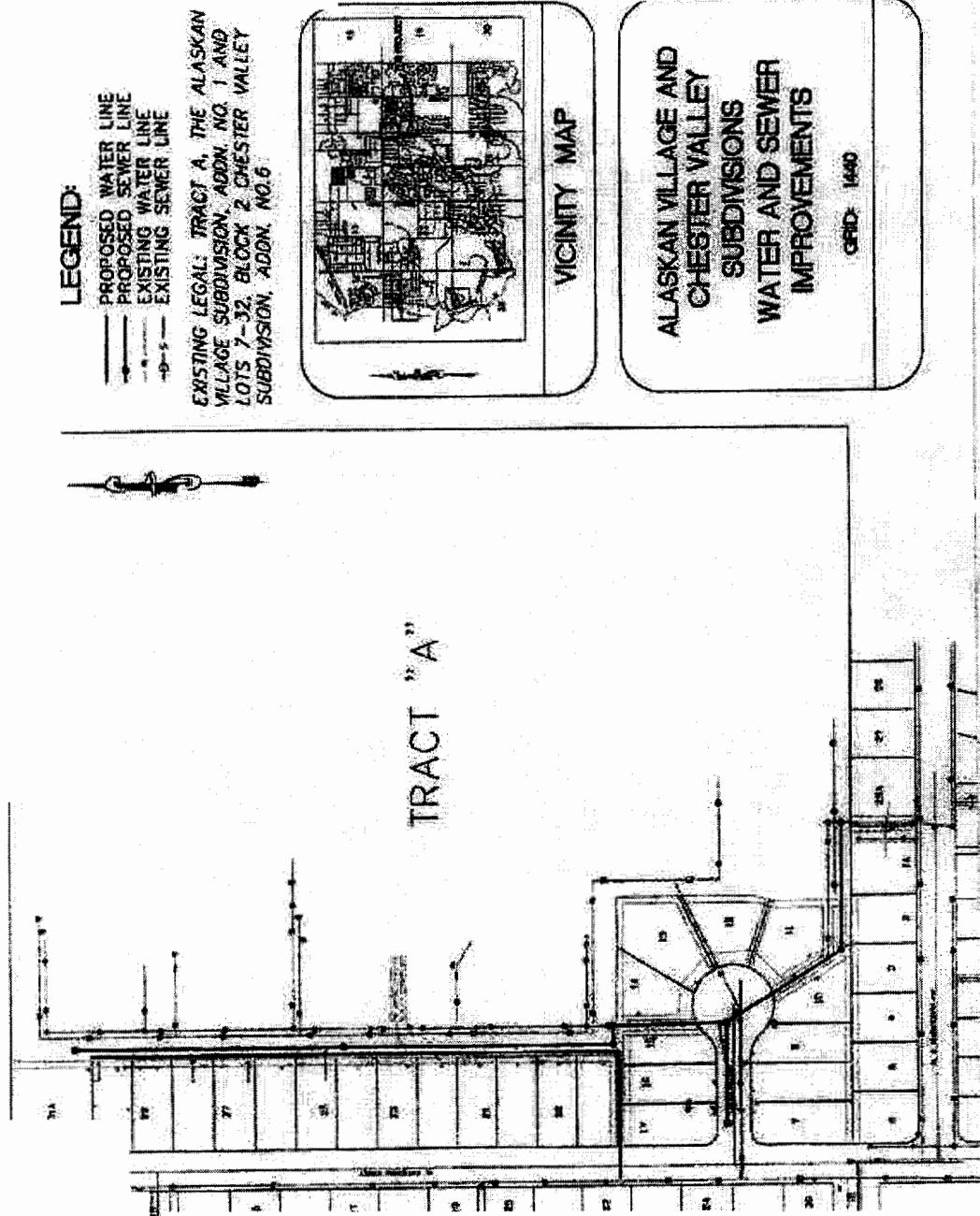
Interest Rate: 6.11954%

Item #	Tax Code	Legal Description	Total Area	Asbl Area	*Rate per Sq. Ft.	*Mainline Charge	No. Yrs	*Pymt Amt
1	006-182-24	Chester Valley #6	9,838	9,838	0.50120	\$4,930.81	10	\$634.89
2	006-182-23	Chester Valley #6	14,002	14,002	0.50120	\$7,017.81	15	\$686.23
3	006-182-22	Chester Valley #6	9,406	9,406	0.50120	\$4,714.30	10	\$607.01
4	006-182-21	Chester Valley #6	13,812	13,812	0.50120	\$6,922.59	15	\$676.92
5	006-182-20	Chester Valley #6	9,874	9,874	0.50120	\$4,948.86	10	\$637.21
6	006-182-19	Chester Valley #6	8,515	8,515	0.50120	\$4,267.73	10	\$549.51
7	006-182-18	Chester Valley #6	9,000	9,000	0.50120	\$4,510.81	10	\$580.81
8	006-182-17	Chester Valley #6	9,664	9,664	0.50120	\$4,843.61	10	\$623.66
9	006-182-16	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
10	006-182-15	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
11	006-182-14	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
12	006-182-12	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
13	006-182-11	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
14	006-182-10	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
15	006-182-09	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
16	006-182-08	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
17	006-182-07	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
18	006-182-06	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
19	006-182-05	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
20	006-182-04	Chester Valley #6	8,540	8,540	0.50120	\$4,280.26	10	\$551.12
21	006-182-27	Chester Valley #6	9,660	9,660	0.50120	\$4,841.60	10	\$623.40
22	006-182-26	Chester Valley #6	8,992	8,992	0.50120	\$4,506.80	10	\$580.29
23	006-182-25	Chester Valley #6	8,497	8,497	0.50120	\$4,258.70	10	\$548.35
TOTAL:						\$107,126.74		

RETURN TO:
Anchorage Water & Wastewater Utility
Private Development
3000 Arctic Boulevard
Anchorage, Alaska 99503-3898
(907) 564-2747

*NOTE: All dollar amounts are estimated and subject to change upon completion of construction and when actual costs are known





MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 682-2002

Meeting Date July 23, 2002

1 From: Mayor

2
3 Subject: Approval of Alaskan Village and Chester Valley Water Line
4 Extension (AWWU File No. W02-018), and Providing for
5 Assessment of Benefiting Properties at the Time of Service
