

Submitted by: Chairman of the Assembly
at the Request of the Mayor

Prepared by: Department of Law
For reading: May 23, 2000

CLERK'S OFFICE
AMENDED AND APPROVED

Date: 5-20-00

ANCHORAGE, ALASKA
AO NO. 2000- 98

1 AN ORDINANCE EXTENDING ASSESSMENT DISTRICT 1SD97 AS A SPECIAL ASSESSMENT
2 DISTRICT FOR SERVICES WITHIN THE AREA OF DOWNTOWN ANCHORAGE
3 ESTABLISHED BY ANCHORAGE ORDINANCE 97-51 MORE SPECIFICALLY SHOWN ON THE
4 SPECIAL ASSESSMENT DISTRICT 1SD97 MAP ATTACHED TO THIS ORDINANCE;
5 AUTHORIZING SAID DISTRICT TO CONTINUE TO PROVIDE SPECIFIED SAFE AND CLEAN
6 SERVICES AND ESTABLISHING THE BASIS AND METHOD OF ASSESSING, ALLOCATING
7 AND APPORTIONING THE COSTS OF SERVICES AND THE RULES AND PROCEDURES FOR
8 ASSESSMENT CALCULATIONS, BILLINGS, PENALTIES, INTEREST, COSTS, APPLICATION
9 OF PAYMENTS AND ENFORCEMENT OF ASSESSMENTS AND DETERMINING TO PROCEED.

10
11 WHEREAS, in accordance with Anchorage Municipal Charter Section 9.02, the Anchorage
12 Assembly provided for the creation of assessment districts for public services by Anchorage Ordinance
13 96-77(S-1) Am., amended by Anchorage Ordinance 96-112 (together herein the "Enabling Ordinance");
14 and

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16 WHEREAS, a property owners' petition for the continuation/extension of special services
17 Assessment District 1SD97, was duly filed with the Municipal Clerk on the 2nd day of May, 2000; and

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19 WHEREAS, in compliance with Anchorage Municipal Code section 19.20.030 the Mayor has
20 made a report on said petition to the Municipal Assembly with a recommendation that the Assembly
21 approve the continuation of the Downtown Improvement District 1SD97; and

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23 WHEREAS, the Assembly has duly noticed and held a public hearing on the advisability of
24 extending Assessment District 1SD97 and has duly considered and evaluated the evidence and
25 testimony received, including the petition, the Mayor's report and other evidence and information, on the
26 aggregate basis of which the Assembly has made the findings, determinations and conclusions contained
27 in this preamble; and

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29 WHEREAS, the property owners who would bear more than fifty-percent (50%) of the estimated
30 cost of the service have petitioned for and approved extending Assessment District 1SD97 with
31 assessments within Assessment District 1SD97 Map appended to and incorporated herein as a part of
32 this ordinance (herein the "Map"); and

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34 WHEREAS, the purpose of continuing Assessment District 1SD97 is to provide and finance
35 special public services desired and requested by the property owners which are either not generally
36 provided or provided at different levels by the Municipality; and

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38 WHEREAS, the intended purpose of the proposed services for Assessment District 1SD97 is to
39 increase cleanliness, occupancy rates, investment values and lease income, to decrease crime and to
40 generally stimulate economic development and improve the quality of life in the Assessment District
41 area of Downtown Anchorage; and

2 WHEREAS, the services requested by the property owners and proposed to be financed and
3 provided by Assessment District 1SD97 are public services authorized for service assessment districts
4 under Anchorage Municipal Code section 19.10.020A.2.; and

5 WHEREAS, the proposed services for Assessment District 1SD97 are enhanced or supplemental
6 public services or new public services not provided by the Municipality generally; and

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8 WHEREAS, neither the proposed services nor Assessment District 1SD97 itself will operate
9 unilaterally or by implication as a substitute for or to reduce or eliminate the nature and extent of
10 services otherwise provided or which may be provided by the Municipality now or in the future; and

11
12 WHEREAS, the area within which the proposed services for Assessment District 1SD97 are to
13 be furnished conforms to the zoning district requirements of Anchorage Municipal Code section
14 19.10.020A.2.; and

