

OFFICE OF THE MUNICIPAL CLERK/ ELECTION OFFICIAL

155 S. Seward St., Room 202
Phone: (907)586-5278 Fax: (907)586-4552
eMail: Laurie_Sica@ci.juneau.ak.us

October 13, 2009

CANVASS OF REGULAR MUNICIPAL ELECTION Held October 6, 2009, Juneau, Alaska

In accordance with CBJ 29.07.290, the undersigned Election Official of the City and Borough of Juneau canvassed the results of the Regular Municipal Election held in Juneau, Alaska on October 6, 2009. The following are the official results of that election

Mayor

Bruce Botelho	4849
Mark Farmer	1672
Write-In	224

Assemblymember District 2

Ruth Danner	3480
Stephanie Madsen	2964
Write-in	36

Assemblymember District 1

David G. Stone	3967
Karen Lawfer	2305
Write-in	54

School Board

Andrea (Andi) Story	4080
Mark Choate	3886
Phyllis Carlson	3139
Bill Peters	2625
Mary Marks	1971
Write-in	158

Proposition 1:

For the purpose of physically and programmatically upgrading Gastineau Elementary School, shall the City and Borough of Juneau, Alaska, issue and sell its general obligation bonds, maturing within 10 years of their date of issue, in the aggregate principal amount of not to exceed \$11,800,000?

Yes	4972
No	2035

Proposition 2:

Shall the City and Borough increase its excise tax on tobacco products from 30 cents per pack of cigarettes and 12 percent of the wholesale price on all other tobacco products brought into the City and Borough, to 100 cents per pack of cigarettes and 45 percent of the wholesale price on all other tobacco products effective January 1, 2010, the tax to be collected from the distributor that brings the tobacco products into the City and Borough?

Yes	4350
No	2688

I hereby certify that the foregoing results are the true and final results of the October 6, 2009

Regular Municipal Election, held in Juneau, Alaska.

Laurie J. Sica
Municipal Clerk and Election Official
City and Borough of Juneau

Election Statistics:

Total registered voters in the City and Borough of Juneau was 24,666. 7101 ballots, including absentee and accepted questioned ballots, were cast in the election. Voter turnout was 28.8%. Ballots were cast in the following manner:

Absentee Ballots:

Early Mendenhall Mall	643
Early City Hall	339
In Person Mend Mall	12
In Person City Hall	18
By Mail	83
By Fax	22
By Personal Representative	<u>38</u>
Total counted:	1155

Questioned Ballots:

395 voters cast questioned ballots at the precincts on election day. Of those ballots, 376 were cast by qualified voters, accepted and counted. The status of all questioned voters was verified with the State of Alaska Division of Elections, by the Absentee and Questioned Review Board and CBJ Election Official.

Precinct Ballots Cast:

Precinct Number	Precinct Name	Precinct Location	Ballots Cast
03 300	Douglas	Douglas Library	496
03 310	Juneau No. 1	Juneau Arts and Culture Center	168
03 320	Juneau No. 2	Juneau Arts and Culture Center	291
03 330	Juneau No. 3	Juneau Senior Center	435
03 340	Juneau No. 4	Cedar Park	338
03 350	Juneau Airport	Nugget Mall	267
03 360	Lemon Creek	AEL&P	240
03 370	North Douglas	Juneau Fire Station	401
03 380	Salmon Creek	Tlingit & Haida Community Council Building	239
03 390	Switzer Creek	Gruening Park Recreation Center	102
04 410	Mendenhall Valley No. 1	Mendenhall Mall	335
04 420	Mendenhall Valley No. 2	Aldersgate Methodist Church	426
04 430	Mendenhall Valley No. 3	Glacier Valley Baptist Church	461
04 440	Mendenhall Valley No. 4	Shepherd of the Valley Lutheran Church	561
04 450	Auke Bay - Fritz Cove	Auke Bay Fire Station	436
04 460	Lynn Canal	Auke Bay Ferry Terminal	374



NOTICE OF REGULAR MUNICIPAL ELECTION - OCTOBER 6, 2009

Notice is hereby given that the Regular Municipal Election will be held in the City & Borough of Juneau, Alaska on **Tuesday, October 6, 2009**. Polling places are shown below. Registered voters of the State of Alaska who reside within the City and Borough of Juneau are eligible to vote in this election. Voters should be prepared to display identification at the polling place when voting.

