See A02011-915)

Requested by:

Chair of the Assembly at

the Request of the

Anchorage School District Cynthia M. Weed, Bond

Prepared by: Cynth

Counsel

K&L Gates LLP

For Reading:

January, 18, 2011

MUNICIPALITY OF ANCHORAGE, ALASKA ORDINANCE No. 2011-9

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF ANCHORAGE, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED SEVENTEEN MILLION DOLLARS (\$17,000,000) OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY OF ANCHORAGE TO PAY THE COSTS OF EDUCATIONAL CAPITAL IMPROVEMENTS FOR CAREER, TECHNICAL AND VOCATIONAL FACILITY EDUCATION UPGRADES AT THE ELECTION TO BE HELD IN THE MUNICIPALITY ON APRIL 5, 2011.

WHEREAS, the existing certain educational facilities serving the Municipality of Anchorage, Alaska (the "Municipality") are in need of career, technical and vocational facility education upgrades; and

WHEREAS, the Assembly of the Municipality and School Board have identified necessary renovations, upgrades and improvements to career, technical and vocational education facilities; and

WHEREAS, in order to provide funds to perform the necessary renovations, upgrades 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,

THE ANCHORAGE ASSEMBLY ORDAINS:

<u>Section 1</u>. <u>Purpose</u>. The Assembly hereby determines that the career, technical and vocational educational facilities are in need of renewal, replacement, renovation and acquisition (the "Projects"). Specifically, career, technical and vocational facilities at seven high schools, five middle schools and the King Career Center will be upgraded.

The Projects are described in more detail in the Assembly Memorandum accompanying 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 and relocation 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 School District shall determine the application of available money as between the various Projects set forth above so as to accomplish, as nearly as may be, all of the Projects described or provided for in this section.

If the School District 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 School District 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 School District may apply Bond proceeds or any portion thereof to other career, technical and vocational facility education upgrade capital improvements as the School Board in its discretion shall determine and, if otherwise, then 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 money of the School District legally available, are insufficient to accomplish the approved Projects, the School District shall use the available funds for paying the cost of those portions of the approved Projects for which the Bonds were approved deemed by the School Board most necessary and in the best interest of the School Board. 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 Seventeen Million Dollars (\$17,000,000) (the "Bonds").

<u>Section 2</u>. <u>Details of Bonds</u>. 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 of date of issue. The Bonds shall be issued in an aggregate principal amount of not to exceed \$17,000,000. 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.

<u>Section 3</u>. <u>Ballot Proposition</u>. 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 5, 2011.

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 on the question to be approved. The proposition shall be substantially in the following form:

PROPOSITION NO.

CAREER, TECHNICAL AND VOCATIONAL FACILITY EDUCATION UPGRADES PROJECT BONDS

Shall Anchorage borrow up to \$17,000,000 through the issuance of general obligation bonds to pay for career, technical and vocational facility education upgrades within Anchorage, as provided in Ordinance No. AO 2011-___? The Projects currently qualify for 60% State debt reimbursement (subject to annual Legislative appropriation as described below.)

The general obligation bond proceeds will be used to pay costs of upgrades at career, technical and vocational facilities at seven high schools, five middle schools and the King Career Center. The Projects currently qualify for 60% State debt reimbursement. If the State chooses to make full reimbursement, the annual increase in taxes would be \$1.74 to retire the proposed bonds (based on \$100,000 of 2011 real and personal property value). State reimbursement is subject to annual Legislative appropriation.

Without State reimbursement for debt service, voter approval of this bond proposition authorizes for each \$100,000 of assessed real and personal property value (based on the estimated 2011 assessed valuation) an annual increase in taxes of approximately \$4.34 to retire the proposed bonds.

1 2 3	I he debt will be paid from real and personal property taxes levied and collected areawide in Anchorage. Anchorage will also pledge its full faith and credit for payment of the debt.
4 5	(No. AO 2011)
6 7 8 9 10	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:
12	PROPOSITION NO BONDS, YES 🚨
13	BONDS, NO 🗖
14 15 16 17 18	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 5, 2011. The remaining sections of this ordinance shall become effective upon passage and approval by the Assembly.
20 21 22	PASSED AND APPROVED by the Assembly of the Municipality of Anchorage, this day of, 2011.
23 24 25 26 27 28	By Chair of the Assembly ATTEST:
30	Municipal Clerk

MUNICIPALITY OF ANCHORAGE Summary of Economic Effects - General Government

AO Number: 2011-9

Title: AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF ANCHORAGE, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED SEVENTEEN MILLION DOLLARS (\$17,000,000) OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY OF ANCHORAGE TO PAY THE COSTS OF EDUCATIONAL CAPITAL IMPROVEMENTS FOR CAREER, TECHNICAL AND VOCATIONAL FACILITY EDUCATION UPGRADES AT THE ELECTION TO BE HELD IN THE MUNICIPALITY ON APRIL 5, 2011.

