

CODE ORDINANCE

Sponsored by: Assemblymember Sumner

Introduced:

Public Hearing:

Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 19-077**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RETURNING THE RESPONSIBILITY FOR MAJOR CONSTRUCTION PROJECTS TO THE PUBLIC WORKS DEPARTMENT AND REPEALING MSB 2.45, CAPITAL PROJECTS.

WHEREAS, since approximately 1974, the Public Works department was responsible for performing and overseeing operations and maintenance and also for major construction projects; and

WHEREAS, approximately 5 years ago, the Capital Projects Department was created for the purpose of managing major construction projects; and

WHEREAS, the Capital Projects Department assumed part of the responsibilities of the Public Works Department; and

WHEREAS, the past 2 years have seen a substantial decrease in the amount of major construction projects in the Matanuska-Susitna Borough, and

WHEREAS, the fiscal condition of the State of Alaska and the Matanuska-Susitna Borough is such that it does not appear there will be a large amount of major construction projects in the future; and

WHEREAS, there is no longer a need to maintain 2 separate

departments of Capital Projects and Public Works; and

WHEREAS, it is appropriate to return the duties of major construction projects to the Public Works Department as they existed for almost 40 years.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Repeal of Chapter. MSB 2.45 is repealed as follows:

[CHAPTER 2.45: CAPITAL PROJECTS DEPARTMENT

2.45.010 ESTABLISHED.

(A) THERE IS ESTABLISHED A CAPITAL PROJECTS DEPARTMENT.

2.45.015 DEFINITIONS.

(A) FOR THE PURPOSE OF THIS CHAPTER, THE FOLLOWING DEFINITIONS SHALL APPLY UNLESS THE CONTEXT CLEARLY INDICATES OR REQUIRES A DIFFERENT MEANING:

- "CAPITAL PROJECTS" AS FURTHER USED IN THIS CHAPTER REFERS TO DESIGN, RIGHT-OF-WAY, UTILITY RELOCATION, CONSTRUCTION, RENOVATION AND MAJOR REPAIR OF ALL BOROUGH OWNED BUILDINGS, FACILITIES, ROADS, SCHOOLS, APPURTENANCES, AND ALL OTHER TYPES OF SIMILAR PUBLIC IMPROVEMENTS.

- "CONSTRUCTION" MEANS THE ON-SITE ERECTION, ALTERATION, EXTENSION OR REPAIR OF IMPROVEMENTS TO REAL PROPERTY, INCLUDING RENOVATING BUILDINGS, ROADWAYS OR OTHER IMPROVEMENTS, UNDER CONTRACT FOR THE BOROUGH.

2.45.020 FUNCTIONS.

(A) THE FUNCTIONS OF THE CAPITAL PROJECTS DEPARTMENT INCLUDE:

(1) DESIGNING OF CAPITAL PROJECTS, INCLUDING THE PREPARATION OF PLANS, MAPS AND SPECIFICATIONS AND THE REVIEW OF SUCH ENGINEERING WORK PERFORMED BY PROFESSIONAL CONSULTANTS TO THE BOROUGH;

(2) PROVIDING PROJECT MANAGEMENT AND OVERSIGHT OF CAPITAL PROJECT CONSTRUCTION TO ASSURE COMPLIANCE WITH DESIGNS AND SPECIFICATIONS;

(3) REVIEWING OF SURVEYING PERFORMED BY CONSULTANTS IN SUPPORT OF CAPITAL PROJECTS;

(4) RECONNAISSANCE, COST ESTIMATION, BUDGET ANALYSIS AND LEGISLATION DEVELOPMENT TO SUPPORT CAPITAL PROJECTS;

(5) REVIEWING PLANS AND SPECIFICATIONS DRAWN UP BY ARCHITECTURAL AND ENGINEERING CONSULTANTS, SUGGESTING CHANGES, AND ADVISING THE MANAGER, THE ASSEMBLY, AND SCHOOL BOARD ON BUILDING AND GROUNDS DESIGNS;

(6) [REPEALED BY ORD. 16-027, § 4, 2016];

(7) [REPEALED BY ORD. 16-027, § 4, 2016];

(8) DESIGNING AND CONSTRUCTING ROADS, DITCHES, BRIDGES, PATHWAYS, AND RELATED DRAINAGE FACILITIES RELATED TO CAPITAL PROJECTS;

(9) ACQUIRING REAL PROPERTY FOR ROADS AND RIGHTS-OF-WAY FOR

ANY TRANSPORTATION PURPOSES, PUBLIC OR PRIVATE, AND ACQUIRING REAL PROPERTY FOR ASSOCIATED PROJECT PURPOSES SUCH AS TRAILS, PUBLIC FACILITIES, UTILITIES, TRANSPORTATION ENHANCEMENT ACTIVITIES, AND ENVIRONMENTAL MITIGATION;