The purpose of the election is:

1. To elect from candidates residing in the entire City and Borough of Juneau, one Mayor for a term of three years;
2. To elect from candidates residing in Election District No. 1, one Assemblymember for a term of three years;
3. To elect from candidates residing in Election District No. 2, one Assemblymember for a term of three years;
4. To elect from candidates residing in the entire City and Borough of Juneau, three members of the Board of Education (School Board) for terms of three years each; and
5. To vote on the following areawide propositions:

PROPOSITION NO. 1 GENERAL OBLIGATION BONDS \$11,800,000

Explanation

This proposition will authorize the issuance of \$11,800,000 in general obligation bond debt for paying the cost of physically and programmatically upgrading Gastineau Elementary School. The project qualifies for 70% State reimbursement under the State's School Construction Bond Debt Reimbursement Program. The funding for the State's reimbursement program is subject to annual appropriation. If the State fully funds the reimbursement program, the total annual debt service costs after State reimbursement, assuming an interest rate of 4.5%, will be \$450,000. This amount of debt service would require an annual property tax levy of approximately \$12 per \$100,000 of assessed value. This example of a property tax levy is provided for illustrative purposes only.

In addition, the following information is provided as required by CBJ Charter Section 10.5, Notice of Bond Election:

The maximum interest rate will vary depending upon how these bonds are issued. Under the provisions of the Federal American Recovery and Reinvestment Act of 2009, the CBJ can now issue a new type of general obligation bonds, Build America Bonds or BABs. The BABs are issued as taxable bonds with a 35% federal rebate of the bond interest paid.

CBJ does not anticipate that the interest on the bonds will exceed 6.25% as tax exempt bonds or as taxable BABs, net of the federal rebate.

CBJ's total general obligation outstanding debt, as of September 1, 2009, is \$139,748,000. In addition, there is \$20,818,000 in voter approved general obligation bonds for the Dimond Park Aquatic Center and DZ Covered Playground projects that have not been issued. Of these amounts, it is anticipated that \$94,874,000 will be reimbursed by the State under the State's School Construction Bond Debt Reimbursement Program.

For the current fiscal year, FY10, CBJ is budgeting to pay a total of \$19,946,600 for bond debt service (both principle and interest). \$12,358,800 of this amount is anticipated to be reimbursed by the State under the State's School Construction Bond Debt Reimbursement Program. This leaves a balance of \$7,587,800 to be paid from local tax sources. Of this amount, \$1,836,700 will be paid with general sales tax revenues and \$5,751,100 will be paid from general property tax levies.

The current total assessed valuation within the municipality is \$3,926,000,000.

Ballot Proposition No. 1

For the purpose of physically and programmatically upgrading Gastineau Elementary School, shall the City and Borough of Juneau, Alaska, issue and sell its general obligation bonds, maturing within 10 years of their date of issue, in the aggregate principal amount of not to exceed \$11,800,000?

BONDS, YES
BONDS, NO

PROPOSITION NO. 2
AUTHORIZATION TO INCREASE THE CBJ EXCISE TAX ON TOBACCO PRODUCTS

Explanation

This proposition will authorize an increase to the CBJ excise tax on tobacco products from 30 cents per pack of cigarettes and 12 percent of the wholesale price on all other tobacco products brought into the City and Borough, to 100 cents per pack of cigarettes and 45 percent of the wholesale price on all other tobacco products.

Ballot Proposition No. 2

Shall the City and Borough increase its excise tax on tobacco products from 30 cents per pack of cigarettes and 12 percent of the wholesale price on all other tobacco products brought into the City and Borough, to 100 cents per pack of cigarettes and 45 percent of the wholesale price on all other tobacco products effective January 1, 2010, the tax to be collected from the distributor that brings the tobacco products into the City and Borough?

YES
NO

VOTER QUALIFICATIONS

To be eligible to vote in City and Borough of Juneau elections, you must be:

1. Qualified to vote in state elections;
2. A resident of the municipality for at least 30 days immediately preceding the election;
3. Registered to vote in state elections at a residence address within the municipality at least 30 days before the municipal election at which the person seeks to vote; and
4. Not disqualified under Article V of the State of Alaska Constitution.

ABSENTEE VOTING

A qualified voter may vote an absentee ballot for any reason. An absentee ballot may be cast in person, or requested from the election official in writing, by application with the voter's signature. Absentee Ballots are available beginning September 21, 2009.

By Mail:

Applications for By-Mail Ballots can be obtained in the Municipal Clerk's Office or online at www.juneau.org/clerk/elections. Applications for by-mail ballots must be received in the Municipal Clerk's office no later than Tuesday, September 29, 2009. After September 29, please refer to Absentee Voting BY FAX.

