

NON-CODE ORDINANCE

Sponsored By: Mayor and Manager  
by Assembly direction

Introduced: 07/20/21

Public Hearing: 08/03/21

Public Hearing Continued to 08/17/21: 08/03/21

Amended: 08/17/21

Adopted: 08/17/21

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 21-076**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RELATING TO THE CONSTRUCTION, ADDITIONS, IMPROVEMENTS, BETTERMENTS, REPAIR, RECONSTRUCTION, OR ACQUISITION OF PUBLIC ROADS AND FACILITIES RELATED THERETO IN THE MATANUSKA-SUSITNA BOROUGH, TOGETHER WITH ALL NECESSARY EQUIPMENT AND TRANSPORTATION FACILITIES INCLUDING IMPROVING SCHOOL ACCESS, AND THE ACQUISITION OF LANDS OR RIGHTS IN LANDS IN CONNECTION THEREWITH, AND A DEBT OF THE BOROUGH, AUTHORIZING THE ISSUANCE OF AREAWIDE GENERAL OBLIGATION BONDS OF THE BOROUGH IN AN AMOUNT NOT TO EXCEED THE SUM OF \$61,135,000 TO FINANCE THE COST, IN WHOLE OR IN PART, OF SUCH PUBLIC ROADS, FACILITIES, AND LANDS, AND SUBMITTING THE PROPOSITION TO THE VOTERS AT THE NOVEMBER 2, 2021, REGULAR BOROUGH ELECTION.

---

WHEREAS, the intent, rationale, and supporting information for this ordinance is found in Informational Memorandum No. 21-155 and the discussions of the Assembly during meetings at which it was considered.

BE IT ENACTED:

Section 1. Classification. This is a noncode ordinance.

Section 2. Authorization. There is hereby authorized to be issued areawide general obligation bonds of the Matanuska-Susitna Borough in an amount not to exceed the sum of Sixty One Million One Hundred and Thirty Five Thousand Dollars (\$61,135,000) (the "Bonds") for the purpose of paying the cost, in whole or in part, of the construction, additions, improvements, betterments, repair,

reconstruction, or acquisition of the public roads set forth in Section 3 of this ordinance (the "Projects") and facilities related thereto in the Matanuska-Susitna Borough, together with all necessary equipment and transportation facilities, and the acquisition of lands or rights in lands in connection therewith. The full faith and credit of the Borough shall be pledged for the payment of principal and interest on the bonds when issued and ad valorem taxes upon all the taxable property in the Borough shall be levied without limitation of rate or amount to pay the principal and interest on the bonds.

Section 3. Purpose. The Matanuska-Susitna Borough Assembly (the "Assembly") hereby determines that the transportation systems of the Borough, in particular the arterial and collector roads, pathways, and pedestrian projects are in need of construction, additions, improvements, betterments, repair, reconstruction, or acquisition and deems the Projects to be public facilities of the Borough's transportation systems under Matanuska-Susitna Borough Code 1.10.135. Such activities also contribute to the Borough's powers to provide education, recreation, and economic development. The Assembly hereby determines that the best interest of the residents and property owners in the Borough require the Borough to undertake the Projects at the time and in the order and manner deemed most necessary and advisable by the Borough. The estimated cost to the Borough of the Projects, including incidental costs

and costs related to issuing and selling the Bonds as provided in this ordinance, is estimated to be \$61,135,000.

The projects consist of the following:

PROJECTS	AMOUNT
Trunk Road Connector/Katherine Drive	\$2,530,000
Smith Road Extension Upgrade and Pathway	\$2,070,000
Old Glenn Pathway Phase 2	\$1,800,000
49th State Street Pathway	\$1,000,000
Hemmer Road Extension South	\$4,500,000
Lakes Boulevard Upgrade	\$2,500,000
Point MacKenzie Road Reconstruction MP 0-7	\$8,000,000
Lucille Street and Pathway Upgrade	\$4,900,000
Tex-Al Drive Extension, Upgrade and Pathway	\$6,325,000
MSB School District, Shaw Elementary Turn-Lane	\$500,000
Engstrom Road to Trunk Road Corridor	\$2,500,000
Edgerton Parks Road-Mtn. Trails Drive Upgrade & Pathway	\$2,800,000
Caswell Lakes Rd./Bendapole Rd./Passthebait Ave. Paving	\$810,000
Cheri Lake Drive/Karen Avenue/ King Arthur Drive	\$3,500,000
Hidden Hills and Passthebait Ave. Reconstruction	\$3,600,000
Palmer-Fishhook Separated Pathway	\$4,500,000
Fern Street Upgrade and Pathway	\$4,000,000
Seward Meridian Parkway-Tambert Traffic Signal	\$1,500,000
MSB School District, 2018 Pedestrian Projects	\$2,300,000

Multi-modal Wasilla Depot

\$1,500,000

Total

\$61,135,000

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 and other costs incurred in connection with the Projects shall be deemed to be costs of the approved Projects. The Borough is hereby authorized to undertake the Projects at the time and in the order and manner deemed most necessary and advisable by the Borough. The approved Projects may be completed with all necessary equipment and appurtenances and shall include non-motorized pathways when practicable.