Sponsor: Mayor

Preparing Agency: Anchorage School District

Others Impacted: None

CHANGES IN EXPENDITURES AND REVENUES:		ES:	(Thousands of Dollars)		
	FY11	FY12	FY13	FY14	FY15
Operating Expenditures 1000 Personal Services 2000 Supplies 3000 Other Services 4000 Debt Service 5000 Capital Outlay		1,364	1,364	1,364	1,364
TOTAL DIRECT COSTS:		1,364	1,364	1,364	1,364
ADD: 6000 Charge from Others LESS: 7000 Charge to Others					
FUNCTION COST:				,	
REVENUES:					
CAPITAL:					
POSITIONS: FT/PT and Temp.					
·					

PUBLIC SECTOR ECONOMIC EFFECTS:

Estimated annual debt service of \$1,364,124 assumes bonds are sold as a package @ 5.0% interest, with bond repayments corresponding to the expected life of the assets financed over 20 years. The State of Alaska has agreed to reimburse 60% of the bond debt service (subject to annual appropriation) which would reduce the annual taxpayer debt service to \$545,650.

PRIVATE SECTOR ECONOMIC EFFECTS:

Estimated annual debt service payments of approximately \$1,364,124 equate to an estimated property tax increase of .0434 mills or \$4.34 per year on \$100,000 of assessed valuation in the Anchorage Areawide Service Area.

Estimated annual debt service payments with the anticipated State of Alaska participation is \$545,650 and would equate to an estimated property tax increase of .0174 mills or \$1.74 per year on \$100,000 of assessed valuation in the Anchorage Areawide Service Area.

MUNICIPALITY OF ANCHORAGE

ORDINANCE No. 2011-9

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF ANCHORAGE, ALASKA, THE QUESTION OF THE ISSUANCE OF NOT TO EXCEED SEVENTEEN MILLION DOLLARS (\$17,000,000) OF GENERAL OBLIGATION BONDS OF THE MUNICIPALITY OF ANCHORAGE TO PAY THE COSTS OF EDUCATIONAL CAPITAL IMPROVEMENTS FOR CAREER, TECHNICAL AND VOCATIONAL FACILITY EDUCATION UPGRADES AT THE ELECTION TO BE HELD IN THE MUNICIPALITY ON APRIL 5, 2011.

Prepared by

K&L GATES LLP

MUNICIPALITY OF ANCHORAGE ORDINANCE No. 2011-9

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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

1 ASSEMBLY MEMORANDUM 2 3 No. AM 36-2011 4 5 Meeting Date: January 18, 2011 6 7 From: ANCHORAGE SCHOOL DISTRICT 8 9 Subject: AO 2011-7 Three Ballot Propositions to Provide for the Issuance of General 10 AO 2011-8 AO 2011-9 Obligation Bonds for Educational 11 12 Capital Improvements 13 14 The Anchorage School Board approved three ballot propositions to provide for the issuance 15 of general obligation bonds for education-related capital projects on December 13, 2010: 16 ASD Memorandum #161 (2010-2011), Recommendation for April 2011 Bonds. 17 recommendation includes proposed Proposition I to allow for the issuance of general obligation bonds of \$37,132,000 and re-direction of \$10,000,000 in previously authorized but 18 unissued general obligation bonds for School Addition/Renewal Project; Proposition II for 19 20 Design and Districtwide Building Life Extension Projects in the amount of \$16,865,000; and 21 Proposition III for Career, Technical, and Vocational Education Upgrades in the amount of 22 \$17,000,000. The total of these bond proposals is \$70,997,000. 23 24 The School Board requests the Anchorage Assembly place the three propositions, as stated on AO 2011-7, AO 2011-8, and AO 2011-9, on the April 5, 2011 ballot for consideration by 25 26 qualified voters of the Municipality of Anchorage. These propositions will pay the cost of capital improvement projects for the Anchorage School District, including, but not limited to, 27 28 the following: 29 30 Proposition I: \$37,132,000 Estimated Annual 31 Estimated Operating and 32 Project Cost Maintenance 33 34 Service High School 28,000,000 35 Renewal 36 37 Service High School 38 Renewal 39 **DEED Grant Participating Share** \$ 9,132,000 40