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16 WHEREAS, the Assembly finds Assessment District 1SD97 and its proposed services to be
17 reasonably necessary, convenient and in the public interest of the property assessed and its owners; and

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19 WHEREAS, the annual, aggregate assessable cost of the services to be provided by Assessment
20 District 1SD97 are proposed to be as set forth in this ordinance as annual assessments based on the prior
21 year's annual assessment roll; and

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23 WHEREAS, the Assembly finds and concludes that property owners within the geographic
24 boundaries of Assessment District 1SD97 will be specially benefited, either directly or indirectly or
25 both, in proportion to the costs of services assessed and levied against each property utilizing the
26 proposed cost allocation formula with an assessment cap; and

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28 WHEREAS, the Assembly finds and concludes that both the proposed cost apportionment to be
29 fair, just, reasonable and proportional to the benefits to be received by each property owner assessed
30 within the Assessment District 1SD97; and

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32 WHEREAS, the petition process utilized by the property owners has been fair, just, reasonable
33 and in compliance with Anchorage Municipal Code chapter 19.20; now therefore,

34
35 **THE ANCHORAGE ASSEMBLY ORDAINS**

36
37 **Section 1.** Subject to the other provisions of this ordinance, the Assessment District 1SD97, to be
38 hereafter also known as the Downtown Improvement District, an assessment district for services within
39 the Municipality, is hereby extended and continued until lawfully terminated.

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41 **Section 2.** The Municipality shall proceed with furnishing the authorized public services within
42 Assessment District 1SD97 in accordance with Anchorage Municipal Code Title 19 and this ordinance.

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44 **Section 3.** Assessment District 1SD97 shall be comprised of the property within the geographic area
45 outlined on the attached Map incorporated herein by reference.
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Section 4. The services authorized to be provided within Assessment District 1SD97 are those public services authorized by Anchorage Municipal Code section 19.10.020A.2. of the Enabling Ordinance or any amendment thereof, provided however, that in accordance with Anchorage Municipal Code section 19.10.020B. and C., such services shall only be enhanced or supplemental public services or new public services not generally provided by the Municipality and said services shall not operate unilaterally or by implication as a substitute for or to reduce or eliminate the nature or extent of services otherwise provided by the Municipality now or in the future. Subject to the conditions of this ordinance, Assessment District 1SD97's presently authorized services are:

- (a) Maintenance, repair and upkeep of public capital improvements located in the area of Assessment District 1SD97;
- (b) Maintenance, snow removal, dust suppression, cleaning, beautification, and decoration of public parks, places and pedestrian and vehicular rights-of-way;
- (c) Visitor and tourism services;
- (d) Security services, but not including law enforcement services;
- (e) Promotion of Assessment District 1SD97 and public events within said assessment district; and
- (f) Other closely similar public services which promote the vitality, stability and improvement of the assessment district.

Section 5. The annual, aggregate assessable cost of services provided in Assessment District 1SD97 per year shall not exceed and shall be assessed annually against assessable property within the geographical boundaries of Assessment District 1SD97 based on the assessed valuation thereof in the prior year as follows:

Each assessable parcel within the Assessment District 1SD97 shall be assessed at a mill rate not to exceed 1.5 mills of assessed value (\$1.50 per \$1,000 of assessed value) up to and including \$10,000,000 plus \$100 per \$1,000,000 of assessed value in excess of \$10,000,000;

provided, however, that not less than every five years (at the end of every fifth (5th) calendar year and beginning with year end 2005), the assessment formula and/or the assessment mill rate shall be reviewed and may be revised or amended upon approval of property owners bearing more than fifty percent (50%) of the estimated assessable costs of the services.

Section 6. Property within the geographic area of Assessment District 1SD97 owned by governments, churches, non-profit religious, charitable or educational organizations which are exempt from property taxes shall also be exempt from Assessment District 1SD97 assessments. In addition, the owners of qualified, owner-occupied, single-family residences which have applied for exemption from Assessment District 1SD97 assessment shall also be exempt from such assessment.

