

NONCODE ORDINANCE

Sponsored By: Borough Manager  
Introduced: 05/18/21  
Public Hearing: 06/01/21  
Adopted: 06/01/21

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 21-046**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A ONE-YEAR EXTENSION FOR THE MANAGEMENT AGREEMENT BETWEEN THE BOROUGH AND THE WILLOW AREA COMMUNITY ORGANIZATION AND MODIFYING SHARED EXPENSES DURING CONSTRUCTION OF THE NEW WILLOW LIBRARY AND COMMUNITY CENTER UPGRADES (MSB001918).

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WHEREAS, the current five-year management agreement between the Borough and the Willow Area Community Organization (WACO) for use of the community center expires on June 30, 2021; and

WHEREAS, adopted MSB 23.10.160, Management Agreements, and the Land and Resource Management Policy and Procedures, Part 40-1, Management Agreements, 3.4 requires, "any management agreement term that exceeds five years requires Assembly approval by ordinance"; and

WHEREAS, the construction of a new library and the community center upgrades has temporarily displaced both the library and WACO during the upgrades to the community center, which is anticipated to be completed in November 2021; and

WHEREAS, WACO is not currently occupying the community center to allow the contractor access to perform the renovations to its area; and

WHEREAS, granting a one-year extension will allow both parties the opportunity to address the new facility upgrades for the remodeled space and amenities, and the shared areas and expenses under a new management agreement after completion of construction; and

WHEREAS, WACO requested that Borough staff submit a proposal to modify specific shared expenses during the construction period that include the electric, oil, snow and ice removal, and garbage.

BE IT ENACTED:

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

Section 2. MSB Title 23.10.160(E) Management Agreements and adopted Policy and Procedure Manual, Part 40-1, Management Agreements. Notwithstanding MSB Title 23.10.160(E) and the requirements of Policy and Procedure Manual, Part 40-1, subpart 3.4, all other code requirements, and parts of the policy will apply.

Section 3. Authorization to extend the management agreement and modify the shared expenses. The Assembly does hereby approve the one-year extension of the current management agreement and temporary modification of the shared expenses during construction.

Section 4. Conditions.

- a. The management agreement dated June 30, 2016, will expire at midnight on June 29, 2022.

- b. The shared expenses are modified during the construction period as follows:
  - i. Electric - the Borough reimburse WACO 75 percent per month.
  - ii. Oil - Heating fuel costs are split 75 percent Borough and 25 percent WACO.
  - iii. Snow and Ice Removal - costs are split 75 percent Borough and 25 percent WACO.
  - iv. Garbage - WACO's cost is \$17 per month.
- c. The modified shared expenses will remain in effect until such time WACO moves back into the community center whereupon the modified shared expenses will terminate and immediately revert to the original agreement dated June 30, 2016.

Section 5. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this  
1 day of June, 2021.

  
VERN HALTER, Borough Mayor

ATTEST:

  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Hale, Nowers, McKee, Yundt, Tew, Sumner, and  
Boeve