This proposal is designed to significantly reduce the burden on taxpayers by including matching funds needed to secure a \$21 million state grant necessary to complete the project. In addition, voters will be asked to authorize redirection of \$10 million of previously voterapproved but unsold bonds from 2007-08 for this project. The approximate annual amount of taxes on \$100,000 of assessed real and personal property value (based on the estimated total 2010 assessed valuation) to retire the proposed debt is \$9.47. Voters will not be asked to approve an increase in annual operating costs.

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Proposition I Total

\$37,132,000

<u>\$0</u>

Proposition II: \$16,865,000		Estimated Cost
Design Projects Educational Capital Improvements and		\$ 5,100,000
Facility Building Life Extension Projects		11,765,000
	Proposition II Total	<u>\$16,865,000</u>

The approximate annual amount of taxes on \$100,000 of assessed real and personal property value (based on estimated total 2010 assessed valuation) to retire the proposed debt is \$4.30. These projects will not increase annual operating costs.

Proposition III:	\$17,000,000	Estimated Cost
Career, Technical	, and Vocational Facility Education Upgrades	\$ <u>17,000,000</u>
	Proposition III Total	\$17,000,000

The approximate annual amount of taxes on \$100,000 of assessed real and personal property value (based on estimated total 2010 assessed valuation) to retire the proposed debt is \$4.34. These projects will not increase annual operating costs.

A brief description of the projects in the three bond proposals is provided beginning on page 4 of this memorandum.

Supporting Information

Beginning in 1993, the Alaska Legislature has approved State reimbursement programs that provided for up to 70 percent reimbursement on voter-approved capital improvement school bonds. Since then, Anchorage School District has received voter approval for approximately \$1.1 billion in construction and renovation bonds. Of this amount, approximately \$811 million has received up to 70 percent State reimbursement through debt reimbursement programs.

Between the last successful election in April 2008 and the upcoming election in April 2011, approximately \$148 million will have been retired. Over the next five years, the District will be paying off between \$52 million and \$58 million of bonds each year, of which the State will pay approximately 52 percent. Currently, the District has \$749 million of bonds outstanding as of December 12, 2010. Of this amount, the State will pay approximately 55 percent.

Proposition I of this bond proposal provides project funding for completion of the Service High School renewal.

Proposition II of this bond proposal provides funding for Design projects and Building Life Extension Projects. The Districtwide building life extension projects includes roof replacement, mechanical, electrical, traffic safety, general building and site upgrades at 16 facilities.

Proposition III of this bond proposal provides funding for Career, Technical and Vocational Education Upgrades at 13 facilities.

Documentation of Need:

The District operates and maintains the largest physical plant of any public entity in the State, with approximately 7.5 million square feet of facilities. The replacement value of District buildings exceeds \$2 billion. The District is responsible for 93 facilities, housing approximately 50,000 students (more students than the total of the next five largest Alaska districts), and over 6,500 staff members. Anchorage educates nearly 40 percent of the total student population of the State. Not only is the inventory large, it is aging. Fifty-one schools are over 20 years old. Of these schools, 22 have had no significant renewal and 29 have had partial renewals since 1990. Of the 12 schools over 50 years old, 6 have had no significant renewal and 6 have had partial renewals since 1990.

Building components wear out. Facility systems only last so long. Roofs deteriorate and leak; heating, plumbing, and ventilation systems wear out; and structural systems age. Various code changes require updating electrical and mechanical systems; providing access for persons with physical disabilities; removing hazardous materials; and renewing various building system components. Moreover, significant renewals often require structural upgrades to meet more stringent seismic codes.

Functional obsolescence is another fact of life for older schools. Over the life of a school, programmatic changes take place that demand updating the facility infrastructure. There is continual need to update the electrical distribution systems in the schools to accommodate current technology. Current educational delivery methods require physical layouts that are often different and more flexible than those of 30 to 40 years ago. Without renewal, these schools do not provide our students the same educational opportunities through parity of program and facilities across our school system.

Additional capacity to house the constantly shifting student population is the third component of capital requirements. Anchorage is the largest district in the state, and, while its overall enrollment has been steady in recent years, the geographic distribution of students continues to shift due to the high mobility of Anchorage's population. The District has over 130 relocatable classrooms available to meet short-term capacity needs in affected schools.