In-Person Absentee Voting:

A qualified voter may vote absentee in-person on or after the 15th day before an election up to and including the election day. Beginning September 21, 2009, early voting and absentee-in-person voting will take place at the following locations/dates/times:

City Hall - Assembly Chambers

Monday - Friday:
September 21 - October 5, 2009
8:00a.m. - 4:30p.m.

Mendenhall Mall

(Mall Entrance Closest to Sequence)
Mondays through Fridays:
10:00a.m. - 2:00p.m. & 3:00p.m. - 6:30p.m.:
September 21 - October 5, 2009
and
Saturdays and Sundays: Noon - 4:00p.m.:
September 26 & 27 and October 3 & 4, 2009

By Fax:

Contact the Municipal Clerk's office for more information.

Absentee ballot application forms and information available at:

Municipal Clerk/Election Official Office, City Hall Room 202
155 S. Seward Street, Juneau, AK. 99801
(907) 586-5278 phone (907) 586-4550 fax
e-mail: city_clerk@ci.juneau.ak.us
<http://www.juneau.org/clerk/elections>

ADA Accommodations Available Upon Request.

For additional information regarding the October 6, 2009 Municipal Election, please contact:
Municipal Clerk/Election Official Office, City Hall Room 202
155 S. Seward Street, Juneau, AK. 99801
(907) 586-5278 phone (907) 586-4550 fax
e-mail: city_clerk@ci.juneau.ak.us
<http://www.juneau.org/clerk/elections>





2009 CITY & BOROUGH OF JUNEAU POLLING PLACES REGULAR MUNICIPAL ELECTION – OCTOBER 6, 2009

Precinct Number	Precinct Name	Precinct Location	Precinct Address
03 300	Douglas	Douglas Library	1016 Third Street, Douglas
03 310	Juneau No. 1	Juneau Arts and Culture Center (aka Downtown Armory)	350 Whittier Ave., Juneau
03 320	Juneau No. 2	Juneau Arts and Culture Center (aka Downtown Armory)	350 Whittier Ave., Juneau
03 330	Juneau No. 3	Juneau Senior Center	895 W. 12 th St., Juneau
03 340	Juneau No. 4	Cedar Park	3414 Foster Ave., Juneau
03 350	Juneau Airport	Nugget Mall	8745 Glacier Highway, Juneau
03 360	Lemon Creek	AEL&P	5601 Tonsgard Ct., Juneau
03 370	North Douglas	Juneau Fire Station	820 Glacier Ave., Juneau
03 380	Salmon Creek	Tlingit & Haida Community Council Building	3235 Hospital Drive, Juneau
03 390	Switzer Creek	Gruening Park Recreation Center	1800 Northwood Drive, Juneau
04 410	Mendenhall Valley No. 1	Mendenhall Mall	9105 Mendenhall Mall Rd., Juneau
04 420	Mendenhall Valley No. 2	Aldersgate United Methodist Church	9161 Cinema Drive, Juneau
04 430	Mendenhall Valley No. 3	Glacier Valley Baptist Church	3921 Mendenhall Loop Rd., Juneau
04 440	Mendenhall Valley No. 4	Shepherd of the Valley Lutheran Church	4212 Mendenhall Loop Rd., Juneau
04 450	Auke Bay - Fritz Cove	Auke Bay Fire Station	11900 Glacier Highway, Juneau
04 460	Lynn Canal	Auke Bay Ferry Terminal	13.8 Mile Glacier Highway, Juneau

The polls are open 7:00 a.m. through 8:00 p.m.

If you don't know where your polling place is, you can call the **STATE OF ALASKA POLLING PLACE LOCATOR number 1-888-383-8683**, enter your Social Security Number or your voter number when prompted, and you will be told where your polling place is located.

I certify that this notice meets the requirements of CBJ Code 29.07.010 Election times; notice.

DATE

Laurie Sica, Municipal Clerk / Election Official

SAMPLE BALLOT FRONT

INSTRUCTIONS TO VOTER: To vote for the issue/candidate of your choice, fill in the oval next to the issue/candidate you want to vote for. Place your ballot inside the secrecy sleeve and then take your ballot to the ballot box.

If you make a mistake while voting, return the ballot to the election official for a new one.
A vote which has been erased or changed will not be counted.



