

CODE ORDINANCE

Sponsored by: Assemblymember Doty
Introduced: 01/16/18
Public Hearing: 02/06/18
Defeated: 02/06/18

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 18-007**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING AND ADOPTING VARIOUS PROVISIONS OF BOROUGH CODE TO ESTABLISH TERM LIMITS FOR ALL BOROUGH BOARDS AND COMMISSIONS AND PROVIDE AN EXCEPTION FOR REAPPOINTMENT IN CASE OF NECESSITY.

WHEREAS, the intent and rationale for this ordinance are found in the accompanying Informational Memorandum No. 18-014.

BE IT ENACTED:

Section 1. Classification. Sections 2 through 11 of this ordinance are of a general and permanent nature and shall become a part of the Borough Code. Sections 1, 12, and 13 are non-code.

Section 2. Adoption of subsection. MSB 4.05.050(F), is hereby adopted as follows:

(F) A board member who has otherwise reached their limit may be reappointed by the Mayor if nobody has applied to fill a vacancy and a seat has been vacant for 6 months.

Section 3. Amendment of subsection. MSB 4.27.020(C), pertaining to the Borough School Site Selection Committee, is hereby amended as follows:

(C) The term of each member and alternate shall be three years, except that, upon creation of the

committee, the mayor shall designate one of the regular members from the assembly, planning commission, and school board to serve an initial term of one year.

[CONSECUTIVE TERMS MAY BE HELD.]

Section 4. Repeal of subsection. MSB 4.28.030(D) and (E), pertaining to the E911 Advisory Board are hereby repealed.

[(D) IRRESPECTIVE OF THE LIMITS SPECIFIED IN MSB 4.05.050, A BOARD MEMBER MAY SERVE MORE THAN TWO CONSECUTIVE THREE-YEAR TERMS.]

(E) IRRESPECTIVE OF THE LIMITS SPECIFIED IN MSB 4.05.040.]

Section 5. Amendment of subsection. MSB 4.32.040(A), pertaining to the Emergency Medical Services Board, is hereby amended as follows:

(A) The board shall have a chair and vice-chair that serve two-year terms. [CONSECUTIVE TERMS SHALL BE ALLOWED.]

Section 6. Repeal of subsection. MSB 4.46.040, pertaining to the Historical Preservation Commission, is hereby repealed.

[4.46.040 TERM OF MEMBERS.

(A) IRRESPECTIVE OF THE LIMITS SPECIFIED IN MSB 4.05.040, A BOARD MEMBER MAY SERVE MORE THAN TWO CONSECUTIVE THREE-YEAR TERMS.]

Section 7. Repeal of subsection. MSB 4.50.055, pertaining to the Local Emergency Planning Board, is hereby repealed.

[4.50.055 TERM OF MEMBERS.

(A) IRRESPECTIVE OF THE LIMITS SPECIFIED IN MSB 4.05.050, A MEMBER MAY SERVE MORE THAN TWO CONSECUTIVE TERMS.]

Section 8. Amendment of subsection. MSB 4.70.020(D), pertaining to the Wastewater and Septage Advisory Board, is hereby amended as follows:

(D) [EACH BOARD MEMBER MAY SERVE MORE THAN TWO CONSECUTIVE TERMS.] The terms of members initially appointed shall be staggered so that as nearly as possible an equal number of vacancies occur each year.

Section 9. Repeal of subsection. MSB 4.75.007, pertaining to the Fish and Wildlife Commission, is hereby repealed.

[4.75.007 TERM OF MEMBERS.

(A) IRRESPECTIVE OF THE LIMITS SPECIFIED IN MSB 4.05.050, A BOARD MEMBER MAY SERVE MORE THAN TWO CONSECUTIVE TERMS.]

Section 10. Amendment of section. MSB 5.15.010(A), pertaining to Service Areas, is hereby amended as follows:

5.15.010 ORGANIZATION OF BOARDS OF SUPERVISORS.

(A) Unless otherwise provided by ordinance there shall be a board of supervisors established for each

service area and the board of supervisors for each service area shall be composed of three persons who are qualified voters residing within the service area, appointed by the mayor and approved by the assembly. [EACH SUPERVISOR SHALL SERVE A TERM OF THREE YEARS AND MAY SERVE ADDITIONAL TERMS. THE THREE-YEAR TERM SHALL BE CALCULATED ON A CALENDAR YEAR BASIS. THE TERMS OF MEMBERS INITIALLY APPOINTED SHALL BE STAGGERED SO THAT AS NEARLY AS POSSIBLE AN EQUAL NUMBER OF VACANCIES OCCUR EACH YEAR ON A BOARD. VACANCIES OCCURRING ON A BOARD OF SUPERVISORS SHALL BE FILLED FOR TERMS REMAINING BY THE MAYOR, SUBJECT TO ASSEMBLY CONFIRMATION.]

Section 11. Adoption of section. MSB 5.15.012, is hereby adopted to read as follows:

5.15.012 TERM OF SERVICE.

(A) The provisions of MSB 4.05.050, Term of Service apply to members of the board of supervisors.

Section 12. Effect of ordinance. The provisions of this ordinance shall take immediate effect upon members of boards and commissions currently holding such positions. Any member of a board or commission currently in their second term (or more) shall be limited by the applicability of this ordinance and not eligible for reappointment at the expiration of the current term unless the provisions of MSB 4.05.050(F) are met.

Section 13. Effective date. This ordinance shall take effect upon adoption.

DEFEATED by the Matanuska-Susitna Borough Assembly this 6 day of February, 2018.

YES: Doty

NO: Sykes, McKee, Leonard, Mayfield, and Kowalke