6 Connection
7

8 AMC 19.90 and A.S. 42.05.385 require approval of the Assembly to construct a
9 water line extension where the extension will create, or has the potential to create,
10 any charges or assessments against the adjacent properties.

12 A developer plans to construct a public water line extension within Tract A of
13 Alaskan Village Subdivision Addition No. 1 (the parcel owned by the developer)
14 and in portions of Chester Valley Subdivision, Addition No. 6. The water line
15 extension will be for the purpose of benefiting twenty-three (23) parcels adjacent
16 to the developer's parcel.
17

18 Currently these parcels are connected to a private water system that served the
19 former Alaskan Village Mobile Home Park (Tract A), facilities that are slated to be
20 decommissioned, retired and/or removed in preparation for redevelopment of
21 Tract A. The developer is coordinating the construction of this public
22 improvement to restore water service to the twenty-three (23) parcels. Initially the
23 developer will fund the improvement. The twenty-three (23) parcels will be subject
24 to charges and assessments that will be levied as the parcels connect. The costs
25 of the improvements will be prorated to the developer's parcel and the twenty-
26 three (23) parcels in accordance with cost allocation formulas prescribed in the
27 Water Tariff of the Anchorage Water & Wastewater Utility (AWWU).
28

29 The property benefiting from the proposed construction and subject to charges
30 and assessments are identified on the preliminary assessment roll, which is made
31 a part of the resolution carried by this memorandum. As each property seeks
32 connection, the parcel's pro-rata share of assessable water line costs will be
33 presented to the Assembly for confirmation of levy action to the extent possible
34 within the rules and regulations of AWWU's Water Tariff in effect at the time of
35 connection.
36

37 Owners of benefited property were notified of the estimated project cost, and their
38 individual property's estimated cost allocation, by letter dated June 10, 2002. On
39 June 24, 2002, AWWU hosted an informational meeting for benefited properties,
40 to discuss the project and the forthcoming Assembly action. The letter requested

1 that the property owners call or visit AWWU's office if they had questions and/or
2 could not attend the meeting.