OFFICIAL BALLOT

THE CITY AND BOROUGH OF JUNEAU
REGULAR MUNICIPAL ELECTION, OCTOBER 6, 2009
Completely fill in the oval to the right of the selection you choose: ●.

SCHOOL BOARD VOTE FOR NOT MORE THAN THREE

Bill Peters

Mark Choate

Phyllis A. Carlson

Mary Marks

Andrea (Andi) Story

Write-in

Write-in

Write-in

ASSEMBLY DISTRICT 1 VOTE FOR NOT MORE THAN ONE

Karen Lawfer

David G. Stone

Write-in

ASSEMBLY DISTRICT 2 VOTE FOR NOT MORE THAN ONE

Stephanie Madsen

Ruth Danner

Write-in

MAYOR VOTE FOR NOT MORE THAN ONE

Mark Farmer

Bruce Botelho

Write-in

TURN BALLOT OVER TO CONTINUE VOTING

SAMPLE BALLOT BACK

INSTRUCTIONS TO VOTER: To vote for the issue/candidate of your choice, fill in the oval next to the issue/candidate you want to vote for. Place your ballot inside the secrecy sleeve and then take your ballot to the ballot box.

If you make a mistake while voting, return the ballot to the election official for a new one.
A vote which has been erased or changed will not be counted.



OFFICIAL BALLOT

THE CITY AND BOROUGH OF JUNEAU
REGULAR MUNICIPAL ELECTION, OCTOBER 6, 2009
Completely fill in the oval to the right of the selection you choose: ●

PROPOSITION NO. 1
GENERAL OBLIGATION BONDS
\$11,800,000

Explanation

This proposition will authorize the issuance of \$11,800,000 in general obligation bond debt for paying the cost of physically and programmatically upgrading Gastineau Elementary School. The project qualifies for 70% State reimbursement under the State's School Construction Bond Debt Reimbursement Program. The funding for the State's reimbursement program is subject to annual appropriation. If the State fully funds the reimbursement program, the total annual debt service costs after State reimbursement, assuming an interest rate of 4.5%, will be \$450,000. This amount of debt service would require an annual property tax levy of approximately \$12 per \$100,000 of assessed value. This example of a property tax levy is provided for illustrative purposes only.

Ballot Proposition No. 1

For the purpose of physically and programmatically upgrading Gastineau Elementary School, shall the City and Borough of Juneau, Alaska, issue and sell its general obligation bonds, maturing within 10 years of their date of issue, in the aggregate principal amount of not to exceed \$11,800,000?

BONDS, YES

BONDS, NO

PROPOSITION NO. 2
AUTHORIZATION TO INCREASE THE CBJ EXCISE TAX ON TOBACCO PRODUCTS

Explanation

This proposition will authorize an increase to the CBJ excise tax on tobacco products from 30 cents per pack of cigarettes and 12 percent of the wholesale price on all other tobacco products brought into the City and Borough, to 100 cents per pack of cigarettes and 45 percent of the wholesale price on all other tobacco products.

Ballot Proposition No. 2

Shall the City and Borough increase its excise tax on tobacco products from 30 cents per pack of cigarettes and 12 percent of the wholesale price on all other tobacco products brought into the City and Borough, to 100 cents per pack of cigarettes and 45 percent of the wholesale price on all other tobacco products effective January 1, 2010, the tax to be collected from the distributor that brings the tobacco products into the City and Borough?

YES

NO

TURN BALLOT OVER TO CONTINUE VOTING

Presented by: The Manager
Introduced: 08/10/2009
Drafted by: Bond Counsel

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2009-19

An Ordinance Authorizing The City And Borough To Issue General Obligation Bonds In The Principal Amount Of Not To Exceed \$11,800,000 To Finance Physical And Programmatic Upgrades To Gastineau Elementary School, And Submitting A Proposition To The Voters At The Election To Be Held Therein On October 6, 2009.

WHEREAS, the existing Gastineau Elementary School facilities serving the City and Borough of Juneau (the "City and Borough") are in need of improvements; and

WHEREAS, the City and Borough Assembly and School Board have identified necessary additions and improvements to Gastineau Elementary School; and

WHEREAS, in order to provide funds to perform the necessary additions and improvements to Gastineau Elementary School as further described in Section 3 of this ordinance (the "Project"), it is deemed necessary and advisable that the City and Borough issue and sell its unlimited tax levy general obligation bonds in the principal amount of not to exceed \$11,800,000 (the "Bonds"); and

WHEREAS, Senate Bill 73 has been adopted by the Alaska State Legislature, amending AS 14.11.100 and allowing certain public school construction projects to qualify for 70% reimbursement under the State School Construction Bond Debt Reimbursement Program; and

WHEREAS, the Project qualifies for 70% debt service reimbursement by the State and it is deemed necessary and desirable that the City and Borough issue the Bonds.