Effective operation and maintenance programs are a critical component to extending the life of buildings, sites, systems and equipment, and for maintaining and providing a quality building environment for the instructional programs. The Maintenance Department's well-trained staff use a computerized maintenance management program that effectively accomplishes preventive and corrective maintenance tasks necessary to maintain and extend the life of District facilities. The Operations Department utilizes a Custodial Guide and ongoing staff training to maintain facilities in a safe, clean and orderly condition.

Capital Request Advisory Committee

The District's CRAC met on October 6, October 20, and November 10, 2010 to review options and develop recommendations for a 2011 bond. The committee recommended two bond propositions totaling \$101,115,000. The recommendations are summarized:

Proposed Bond 1:

Service High School Addition and Renewal	\$38,000,000
Districtwide Turf Fields	_12,750,000
Total Proposed Bond 1	\$50,750,000

Proposed Bond 2:

rroposea Bona 2:			
Career and Technical Education Upgrades			\$17,000,000
Design Projects			8,500,000
Building Life Extension Projects			24,865,000
	Total Proposed Bond 2		\$50,365,000
•	Total Proposed Bonds 1 and 2		\$101,115,000

Discussion of Debt Reimbursement Funding From Senate Bill 237

Senate Bill 237, passed by the Legislature in July 2010, provides for 60 percent or 70 percent debt reimbursement on school construction projects that have received local voter approval after October 1, 2006, and provides no expiration date on the debt reimbursement program. School projects that add space have been eligible for 60 percent reimbursement, and those projects that do not add space have been eligible for 70 percent reimbursement. The Design Projects and Career and Technical Vocational Facility Education Upgrades projects should be eligible for 60 percent reimbursement while the Educational Facility Building Life Extension projects should be eligible for 70 percent reimbursement. The Service High School Renewal should also be eligible for 60 percent reimbursement on \$28,000,000; however, the Service High School participating share of \$9,132,000 is not reimbursable. The District is currently in the process of submitting these projects to the State.

Project Descriptions

SERVICE HIGH SCHOOL RENEWAL

Service High School was built in 1971. In 2002 a conceptual master plan was developed to provide a road map for the school's renewal; this was revised in 2008 to reduce construction costs by conserving more of the existing building. Between those years, approximately 50% of the master plan was constructed; this included two core academic classroom wings, science classrooms and visual arts classrooms. Major master plan elements remain to be completed, including: career and technical education classrooms, library/instructional media center, dining and food services, special education area, physical education, administration area, a 700-seat auditorium, and performing arts classrooms. In addition to meeting current and future educational needs, the fully completed Service High School renewal project will extend the facility's useful life, reduce operating and maintenance costs, provide life safety measures, abate asbestos-containing materials, upgrade structure to seismic requirements, and install automatic sprinkler systems to remaining portions of the school. Site work will

improve site traffic, parking and landscaping. This project will complete renewal of Service High School.

CAREER, TECHNOLOGY AND VOCATIONAL EDUCATION FACILITY UPGRADES

A district goal is that "all students will graduate from high school prepared for postsecondary academic/vocational/career opportunities". Proposed districtwide middle and high school educational specifications reflect this goal in defining facilities needed to support Career, Technology and Vocational Education (CTVE) programs. All planned and existing middle and high school CTVE spaces were compared to these educational specifications. Extensive analysis and evaluation by the district identified and ranked a number of projects. The projects were ranked according to five criteria: 1) health/safety, 2) expansion/improvement, 3) increase in student participation, 4) new programs, and 5) projects which address career cluster pathways based upon middle and high school attendance areas. Approval of funding will provide facilities and equipment critical for high-quality, relevant and current technical training for 18 projects at Bartlett, Chugiak, Dimond, Eagle River, East, Service and West high schools, Begich, Central, Hanshew, Mears, and Wendler middle schools, and the King Career Center. These projects will support delivery and expansion of Applied Technology, Biomedical/Health, Construction, Engineering and Material Science programs.

DESIGN PROJECTS

GIRDWOOD K-8 SCHOOL DESIGN

Girdwood Elementary School is located on a 27-acre site in Girdwood. The existing nineclassroom school delivers educational programs kindergarten through eighth grade. The school was originally built in 1981 with a four classroom addition in 1985. Girdwood community is continuing to mature beyond its origin as a seasonal resort by developing a permanent year-round population base. Major residential developments planned for the community will provide affordable housing units. Such units are expected to include younger families with school-aged children. Currently near capacity, the school will need to expand to accommodate a resulting increased enrollment. Previous funding allowed development of a master plan and initial design. Approval of requested funding for this project will result in completion of a design intended to meet the school's growing educational needs.