3
4 The passage of this resolution will have no fiscal impact on any Municipal owned
5 parcel:

6
7 A public hearing on this action is not required. As permitted by Municipal Code,
8 all the affected property owners may submit, and have submitted, affidavits
9 supporting Assembly approval of this Assembly action. These affidavits, in
10 essence, negate the requirement for a public hearing.

11
12 **THE ADMINISTRATION RECOMMENDS THE ASSEMBLY APPROVE THE**
13 **EXTENSION OF THE ALASKAN VILLAGE AND CHESTER VALLEY WATER**
14 **LINE.**

15
16 Concurrence:

Recommended by:

17
18
19
20 _____
21 Harry J. Kieling
22 Municipal Manager

20 _____
21 Mark Premo, P.E., General Manager
22 Anchorage Water & Wastewater Utility

23
24
25 Respectfully submitted,

26
27
28 _____
29 George P. Wuerch
30 Mayor
31

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CLERK'S OFFICE

APPROVED

Date: 7-23-02

Submitted by: Chairman of the Assembly at the
Request of the Mayor
Prepared by: Anchorage Water & Wastewater Utility
For reading: JULY 23, 2002

ANCHORAGE, ALASKA
AR NO. 2002-248

**A RESOLUTION APPROVING CONSTRUCTION OF THE ALASKAN VILLAGE &
CHESTER VALLEY (S02-018) SEWER LINE EXTENSION, AND PROVIDING
FOR THE EVENTUAL ASSESSMENT AGAINST BENEFITED PROPERTY**

WHEREAS, Alaska State Statute 42.05.385 and AMC 19.80 mandate that when a sanitary sewer line extension will create any charge or assessment against the adjacent property, the sanitary sewer line extension may not be constructed unless the legislative body of each municipality through which the extension passes has approved the extension.

WHEREAS, the Anchorage Water and Wastewater Utility (AWWU) has received application from a Developer to extend a sanitary sewer line under AWWU's sanitary sewer line extension agreement program to serve property known as Chester Valley #6, Block 2, Lots 7 through 30, per plat 70-261, and Chester Valley #6, Block 2, Lot 31A, per plat 97-77 filed with the District Magistrate Office, Third Judicial District, Anchorage, Alaska.

WHEREAS, the extension of the sanitary sewer line will specially benefit and provide sewer service to twenty-five (25) properties (reimbursable properties) and in doing so will create charges or assessments against them.

NOW THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

SECTION 1. It is in the best interests of the community that said sanitary sewer line improvement proceed.

SECTION 2. The Developer shall keep, and provide to the AWWU an accurate account of all costs of the sanitary sewer line improvements.

SECTION 3. The Developer has provided approximate costs for sanitary sewer line construction and these costs are allocated to each specially benefited parcel, as estimated on the attached sanitary sewer assessment roll per the AWWU Sewer Tariff.

SECTION 4. After the sewer line improvements have been completed and AWWU has received and approved the Developer's record drawings and certified project costs for the improvements, the Mayor shall cause the computation of all applicable assessment charges. At such time as each of the twenty-five (25) reimbursable properties cited on the attached sanitary sewer roll connect to the sewer line, the respective pro-rata charge, or assessment, for the sewer line shall be levied in accordance with Municipal Codes and the AWWU Wastewater Tariff in effect at the time the assessment is levied. Reference AMC 19.80 and Anchorage Wastewater Tariff Rules 7.0 and 14.0 for current (2002) reimbursement conditions and levy provisions.

SECTION 5. A Special Assessment Collection Charge, as authorized in Section 7.4 of the Wastewater Tariff, or in effect at the time the assessment is levied, will be charged those properties identified in this resolution.

SECTION 6. This resolution shall take effect immediately upon passage and approval by the Anchorage Municipal Assembly.

PASSED AND APPROVED by the Assembly of Anchorage this 23rd day of July, 2002.


