

CODE ORDINANCE

Sponsored by: Borough Manager
Introduced: 09/03/17
Public Hearing: 09/17/19
Adopted: 09/17/19

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 19-108**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 3.08.342(J), FINDINGS AND DECISION, TO CHANGE THE DATE THE HEARING OFFICER'S DECISION IS DUE, FROM CALENDAR DAYS TO BUSINESS DAYS.

WHEREAS, the intent and rationale are outlined in the accompanying Informational Memorandum.

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. Amendment of section. MSB 3.08.342(J) is hereby amended to read as follows:

(J) Findings and decision. The administrative hearing officer's findings are limited to rejecting or upholding the award of the contract. If the administrative hearing officer rejects the award of the contract, the matter shall be remanded to the borough for further action. The administrative hearing officer has the discretion to make an oral finding to uphold or reject the borough's award of the contract at the conclusion of the hearing or to take the matter under advisement. If the administrative hearing officer takes

the matter under advisement, a written decision shall be issued within five [CALENDAR] business days of the hearing. If the administrative hearing officer makes an oral finding at the conclusion of the hearing, the oral finding shall be supplemented with written findings within five [CALENDAR] business days of the hearing. The administrative hearing officer shall support the decision through written findings of fact. The administrative hearing officer shall provide the written decision to the clerk. The clerk shall serve the written decision on the parties in person or by mail within two business days after receiving the decision. The clerk, in her or his discretion, may notify the parties by telephone prior to mailing the decision.

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

ADOPTED by the Matanuska-Susitna Borough Assembly this 17 day
of September, 2019.



VERN HALTER, Borough Mayor

ATTEST:



LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)



PASSED UNANIMOUSLY: Sykes, Beck, McKee, Leonard, Mayfield, Sumner,
and Boeve