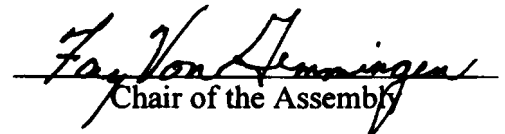
Section 7. The Assessment Roll for assessing the cost of the services provided to the properties benefited in Assessment District 1SD97 shall be prepared in accordance with Anchorage Municipal Code Title 19, this ordinance and any amendments thereof. Said Assessment Roll shall include and establish the aggregate, annual assessment to be levied against each assessable parcel of property each calendar year based on the assessed valuation of the prior year. Notwithstanding Anchorage Municipal Code section 19.20.240, annual assessments shall be due and payable on and delinquent after a date each year to be determined by the Chief Fiscal Officer, commencing in the year 2000, provided however no payment shall be required before sixty (60) days after Assembly confirmation of the Assessment Roll. Notwithstanding any contrary provisions of Anchorage Municipal Code Title 19, penalties, interest, costs, application of payments and enforcement of these assessments shall be the same as provided for real property taxes in Anchorage Municipal Code Chapter 12.15. Anchorage Municipal Code sections 19.20.240, 19.20.260, 19.20.265, and 19.20.280 shall not apply to Assessment District 1SD97.

Section 8. As a condition of the Assembly approving this ordinance and the extension of Assessment District 1SD97, during the 10th calendar year after passage of this ordinance, property owners within the Assessment District area shall be petitioned with ~~the option of terminating or re-authorizing~~ Assessment District 1SD97 and a report of the results of said petition and an ordinance for ~~termination or reauthorization~~ shall be presented to the Assembly for action.

Section 9. This Ordinance and/or such other documents as may be necessary and appropriate, shall be recorded in the Office of the Recorder for the Anchorage Recording District, Third Judicial District, State of Alaska and shall be sufficient to create a lien on property assessed in favor of the Municipality to secure the payment of the assessment.

Section 10. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 20th day of June, 2000.