Chairman

ATTEST:


Municipal Clerk



S02-018 ALASKAN VILLAGE & CHESTER VALLEY SEWER IMPROVEMENTS

Sewer Main Extension Agreement

Preliminary Estimated Assessment Roll

AR 2002-248

AMS 1467

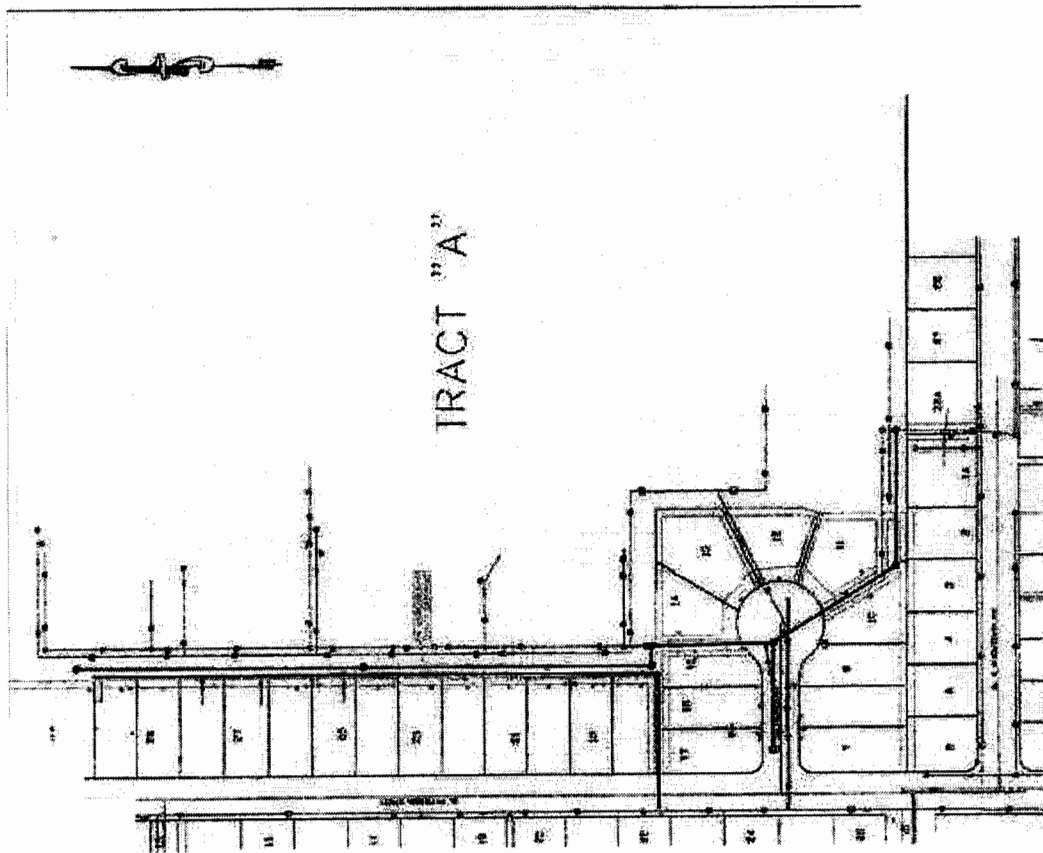
Interest Rate: 6.13669%

Item #	Tax Code	Legal Description	Total Area	Lat Asbl Area	*Lat Rate per Sq. Ft.	*Lat Mainline Charge	Lat No. Yrs	*Lat Pymt Amt
1	006-182-24	Chester Valley #6 Blk 2 Lt 10	9,838	9,838	0.58791	\$5,783.84	15	\$566.11
2	006-182-23	Chester Valley #6 Blk 2 Lt 11	14,002	14,002	0.58791	\$8,231.89	15	\$805.72
3	006-182-22	Chester Valley #6 Blk 2 Lt 12	9,406	9,406	0.58791	\$5,529.86	15	\$541.25
4	006-182-21	Chester Valley #6 Blk 2 Lt 13	13,812	13,812	0.58791	\$8,120.19	15	\$794.79
5	006-182-20	Chester Valley #6 Blk 2 Lt 14	9,874	9,874	0.58791	\$5,805.01	15	\$568.18
6	006-182-19	Chester Valley #6 Blk 2 Lt 15	8,515	8,515	0.58791	\$5,006.04		\$489.98
7	006-182-18	Chester Valley #6 Blk 2 Lt 16	9,000	9,000	0.58791	\$5,291.17		\$517.89
8	006-182-17	Chester Valley #6 Blk 2 Lt 17	9,664	9,664	0.58791	\$5,681.55		\$556.10
9	006-182-16	Chester Valley #6 Blk 2 Lt 18	8,540	8,540	0.58791	\$5,020.74		\$491.42
10	006-182-15	Chester Valley #6 Blk 2 Lt 19	8,540	8,540	0.58791	\$5,020.74		\$491.42
11	006-182-14	Chester Valley #6 Blk 2 Lt 20	8,540	8,540	0.58791	\$5,020.74		\$491.42
12	006-182-13	Chester Valley #6 Blk 2 Lt 21	8,540	8,540	0.58791	\$5,020.74		\$491.42
13	006-182-12	Chester Valley #6 Blk 2 Lt 22	8,540	8,540	0.58791	\$5,020.74		\$491.42
14	006-182-11	Chester Valley #6 Blk 2 Lt 23	8,540	8,540	0.58791	\$5,020.74		\$491.42
15	006-182-10	Chester Valley #6 Blk 2 Lt 24	8,540	8,540	0.58791	\$5,020.74		\$491.42
16	006-182-09	Chester Valley #6 Blk 2 Lt 25	8,540	8,540	0.58791	\$5,020.74	15	\$491.42
17	006-182-08	Chester Valley #6 Blk 2 Lt 26	8,540	8,540	0.58791	\$5,020.74	15	\$491.42
18	006-182-07	Chester Valley #6 Blk 2 Lt 27	8,540	8,540	0.58791	\$5,020.74	15	\$491.42