INLET VIEW ELEMENTARY SCHOOL DESIGN

Built in 1957, Inlet View Elementary School is one of Anchorage's oldest and most established elementary schools. With a program capacity of 238 students, it is smaller than the standard 550-student elementary school, having 13 classrooms instead of 26, and a 7-acre site rather than the 15-acre standard for elementary schools. A 2003 conceptual master plan identified the need for a gymnasium, converting the existing into a multipurpose room, an art room and three new classrooms. When compared to current draft districtwide educational specifications, the school lacks a health classroom and required support facilities. Renovation is needed to rectify code deficiencies, implement greater energy conservation, and improve the site's traffic safety. Approval of this request will fund schematic design of the school's renewal.

GLADYS WOOD ELEMENTARY SCHOOL DESIGN

Built in 1970, Gladys Woods Elementary School is one of the district's last schools with an "open classroom concept". This concept has been shown to constrain delivery of quality educational programs due to acoustical interference, poor circulation, and impermanent walls. In addition to fixing open classrooms, this renewal project will address a number of code and regulatory deficiencies. A 2006 legislative grant funded a 2007 conceptual master plan developed with and supported by active community involvement. This project will add 2 classrooms to total 26, an art room, a health classroom, and required support facilities. Approval of this request will fund schematic design of the school's renewal.

AIRPORT HEIGHTS ELEMENTARY SCHOOL PLANNING & DESIGN

Built in 1954, Airport Heights Elementary School has had minor additions over life of the facility. With an 8-acre site, 20 classrooms, and a 335-student program capacity, the school is smaller than the 15-acre, 26-classroom, and 550-student standard district elementary school. The school lacks a multi-purpose room, as well as art, health and music classrooms. The site has poor circulation and inadequate parking. Designated to serve students with special education intensive needs, the school lacks spaces to support them, as well as occupational therapy/physical therapy spaces. In 2005, a limited educational program analysis and master plan was carried out simply to coordinate direction of a life safety upgrade project. The proposed 2010 Districtwide Elementary Educational Specifications will provide basis for a more in-depth analysis of the facility. Approval of this request will fund development of a conceptual master and schematic design for the school's renewal.

WEST/ROMIG CTVE DESIGN

A master plan developed in May 2010 was approved in concept by the school board. The concept reflects the West High School – Romig Middle School campus as a center of community, fully engaging the community in life-long learning while meeting students' educational needs. The concept lays a framework in which to develop specific projects. This project will develop a design to integrate the Career, Technology and Vocational Education program into the master plan while considering ramifications on existing and future master planned facilities.

EDUCATION FACILITY BUILDING LIFE EXTENSION PROJECTS

The District's building life extension projects include roof replacements, structural, electrical, mechanical, and traffic safety/site projects that extend the useful life of existing facilities and mitigate potential safety issues.

Roof upgrades and replacements at Chugiak High School, Turnagain and Rabbit Creek elementary schools are included with this recommendation.

General building renewal upgrades for the auditorium dressing rooms at West High School and districtwide relocatables are also included.

Electrical projects that are part of this request include upgrades to: fire alarm systems, lighting, and communication systems. These projects are needed to assure a safe environment for students and staff, and to provide adequate, efficient lighting in areas currently lacking appropriate lighting. These projects will impact the following schools:

Inlet View, Huffman, Eagle River, and Scenic Park elementary schools; Mears and Mirror Lake middle schools; and Student Nutrition Building.

 Mechanical projects included with this request will address upgrades or replacement to various heating/boiler and ventilation systems; upgrades to equipment; and upgrades to various water and waste water systems. These projects are important in providing basic heat, ventilation, and utility services to the facilities in the District, and will impact the following schools and facilities:

Spring Hill, Bear Valley, College Gate, and Birchwood elementary schools.

The project to upgrade the tennis court at Chugiak High School will improve the overall condition and safety of the tennis courts, as well as enhance delivery of the instructional program.

The information that has been provided in this memorandum should assist the Assembly in making decisions regarding placing the recommended bond propositions on the ballot for the April 5, 2011 Municipal Election.

Respectfully submitted,

Caral Comeau

Carol Comeau Superintendent