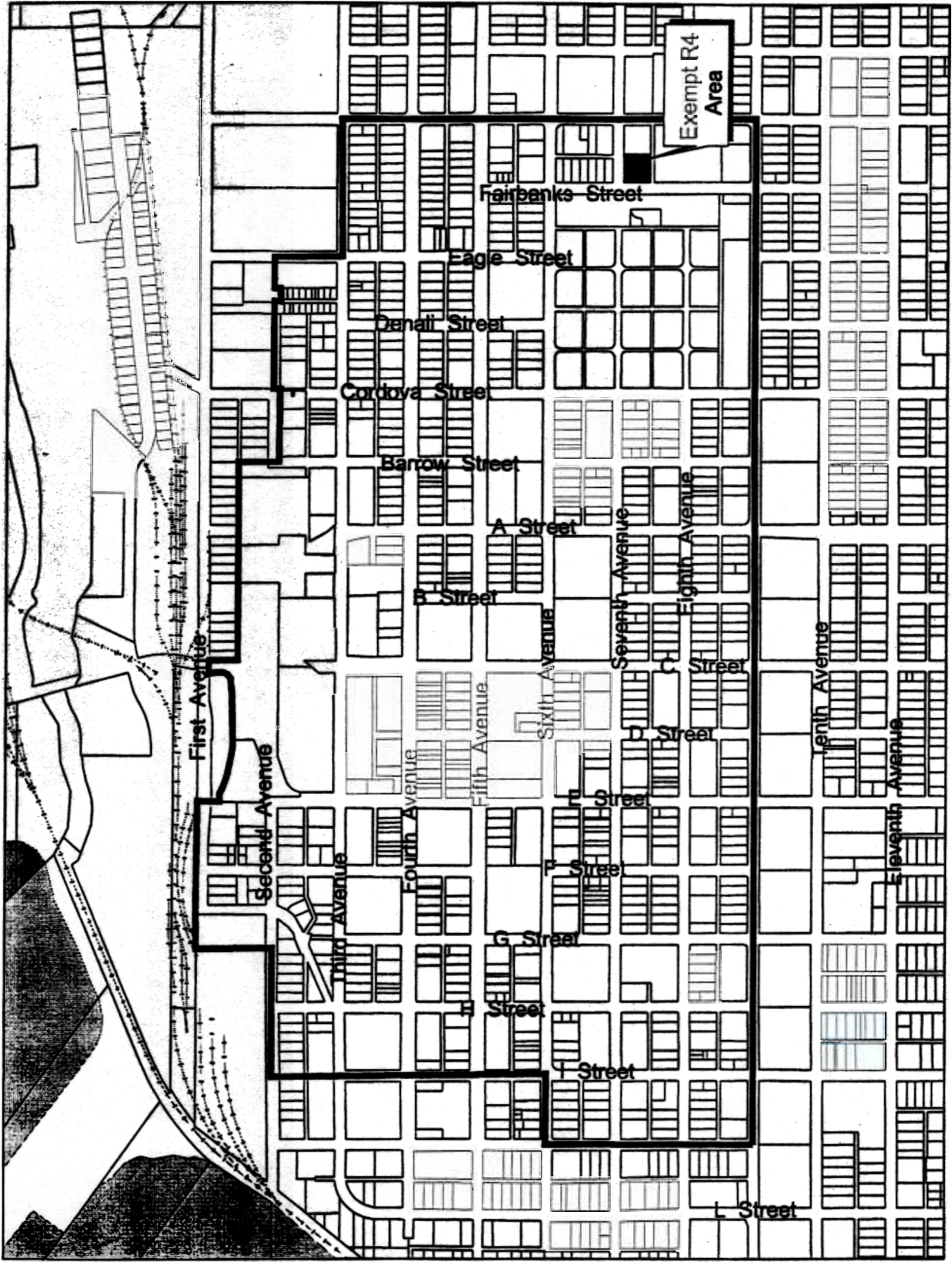

Chair of the Assembly

ATTEST


Municipal Clerk

Insert the following as indicated:

1. simlutaneous option of either continuing or dissolving
2. continuance or dissolution



Business Improvement District

1000 feet

500

500



**MUNICIPALITY OF ANCHORAGE
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET**

Ad 00-98

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT <i>Ordinance extending assessment district 1SD97</i>	DATE PREPARED <i>5/23/00</i>
		Indicate Documents Attached <input checked="" type="checkbox"/> AO <input type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM
2	DEPARTMENT NAME <i>Department of Law</i>	DIRECTOR'S NAME <i>Mary K. Hughes, Municipal Attorney</i>
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY <i>William A. Greene</i>	HIS/HER PHONE NUMBER <i>343-4534</i>
4	COORDINATED WITH AND REVIEWED BY	INITIALS
	Mayor	
	Municipal Clerk	
<input checked="" type="checkbox"/>	Municipal Attorney	<i>MKH</i>
	Employee Relations	
<input checked="" type="checkbox"/>	Municipal Manager	<i>WAG</i>
	Cultural & Recreational Services	
	Fire	
	Health & Human Services	
	Merrill Field Airport	
	Municipal Light & Power	
<input checked="" type="checkbox"/>	Office of Management & Budget	<i>EM</i>
	Police	
	Port of Anchorage	
	Public Works	
	Solid Waste Services	
	Public Transportation	
	Water & Wastewater Utility	
	Executive Manager	
	Community Planning & Development	
	Finance, Chief Fiscal Officer	
	Heritage Land Bank	
	Management Information Systems	
	Property & Facility Management	
	Purchasing	
	Other	
5	SPECIAL INSTRUCTIONS/COMMENTS	
	<i>Addendum</i>	
	<i>T.B. 13. Introduction</i>	
6	ASSEMBLY HEARING DATE REQUESTED <i>5/23/00</i>	7
		PUBLIC HEARING DATE REQUESTED <i>6/13/00</i>

M.O.A.
 00 MAY 23 PM 3:51
 CLERK'S OFFICE