19	006-182-06	Chester Valley #6 Blk 2 Lt 28	8,540	8,540	0.58791	\$5,020.74	15	\$491.42
20	006-182-05	Chester Valley #6 Blk 2 Lt 29	8,540	8,540	0.58791	\$5,020.74	15	\$491.42
21	006-182-04	Chester Valley #6 Blk 2 Lt 30	8,540	8,540	0.58791	\$5,020.74	15	\$491.42
22	006-182-28	Chester Valley #6 Blk 2 Lt 31A	17,710	17,710	0.58791	\$10,411.85	20	\$864.78
23	006-182-27	Chester Valley #6 Blk 2 Lt 7	9,660	9,660	0.58791	\$5,679.19	15	\$555.87
24	006-182-26	Chester Valley #6 Blk 2 Lt 8	8,992	8,992	0.58791	\$5,286.47	15	\$517.43
25	006-182-25	Chester Valley #6 Blk 2 Lt 9	8,497	8,497	0.58791	\$4,995.46	15	\$488.94
TOTAL:						\$141,092.14		

RETURN TO:
Anchorage Water & Wastewater Utility
Private Development
3300 Arctic Boulevard
Anchorage, Alaska 99503-3898
(907) 564-2747



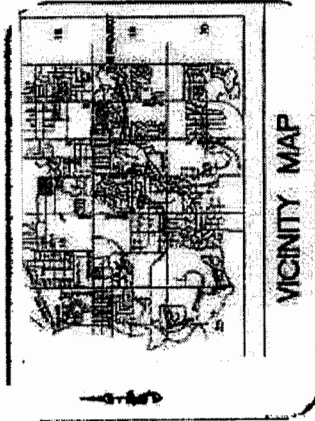
*NOTE: All dollar amounts are estimated and subject to change upon completion of construction and when actual costs are known
NOTE: All parcels have been previously assessed for sewer trunk



LEGEND:

- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- - - EXISTING WATER LINE
- - - EXISTING SEWER LINE

EXISTING LEGAL: TRACT A, THE ALASKAN VILLAGE SUBDIVISION, ADDN. NO. 1 AND LOTS 7-32, BLOCK 2 CHESTER VALLEY SUBDIVISION, ADDN. NO. 6



ALASKAN VILLAGE AND CHESTER VALLEY SUBDIVISIONS WATER AND SEWER IMPROVEMENTS

GRID: 1440

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 683-2002

Meeting Date July 23, 2002

From: Mayor

Subject: Approval of Alaskan Village and Chester Valley Sewer Line Extension (AWWU File No. S02-018), and Providing for Assessment of Benefiting Properties at the Time of Service Connection

AMC 19.80 and A.S. 42.05.385 require approval of the Assembly to construct a sewer line extension where the extension will create, or has the potential to create, any charges or assessments against the adjacent properties.