The Borough shall determine the application of available money 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 Borough 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 Borough 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 Borough shall apply such remaining proceeds solely to payment of principal or interest on the Bonds. In the event that the proceeds of sale of the Bonds, plus any other money of the Borough legally available, are insufficient to accomplish the approved Projects, the Borough shall use the available funds for paying the cost of those portions of the approved Projects deemed by the Borough most necessary and in the best interest of the Borough. No Bond proceeds shall be used for any purpose other than a capital improvement.

Section 4. Details of Bonds. The Bonds shall be issued upon such terms and conditions and in such form as the Borough Manager or the Borough Finance Director finds to be in the best interest of the Borough.

Section 5. Submission to the voters.

A proposition ratifying the authorization to engage in the projects and of the Bonds shall be submitted to the qualified voters of the Borough at the regular Borough election to be held on November 2, 2021, in substantially the following form:

**PROPOSITION NO. 1**

**BOROUGH TRANSPORTATION SYSTEMS PROJECTS BONDS**

This proposition authorizes the Matanuska-Susitna Borough to build the transportation systems projects listed below and issue bonds in the amount of \$61,135,000 to pay for such projects.

Shall the Matanuska-Susitna Borough engage in the construction, additions, improvements, betterments, repair, reconstruction, and acquisition of public roads and facilities related thereto in the Matanuska-Susitna Borough of the following Projects, together with all necessary equipment and transportation facilities, and the acquisition of lands or rights in lands in connection therewith, and issue its areawide general obligation bonds, in an amount not to exceed the sum of Sixty One Million One Hundred Thirty Five Thousand Dollars (\$61,135,000) for the purpose of financing the cost, in whole or in part, of the following Projects in accordance with and ratifying and approving the provisions of Ordinance Serial No. 21-076.

PROJECTS	AMOUNT
Trunk Road Connector/Katherine Drive	\$ 2,530,000
Smith Road Extension Upgrade and Pathway	\$ 2,070,000
Old Glenn Pathway Phase 2	\$ 1,800,000
49th State Street Pathway	\$ 1,000,000
Hemmer Road Extension South	\$ 4,500,000
Lakes Boulevard Upgrade	\$ 2,500,000
Point MacKenzie Road Reconstruction MP 0-7	\$ 8,000,000
Lucille Street and Pathway Upgrade	\$ 4,900,000
Tex-Al Drive Extension, Upgrade and Pathway	\$ 6,325,000
MSB School District, Shaw Elementary Turn-Lane	\$ 500,000
Engstrom Road to Trunk Road Corridor	\$ 2,500,000
Edgerton Parks Road-Mtn. Trails Drive	\$ 2,800,000
Upgrade & Pathway	
Caswell Lakes Rd./Bendapole Rd./	\$ 810,000
Passthebait Ave. Paving	
Cheri Lake Drive/Karen Avenue/ King Arthur Drive	\$ 3,500,000
Hidden Hills and Passthebait Ave. Reconstruction	\$ 3,600,000
Palmer-Fishhook Separated Pathway	\$ 4,500,000
Fern Street Upgrade and Pathway	\$ 4,000,000
Seward Meridian Parkway-Tambert Traffic Signal	\$ 1,500,000
MSB School District 2018 Pedestrian Projects	\$ 2,300,000
Multi-modal Wasilla Depot	\$ 1,500,000
<u>Total</u>	<u>\$61,135,000</u>

The bonds shall be secured by a pledge of the full faith and credit of the Borough pursuant to Ordinance Serial No. 21-076 of the Matanuska-Susitna Borough adopted by the Borough Assembly on August 17, 2021.

YES ☐ NO ☐

Section 6. Bond anticipation notes. In the event the issuance of the Bonds is ratified at such election, the Assembly is hereby authorized to borrow money in anticipation of the sale of the Bonds and to issue bond anticipation notes in accordance with the provisions of the Alaska Statutes. The amount of such notes to be issued from time to time and the time of their issuance, the form and details of the notes and provisions for the sale thereof shall be fixed by the Assembly by resolution.

Section 7. Effective Date. Sections 2, 3, 4, and 6 of this ordinance shall take effect upon certification of election only if the ballot proposition contained in Section 5 of this ordinance is approved by a majority of the qualified voters voting on the proposition at the regular Borough election on November 2, 2021. The remaining sections of this ordinance take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this  
17 day of August, 2021.




VERN HALTER, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



YES: Hale, Nowers, Yundt, Tew, Sumner, and Boeve

NO: McKee