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

Section 1. Classification. This ordinance is a noncode ordinance.

Section 2. Findings. The Assembly of the City and Borough hereby finds and declares that the additions and improvements to Gastineau Elementary School identified in Section 3 hereof are necessary and are in the best interest of the inhabitants of the City and Borough.

Section 3. Purposes. The School Board and the Assembly have determined that Gastineau Elementary School is in need of significant renovations (the "Project"). The Project include, but not limited to, building renewal and replacement, code upgrades, energy efficiency upgrades of architectural, site, civil, structural, mechanical, and electrical systems and components, ADA upgrades, hazardous materials abatement, renovate portions of the building to provide a larger capacity kitchen, small learning spaces and other programmatic improvements. The cost of all necessary architectural, engineering, design, and other consulting services, inspection and testing, administrative and relocation expenses, costs of issuance of the Bonds and other costs incurred in connection with the Project that is approved by the electors shall be deemed capital improvement costs of the approved Project. The approved Project may be completed with all necessary furniture, equipment and appurtenances.

If the City and Borough shall determine that it has become impractical to accomplish any portion of the approved Project by reason of changed conditions or needs, incompatible development or costs substantially in excess of those estimated, the City and Borough shall not be required to accomplish such portions and shall apply Bond proceeds as set forth in this section.

Interest earnings on Bond proceeds may be used and applied by City and Borough, at the direction of the City Manager or his or her designee, for the Project or for other School District capital improvements or for the retirement of the Bonds or other School District general obligation bonds.

If the approved Project has been completed in whole or in part, or its completion duly provided for, or its completion found to be impractical, the City and Borough may apply Bond proceeds or any portion thereof as provided in Section 10.10 of the Home Rule Charter.

In the event that the proceeds of sale of the Bonds, plus any other monies of the City and Borough legally available, are insufficient to accomplish the approved Project, the City and Borough shall use the available funds for paying the cost of those portions of the approved Project for which the Bonds were approved deemed by the Assembly most necessary and in the best interest of the City and Borough. No Bond proceeds shall be used for any purpose other than a capital improvement.

Section 4. 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 10 years of date of issue. The Bonds shall be issued in an aggregate principal amount of not to exceed \$11,800,000. The Bonds shall bear interest to be fixed at the time of sale or sales thereof. Both principal of and interest on the Bonds shall be payable from annual tax levies to be made upon all of the taxable property within the City and Borough, without limitation as to rate or amount and in amounts sufficient with other available funds, to pay such principal and interest as the same shall become due.

The full faith, credit, and resources of the City and Borough are hereby irrevocably pledged to the payment of both the principal and interest on such Bonds. 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 fixed by ordinance and resolution of the City and Borough.

Section 5. Submission of Question to Voters. The Assembly hereby submits to the qualified electors of the City and Borough the proposition of whether or not the City and Borough should issue the Bonds for the purpose of financing the costs of the approved Project at the regular municipal election to be held on October 6, 2009.

The City and Borough clerk shall prepare the ballot proposition to be submitted to the voters as provided by this ordinance and shall perform all necessary steps in accordance with law to place these propositions before the voters at the regular election.

Section 6. Ballot Proposition The proposition to be submitted to the qualified voters of the City and Borough as required by Section 5 above shall read substantially as follows:

Explanation

The proposition will authorize the issuance of \$11,800,000 in general obligation bond debt for paying the cost of physically and programmatically upgrading Gastineau Elementary School. The project qualifies for 70% State reimbursement under the State's School Construction Bond Debt Reimbursement Program. The funding for the State's reimbursement program is subject to annual appropriation. If the State fully funds the reimbursement program, the total annual debt service costs after State reimbursement, assuming an interest rate of 4.5%, will be \$450,000. This amount of debt service would require an annual property tax levy of approximately \$12 per \$100,000 of assessed value. This example of a property tax levy is provided for illustrative purposes only.

PROPOSITION NO. 1

GENERAL OBLIGATION BONDS

\$11,800,000

For the purpose of physically and programmatically upgrading Gastineau Elementary School, shall the City and Borough of Juneau, Alaska, issue and sell its general obligation bonds, maturing within 10 years of their date of issue, in the aggregate principal amount of not to exceed \$11,800,000?