(10) PROVIDING PLANNING, RIGHTS-OF-WAY ACQUISITION, AND ENGINEERING SUPPORT TO OTHER BOROUGH DEPARTMENTS TO INCLUDE ASSISTING IN THE DEVELOPMENT OF CAPITAL IMPROVEMENT PLANS AND ROAD AND DEVELOPMENT PLANS;

(11) [REPEALED BY ORD. 17-086, § 2, 2017];

(12) [REPEALED BY ORD. 17-086, § 2, 2017];

(13) [REPEALED BY ORD. 16-027, § 4, 2016];

(14) INSPECTING BOROUGH INFRASTRUCTURE AND FACILITIES TO ENSURE COMPLIANCE WITH DESIGN AND CONSTRUCTION STANDARDS, COMPLIANCE WITH CONTRACTUAL AGREEMENTS AND TO IDENTIFY AND MITIGATE RISKS TO PUBLIC HEALTH AND SAFETY;

(15) PROVIDING ENVIRONMENTAL ENGINEERING REVIEW OF ALL PROJECTS;

(16) COLLECTION AND ANALYSIS OF TRAFFIC DATA: REVIEW AND APPROVE TEMPORARY TRAFFIC CONTROL PLANS FOR THE CAPITAL PROJECTS DEPARTMENT; AND

(17) PERFORMING OTHER RELATED FUNCTIONS AND DUTIES AS MAY BE ASSIGNED BY THE MANAGER.

2.45.030 SUPERVISION.

(A) THE CAPITAL PROJECTS DIRECTOR SHALL HEAD THE CAPITAL PROJECTS DEPARTMENT.]

Section 3. Amendment of Chapter. MSB 2.44.020 is amended as follows:

2.44.020 FUNCTIONS

(A) The functions of the public works department shall include:

(1) designing of projects associated with the upgrade, maintenance and operation of public facilities and infrastructure including but not limited to buildings, roads, paved pathways, landfills, sewage, water and septage systems, and storm water drainage systems.

(2) inspecting, monitoring, implementation and contractor supervision during project execution for projects outlined in subsection (A)(1) of this section.

(3) surveying to determine borough property limits; rights-of-way; facilities, infrastructure or utility locations as required to support facilities or infrastructure upgrades, maintenance, and operation.

(4) cost estimation, budget analysis and legislation development to support facilities or infrastructure upgrades, maintenance, and operation.

(5) supervising contractors performing sanitary fill, grounds excavation, road service area and special service area operations and maintenance and other operations and maintenance work for the borough.

(6) review and modification recommendation for plans and specifications associated with facilities or infrastructure upgrades, maintenance, and operation.

(7) inspecting borough infrastructure and facilities to ensure compliance with maintenance and construction standards, compliance with contractual agreements and to identify and mitigate risks to public health and safety.

(8) reviewing of proposed subdivision improvement plans to assure compliance with borough ordinances and regulations.

(9) constructing and maintaining of roads, ditches, sidewalks, sewer and water infrastructure, and related drainage facilities as needed for roads, ditches, sidewalks, sewer and water infrastructure.

(10) Repealed by Ord. 13-162, § 4, 2014.

(11) other related functions and duties as may be assigned by the manager.

(12) maintenance, custodial services, repair, minor construction, renovation and upkeep of all rolling stock and buildings including, but not limited to, borough offices, community centers, gyms, and any other structure or building

for which the borough has responsibility for care and administration.

(13) designing of capital projects, including the preparation of plans, maps and specifications and the review of such engineering work performed by professional consultants to the borough.

(14) providing project management and oversight of capital project construction to assure compliance with designs and specifications.

(15) reviewing of surveying performed by consultants in support of capital projects.

(16) reconnaissance, cost estimation, budget analysis and legislation development to support capital projects.

(17) reviewing plans and specifications drawn up by architectural and engineering consultants, suggesting changes, and advising the manager, the assembly, and school board on building and grounds designs.

(18) designing and constructing roads, ditches, bridges, pathways, and related drainage facilities related to capital projects.

(19) acquiring real property for roads and rights-of-way for any transportation purposes, public or private, and acquiring real property for associated project purposes such as trails, public facilities, utilities, transportation

enhancement activities, and environmental mitigation.

(20) providing planning, rights-of-way acquisition, and engineering support to other borough departments to include assisting in the development of capital improvement plans and road and development plans.

(21) Inspecting borough infrastructure and facilities to ensure compliance with design and construction standards, compliance with contractual agreements and to identify and mitigate risks to public health and safety.

(22) providing environmental engineering review of all projects.

(23) collection and analysis of traffic data: review and approve temporary traffic control plans for the public works department.

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2019.

VERN HALTER, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)