MUNICIPALITY OF ANCHORAGE
ORDINANCE No. AO 2008-20(S)

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF ANCHORAGE, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED SIX MILLION NINE HUNDRED THOUSAND DOLLARS ($6,900,000) OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY OF ANCHORAGE TO PAY THE COSTS OF FACILITIES RENOVATIONS AND RELATED CAPITAL IMPROVEMENTS, AND THE QUESTION OF AN INCREASE IN THE MUNICIPAL TAX CAP LIMITATION TO PAY ASSOCIATED OPERATIONS AND MAINTENANCE COSTS AT THE ELECTION TO BE HELD IN THE MUNICIPALITY ON APRIL 1, 2008.

WHEREAS, the best interest of the citizens and property owners in the Municipality of Anchorage, Alaska (the “Municipality”) require the Municipality to renovate and make improvements to libraries, Sullivan Arena and the museum, and

WHEREAS, the Assembly of the Municipality have identified necessary facilities renovations improvement projects within the Municipality; and

WHEREAS, in order to provide funds to perform the necessary renovations and improvements as further described in Section 1 of this ordinance (the “Projects”), it is deemed necessary and advisable that the Municipality issue and sell its general obligation bonds (the “Bonds”); now, therefore,

Requested by: Chair of the Assembly at the Request of the Mayor
Prepared by: Cynthia M. Weed, Bond Counsel
K&L PRESTON GATES ELLIS LLP
For Reading: February 12, 2008
THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Purpose. The Assembly hereby determines that the Municipality is in need of renovations and improvements to libraries, Sullivan Arena and the museum, including major roof repairs and replacement, HVAC upgrades and sidewalk repairs, and related capital improvements (the "Projects"). The Assembly of the Municipality hereby determines that the best interest of the residents and property owners within the Municipality 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 $6,900,000.

The Projects are described in more detail in the attachment to the Assembly Memorandum accompanies this ordinance. The cost of all necessary planning, acquisition of property for, 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 (hereinafter defined) 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 as 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 public
facilities 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 for any purpose
other than a capital improvement.

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 Six
Million Nine Hundred Thousand Dollars ($6,900,000) (the “Bonds”).

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 20 years from date of issue. The Bonds shall be issued in
an aggregate principal amount of not to exceed $6,900,000. 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.

Section 3. Ballot Proposition. The Assembly hereby submits to the qualified electors
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 1, 2008.

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 an areawide majority vote of those in the Municipality voting on
the question to be approved. The proposition shall be substantially in the following form;
provided, however, the title of the ballot proposition may be reviewed and revised by the
Clerk and Municipal Manager consistent with the terms of this ordinance:
PROPOSITION NO. ____

PUBLIC FACILITY MAJOR ROOF REPAIR AND CAPITAL IMPROVEMENT BONDS

To provide for major roof repair and maintenance of significant public assets, including Anchorage libraries, Sullivan Arena and the existing museum, shall Anchorage issue up to $6,900,000 in principal amount of general obligation bonds and increase the municipal tax cap by an amount not to exceed $756,000 to pay annual operations and maintenance costs, including up to $340,000 as a capital reserve for required repairs? The proposed capital improvements would be located within Anchorage.

Voter approval of this bond proposition authorizes for each $100,000 of assessed taxable property value (based on the estimated total 2008 areawide assessed valuation in Anchorage) (i) an annual increase in taxes of approximately $1.78 to retire the proposed bonds, and (ii) an annual increase in the Municipal Tax Cap (Charter 14.03(b)(2)) of approximately $2.43 to pay for annual operations and maintenance costs related to the proposed capital improvements.

The debt shall be paid from real and personal property taxes levied and collected areawide within Anchorage. Anchorage will also pledge its full faith and credit for payment of the bonds.

(No. AO 2008-20(S))

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

PROPOSITION NO. ________

BONDS, YES ☐

BONDS, NO ☐
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 1, 2008. The remaining
sections of this ordinance shall become effective upon passage and approval.
PASSED AND APPROVED by the Assembly of the Municipality of Anchorage, this 12th
day of February, 2008.

[Signature]
Chair of the Assembly

ATTEST:

[Signature]
Municipal Clerk
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MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

AM No. 65-2008(A)

Meeting Date: February 12, 2008

From: Mayor

Subject: AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF ANCHORAGE, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED SIX MILLION NINE HUNDRED THOUSAND DOLLARS ($6,900,000) OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY OF ANCHORAGE TO PAY THE COSTS OF FACILITIES RENOVATIONS AND RELATED CAPITAL IMPROVEMENTS, AND THE QUESTION OF AN INCREASE IN THE MUNICIPAL TAX CAP LIMITATION TO PAY ASSOCIATED OPERATIONS AND MAINTENANCE COSTS AT THE ELECTION TO BE HELD IN THE MUNICIPALITY ON APRIL 1, 2008.

The attached ordinance replaces the original Facilities Bond ordinance and places a $6,900,000 general obligation bond proposition for Facilities Capital Improvements on the ballot for the regular Municipal election to be held on April 1, 2008.

This version of the ordinance changes wording of the ballot and the ballot title itself for clarification purposes for the voters.

The 2008 Facilities Capital Improvement bond will implement the priorities established in the recently approved 2008-2013 Capital Improvement Program. The bond provides funds for Facilities, including capital improvements for roof repair and improvements to the Anchorage Museum, Sullivan Arena and Municipal Libraries.

THE ADMINISTRATION RECOMMENDS THAT THE MUNICIPAL ASSEMBLY APPROVE THE PROPOSED ORDINANCE PLACING THE FACILITIES CAPITAL IMPROVEMENT BOND PROPOSITION ON THE APRIL 1, 2008 BALLOT.

Prepared by: Sharon Weddleton, CFO
Concurrence: Wanda Phillips, Director, Office of Management & Budget
Concurrence: James N. Reeves, Municipal Attorney
Concurrence: Michael K. Abbott, Municipal Manger
Respectfully submitted: Mark Begich, Mayor
MUNICIPALITY OF ANCHORAGE

ORDINANCE No. AO 2008-20(S)

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF ANCHORAGE, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED SIX MILLION NINE HUNDRED THOUSAND DOLLARS ($6,900,000) OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY OF ANCHORAGE TO PAY THE COSTS OF FACILITIES RENOVATIONS AND RELATED CAPITAL IMPROVEMENTS, AND THE QUESTION OF AN INCREASE IN THE MUNICIPAL TAX CAP LIMITATION TO PAY ASSOCIATED OPERATIONS AND MAINTENANCE COSTS AT THE ELECTION TO BE HELD IN THE MUNICIPALITY ON APRIL 1, 2008.

Prepared by

K&L PRESTON GATES ELLIS LLP
**Content ID:** 006018  
**Type:** Ordinance - AO  
**Title:** AO 2008-20($) -- $6,900,000 of G.O. Bonds to Pay the Costs of Facilities Renovations & Related Capital Improvements, Finance  
**Author:** maglaujp  
**Initiating Dept:** Finance  
**Keywords:** $6,900,000, General Obligation, Bonds, voters, tax cap, facilities, capital improvements  
**Date Prepared:** 2/8/08 10:43 AM  
**Director Name:** Sharon Weddleton  
**Assembly Meeting Date:** 2/12/08  
**Public Hearing Date:** 2/12/08

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**NEW PUBLIC HEARINGS**