A developer plans to construct a public sewer line extension within Tract A of Alaskan Village Subdivision Addition No. 1 (the parcel owned by the developer) and in portions of Chester Valley Subdivision, Addition No. 6. The sewer line extension will be for the purpose of benefiting twenty-five (25) parcels adjacent to the developer's parcel.

Currently these parcels are connected to private sanitary sewer facilities that served the former Alaskan Village Mobile Home Park (Tract A), facilities that are slated to be retired and/or removed in preparation for redevelopment of Tract A. The developer is coordinating the construction of this public improvement to restore sanitary sewer service to the twenty-five (25) parcels. Initially the developer will fund the improvement. The twenty-five (25) parcels will be subject to charges and assessments that will be levied as the parcels connect. The costs of the improvements will be prorated to the developer's parcel and the twenty-five (25) parcels in accordance with cost allocation formulas prescribed in the Wastewater Tariff of the Anchorage Water & Wastewater Utility (AWWU).

The properties benefiting from the proposed construction and subject to charges and assessments are identified on the preliminary assessment roll, which is made a part of the resolution carried by this memorandum. As each property seeks connection, the parcel's pro-rata share of assessable sewer line costs will be presented to the Assembly for confirmation of levy action to the extent possible within the rules and regulations of AWWU's Wastewater Tariff in effect at the time of connection.

Owners of benefited property were notified of the estimated project cost, and their individual property's estimated cost allocation, by letter dated June 10, 2002. On June 24, 2002, AWWU hosted an informational meeting for benefited properties, to discuss the project and the forthcoming Assembly action. The letter requested

that the property owners call or visit AWWU's office if they had questions and/or could not attend the meeting.

The passage of this resolution will have a fiscal impact on the following Municipal owned parcel:

Item No.	Property I.D. No.	Legal Description	Municipal Management Authority	Assessment Estimate
22	006-182-28	Block 2, Lot 31A, Chester Valley No. 6	Anchorage Fire Department	\$10,411.85

A public hearing on this action is not required. As permitted by Municipal Code, all the affected property owners may submit, and have submitted, affidavits supporting Assembly approval of this Assembly action. These affidavits, in essence, negate the requirement for a public hearing.

THE ADMINISTRATION RECOMMENDS THE ASSEMBLY APPROVE THE EXTENSION OF THE ALASKAN VILLAGE AND CHESTER VALLEY SEWER LINE.

Concurrence:

Recommended by:

Harry J. Kielsing
Municipal Manager

Mark Premo, P.E., General Manager
Anchorage Water & Wastewater Utility

Respectfully submitted,

George P. Wuerch
Mayor

Content Information

Content ID : 002060

Type: InfoMemorandum - AIM

Title: Information Memorandum to Offer Aid in Discussion of the
Subject Resolutions 2004-185 and 2004-186

Author: gibsonam

Initiating Dept: AWWU

Date Prepared: 8/5/04 3:52 PM

Director Name: Mark Premo

Assembly Meeting Date
MM/DD/YY: 08/17/04

Public Hearing Date
MM/DD/YY: 08/17/04

Workflow History

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllAIMSWorkflow	8/5/04 3:55 PM	Checkin	gibsonam	Public	002060
AWWU_SubWorkflow	8/5/04 3:56 PM	Approve	premomc	Public	002060
MuniManager_SubWorkflow	8/5/04 6:37 PM	Approve	leblancdc	Public	002060
MuniMgrCoord_SubWorkflow	8/6/04 8:03 AM	Approve	katkusja	Public	002060

REF. AR 2004-185 & AR 2004-186 - NEW PUBLIC HEARINGS

2004 AUG -6 AM 9:05
M.D.W.