PRESENTED BY: The Manager
Introduce: Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA
Serial No. 2013-07

An Ordinance Creating Local Improvement District No. 97
Consisting of Construction of a Municipal Water Distribution
System Within the Eagles Edge Subdivision.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Finding That L.I.D. is in the Public Interest. The Assembly of the City and Borough of Juneau, having considered all material factors including the deterrence to property development, maintenance of property values, health, safety and welfare of the businesses, employees, and property owners in the property described in Exhibit “A” attached to this ordinance, to be known as the Local Improvement District No. 97 of the City and Borough of Juneau, is in the public interest.

Section 3. Creation of Boundaries. There is created Local Improvement District No. 97 (hereinafter “L.I.D. No. 97”). The boundaries of L.I.D. No. 97 are described in Exhibit “A” attached to this ordinance and made a part hereof.

Section 4. Improvements to Be Constructed. The improvements to be constructed consist of a municipal water distribution system within the public roads of the Eagles Edge Subdivision.

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Section 5. Estimated Cost. The estimated cost of the project is $3.5 million.

Section 6. Source of Funds. The portion of project costs to be met with City and Borough funds is estimated to be $3,206,300. The remainder of the construction cost, will be met from the assessments against the properties specially benefitted, said amount estimated to be $293,700. Special assessment district bonds will not be issued or sold to provide funds to pay the cost of improvements.

Section 7. Direction That Work Be Done. The City Manager is hereby ordered to do or cause to be done all things necessary and useful to plan, acquire, construct, and install the improvements described in Section 4.

Section 8. Authorization to Acquire Land. The Manager is hereby authorized to acquire, in the name of the City and Borough, any lands or rights in land necessary or useful for the project.

Section 9. Authorization for Eminent Domain. The Manager and City Attorney are hereby authorized to use such eminent domain proceedings, including use of declaration of taking, as may be necessary or useful to acquire property needed for the project. The costs of any property so acquired shall be added to the project cost.

Section 10. Special Assessment Fund. There is created within the central treasury a special fund of the City and Borough known as Special Assessment Fund No. 97. Such fund shall be used for the purposes of paying the costs of the project, the payment of principal and interest on the bonds, if any, and any other cost of the project. City and Borough funds, assessments and all other receipts shall be paid into the fund.
Section 11. Finding of Special Benefit. The Assembly hereby finds that the property within L.I.D. No. 97 described in Exhibit “A” will be specially benefitted by the improvement and each lot or tract within such district will be specially benefitted in proportion to the amount separately assessed to each lot or tract.

Section 12. Prepayment-in-Full Discount. No prepayment-in-full discount is provided.

Section 13. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this day of 2013.

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Merrill Sanford, Mayor

Attest:

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Elizabeth J. McEwen, Acting Clerk