BONDS, YES

BONDS, NO

After voter approval of the proposition and in anticipation of the issuance of the Bonds, the City and Borough may issue short term obligations, under such date and in such amount, form, terms, maturity, and bearing such rate or rates of interest, all as may hereafter be fixed by ordinance of the City and Borough, consistent with limitations imposed by State law and by the Home Rule Charter and Code of the City and Borough.

Section 7. Notice of Election. The Assembly shall cause a notice of election to be published once a week for three consecutive weeks in a newspaper for general circulation in the City and Borough. The first notice shall be published not later than September 6, 2009, which is 30 days prior to the regular municipal election. The notice shall contain the information required by Section 10.5 of the Home Rule Charter of the City and Borough.

Section 8. Effective Dates.

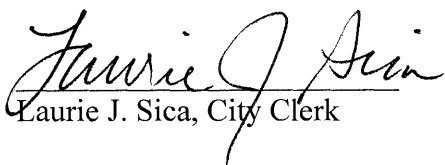
(a) The authority to issue general obligation bonds proposed in Section 6 of this ordinance shall become effective on the day following the date the election results are certified for the regular municipal election held on October 6, 2009, if a majority of the qualified voters voting on the proposition set forth in Section 6 votes for the proposition.

(b) Section 6 of this ordinance authorizing the submission of the ballot proposition to the qualified voters of the City and Borough shall become effective thirty days after adoption of this ordinance.

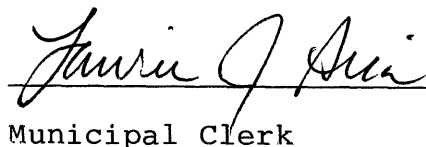
Adopted this 24th day of August, 2009.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, City Clerk

Approved by the voters at the October 6, 2009 Regular Municipal Election.


Municipal Clerk

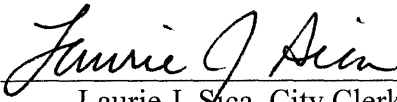
CERTIFICATE

I, the undersigned, Clerk of the City and Borough of Juneau, Alaska (the "City and Borough"), DO HEREBY CERTIFY:

1. That the attached Ordinance Serial No. 2009-19 (herein called the "Ordinance") is a true and correct copy of an Ordinance of the City and Borough, passed at a regular open public meeting of the Assembly held on the 24th day of August, 2009, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law; and to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Assembly voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 24th day of August, 2009.


Laurie J. Sica, City Clerk

Presented by: The Manager
Introduced: 08/10/2009
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2009-17(b)

An Ordinance Proposing an Increase in the Excise Tax on Tobacco Products, to Become Effective Only If Approved by the Voters at the Next Regular Election.

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

Section 1. Classification. Section 3 of this ordinance, if approved by the voters pursuant to Section 4, is of a general and permanent nature and shall become a part of the City and Borough code. Sections 2, 4 and 5 of this ordinance are noncode sections.

Section 2. Intent. It is the intent of the Assembly to continue to spend the proceeds of this tax on health and social service needs related to substance abuse and tobacco use, prevention and cessation. Some of the increased revenue may replace existing sales or property taxes currently used for those purposes.

Section 3. Amendment of Section. CBJ 69.08.020, Imposition of excise tax on tobacco products, is amended to read:

69.08.020 Imposition of excise tax on tobacco products.

(a) The City and Borough hereby levies an excise tax of 100 cents per pack of cigarettes brought into the City and Borough after December 31, 2009.

(b) The City and Borough hereby levies an excise tax on other tobacco products at the rate of 45 percent of the wholesale price of tobacco products brought into the City and Borough after December 31, 2009.

(c) It is the intent and purpose of this chapter to provide for the collection of the excise tax from the distributor who brings cigarettes or other tobacco products into the City and Borough. The excise tax is levied when a distributor brings, or causes to be brought, cigarettes or other tobacco products into the City and Borough from outside the City and Borough for sale.

Section 4. Submission of Question to Voters. (a) The question of whether an excise tax of 100 cents per pack of cigarettes shall be levied and the excise tax on other tobacco products shall be increased from 12 to 45 percent, as set forth in Section 3 of this ordinance, shall be submitted to the qualified voters of the City and Borough at the regular municipal election to be held October 6, 2009.

(b) The City and Borough Clerk shall prepare the proposition to be submitted to the qualified voters of the City and Borough as set forth in Section 4 above.

Section 5. Proposition. The proposition to be submitted to the qualified voters of the City and Borough, as required by Section 4 above, shall read substantially as follows:

PROPOSITION NO. _____

AUTHORIZATION TO INCREASE THE CBJ EXCISE TAX ON TOBACCO PRODUCTS FROM 30 CENTS PER PACK OF CIGARETTES AND 12 PERCENT OF THE WHOLESALE PRICE ON ALL OTHER TOBACCO PRODUCTS BROUGHT INTO THE CITY AND BOROUGH, TO 100 CENTS PER PACK OF CIGARETTES AND 45 PERCENT OF THE WHOLESALE PRICE ON ALL OTHER TOBACCO PRODUCTS.

Shall the City and Borough increase its excise tax on tobacco products from 30 cents per pack of cigarettes and 12 percent of the wholesale price on all other tobacco products brought into the City and Borough, to 100 cents per pack of cigarettes and 45 percent of the wholesale price on all other tobacco products effective January 1, 2010, the tax to be collected from the distributor that brings the tobacco products into the City and Borough?

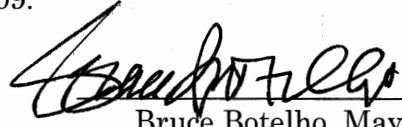
YES

NO

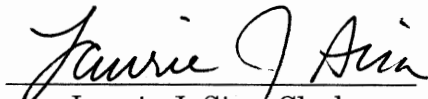
Section 6. Effective Dates. (a) The increase in the tobacco products excise tax proposed in Section 3 of this ordinance, if approved by a majority of the qualified voters of the City and Borough voting on the question in the election to be held on October 6, 2009, shall be effective on January 1, 2010.

(b) Sections 2, 4 and 5 of this ordinance shall be effective 30 days after adoption.

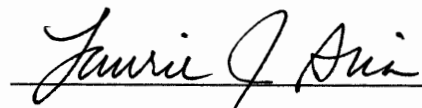
Adopted this 24th day of August, 2009.


Bruce Botelho, Mayor

Attest:


Laurie J. Sica, Clerk

Approved by the voters at the October 6, 2009 Regular
Municipal Election.


Municipal Clerk

Voter Information

October 6, 2009 Municipal Election



Proposition 1:
Authorizing \$11.8 Million in General Obligation
Bonds For Gastineau School Renovation

Proposition 2:
Increasing the Excise Tax on Tobacco Products

Proposition 1 - Authorizing \$11.8 Million in General Obligation Bonds For Gastineau School Renovation

What is the purpose of Proposition 1?

If voters approve Proposition 1, \$11.8 million in general obligation bonds will be issued and the funds will be used to perform significant renovations at Gastineau Elementary School. Renovations include, but are not limited to, code upgrades, energy efficiency upgrades, ADA upgrades, renovation of portions of the building to provide a larger capacity kitchen, small learning spaces, and other programmatic improvements.

Why improve Gastineau School?

Gastineau School was constructed in 1956. Over the years renovation and addition projects have been completed including a classroom wing addition in 1965, a multipurpose room and covered play area addition in 1990, and roofing and exterior window renovations in recent years. However, the original school building and mechanical and electrical systems are over 50 years old and have significant renovation needs. The proposed renovation is the top priority of the Juneau School District, and would allow the Gastineau Elementary School to perform at the same educational level as the recently renovated Glacier Valley and Harborview Elementary Schools.

How does the State of Alaska reimburse cities for school projects, and what will happen if there is no funding?

This school project qualifies for 70% State reimbursement under the State's School Construction Bond Debt Reimbursement Program. The funding for the State's reimbursement program is subject to annual appropriation. Lawmakers have fully funded the program for over 15 years, although there is no guarantee they will continue to do so. The City and Borough of Juneau is responsible for the full payment of the debt on the bonds, regardless of whether the Legislature assists with a 70% share.

If Proposition 1 is approved, how will it affect property taxes?

If voters approve Proposition 1, the CBJ estimates that the total debt service on the general obligation bonds, assuming an interest rate of 4.5%, will be \$450,000 annually. This amount of debt service would require an annual tax levy of approximately \$12 per \$100,000 of assessed value for each of the next ten years.

These calculations assume the state reimburses the City and Borough of Juneau for 70% of the annual debt service for each of the ten years of debt payment.

The actual mill levy will vary depending upon total assessed property values and annual appropriations for the State's School Construction Bond Debt Reimbursement Program.



Proposition 2 – Increasing the Excise Tax Rate on Tobacco Products

How does Juneau’s current tobacco excise tax rates compare with the taxes levied in other Alaska cities?

Cigarettes			
Alaska Cities with an Excise Tax		State (flat rate per pack)	Federal (flat rate per pack)
City	Rate		
Juneau	\$0.30	\$ 2.00	\$1.00 to \$2.11
Anchorage	\$1.30		
Mat-Su	\$1.00		
Fairbanks	16%		
Sitka	\$1.00		

Other Tobacco Products			
Alaska Cities with an Excise Tax		State (Percent of wholesale price)	Federal
City	Rate		
Juneau	12%	75%	Various (flat & percentage rates)
Anchorage	45%		
Mat-Su	45%		
Fairbanks	16%		
Sitka	45%		

Note: CBJ also collects sales taxes on the sale of tobacco products.

What is the rate being proposed?

Proposition 2 asks voters to approve an increase in the excise tax rates on cigarettes and other tobacco products. The CBJ levies two different tobacco excise taxes; a flat dollar amount on packages of cigarettes and a percentage amount on the wholesale price of other tobacco products. If this proposition is approved, the excise tax rates would increase from:

\$0.30 to \$1.00 per pack of cigarettes; and

12% to 45% on the wholesale price of other tobacco products.

Excise taxes are collected from the wholesaler/retailer importing the tobacco products into the borough. Other tobacco products include but are not limited to cigars, cheroot, stogie, perique, snuff and snuff flour, smoking tobacco, and chewing tobacco not prescribed by a licensed physician.

How would this proposition affect CBJ tax revenues?

The CBJ collects approximately \$520,000 annually with the current excise taxes on tobacco products. The majority (86%) of this revenue comes from the sale of cigarettes. If Proposition 2 is approved by the voters, and assuming no change in the demand for tobacco products, the CBJ would expect to collect an additional \$1,250,000 annually.

How will the additional revenues be spent?

It is the intent of the Assembly to continue to spend the proceeds of this tax on health and social service needs related to substance abuse and tobacco use prevention and cessation. Some of the increased revenue may replace existing sales or property taxes currently used for those purposes.

Postal Customer Juneau, Alaska



Paid for by the City and Borough of Juneau, 155 South Seward Street, Juneau, Ak 99801

POLLING PLACES—MUNICIPAL ELECTION – OCTOBER 6, 2009

Precinct Number	Precinct Name	Precinct Location	Precinct Address
03 300	Douglas	Douglas Library	1016 Third Street, Douglas
03 310	Juneau No. 1	Juneau Arts and Culture Center	350 Whittier Ave., Juneau
03 320	Juneau No. 2	Juneau Arts and Culture Center	350 Whittier Ave., Juneau
03 330	Juneau No. 3	Juneau Senior Center	895 W. 12 th St., Juneau
03 340	Juneau No. 4	Cedar Park	3414 Foster Ave., Juneau
03 350	Juneau Airport	Nugget Mall	8745 Glacier Highway, Juneau
03 360	Lemon Creek	AEL&P	5601 Tongsgard Ct., Juneau
03 370	North Douglas	Juneau Fire Station	820 Glacier Ave., Juneau
03 380	Salmon Creek	Tlingit & Haida Community Council	3235 Hospital Drive, Juneau
03 390	Switzer Creek	Gruening Park Recreation Center	1800 Northwood Drive, Juneau
04 410	Mendenhall Valley No. 1	Mendenhall Mall	9105 Mendenhall Mall Rd., Juneau
04 420	Mendenhall Valley No. 2	Aldersgate United Methodist Church	9161 Cinema Drive, Juneau
04 430	Mendenhall Valley No. 3	Glacier Valley Baptist Church	3921 Mendenhall Loop Rd., Juneau
04 440	Mendenhall Valley No. 4	Shepherd of the Valley Lutheran Church	4212 Mendenhall Loop Rd., Juneau
04 450	Auke Bay - Fritz Cove	Auke Bay Fire Station	11900 Glacier Highway, Juneau
04 460	Lynn Canal	Auke Bay Ferry Terminal	13.8 Mile Glacier Highway, Juneau

The polls will be open Tuesday, October 6th, from 7:00 a.m. to 8:00 p.m.

If you don't know which precinct you are in, call the State Of Alaska Polling Place Locator at 888-383-8683
If you have questions regarding absentee or early voting, please contact the Municipal Clerk's Office at 586-5278.