SUBJECT: Natural Gas Local Improvement Districts (LIDs)

REQUESTED BY: Kristie VanGorder, City Clerk

PREPARED BY: Jamie Newman, Deputy Clerk

DATE: February 2, 2001

FOR AGENDA OF: February 12, 2001

SUMMARY:

At the city council meeting of January 26, 2001, the council adopted a motion to direct staff to prepare a resolution authorizing the Mat-Su Borough to go forward with Gas Local Improvement Districts within the city.

Further research on this issue indicates that in 1988 borough voters passed a ballot proposition directing that the borough only exercise in areas *outside cities* the power to secure financing for the installation of natural gas facilities within the borough approved natural gas local improvement districts.

In light of this information we feel that a resolution would not be effective.

FISCAL IMPACT: X No ___Yes, amount requested:

CLERK'S RECOMMENDED ACTION: To direct the attorney to prepare an amendment to the Wasilla Municipal Code to specifically state that the city will only participate in LIDs for publicly owned utilities i.e. water, sewer, and roads; and request that Assembly Member Kelly work towards amending the borough code to allow borough Gas LIDs to be initiated within the cities; and to further amend the Wasilla Municipal Code to simplify the LID process.

Administration Initial: _

Attachments: MSB Ordinance Serial No. 88-264

MSB 1.10.255, Natural Gas Local Improvement Districts

Presented to council on__

Action taken: Approved

Denied

other ____

Verified by

TITLE 1: GENERAL PROVISIONS

CHAPTER 1.10: BOROUGH POWERS

1.10.255 NATURAL GAS LOCAL IMPROVEMENT DISTRICTS.

The borough may exercise the power to secure financing for the installation of natural gas facilities within borough-approved natural gas improvement districts in the area outside of cities. (Ord. 94-001AM, § 2 (part), 1994; Ord. 88-264, § 2, 1989)

Introduced By: Borough Manager Prepared By: Borough Attorney

CODE ORDINANCE

MATANUSKA-SUSITNA BOROUGH ORDINANCE

SERIAL NO. 88-264

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY ASSUMING ON A NON-AREAWIDE BASIS THE POWER TO SECURE FINANCING FOR THE INSTALLATION OF NATURAL GAS FACILITIES WITHIN BOROUGH APPROVED NATURAL GAS LOCAL IMPROVEMENT DISTRICTS AND CALLING FOR AN ELECTION ON THE QUESTION OF THE ASSUMPTION OF SUCH POWER.

WHEREAS, the Matanuska-Susitna Borough Assembly has conducted a public hearing on the need to acquire the power to secure financing for the installation of natural gas facilities within Borough approved natural gas local improvement districts, and

WHEREAS, the Matanuska-Susitna Borough does not presently possess a power to legitimately engage in such activities, and

WHEREAS, the Matanuska-Susitna Borough Assembly has determined that the exercise of such power would not create an undue or unusual burden on the Borough and such power could be exercised effectively if approved by the voter.

Be it enacted:

- * Section 1, <u>Classification</u>. Section 2 of this ordinance is a code provision; all other sections are non-code provisions.
- * Section 2. <u>Amenument of Chapter</u>. Article III, Powers Outside City, of MSB Chapter 1.10, is amended by adding a new subsection to read:

AM 89-082 ord. 88-264

- 1 -

- 1.10.250 Power to Secure Financing for Natural Gas Local Improvement Districts. The Borough may exercise the power to secure financing for the installation of natural gas facilities within Borough approved natural gas improvement districts in the area outside of cities.
- * Section 3. <u>Election</u>. The clerk shall do all things necessary to place before the voters in the area outside cities at the special municipal election to be held on March 7, 1989, the question whether the Borough may exercise the powers set out in Section 2 of this ordinance. The ballot proposition shall read substantially as follows:

Proposition ____

POWER TO SECURE FINANCING FOR THE INSTALLATION

OF NATURAL GAS FACILITIES WITHIN BOROUGH APPROVED

NATURAL GAS LOCAL IMPROVEMENT DISTRICTS

Shall the Matanuska-Susitna Borough assume and exercise in the areas outside cities the power to secure financing for the installation of natural gas facilities within Borough approved natural gas local improvement districts.

Yes

No

* Section 4. <u>Effective Date</u>. Section 2 of this ordinance becomes effective on March 7, 1989, if a majority of the qualified voters voting on the question vote in favor of the proposition. All other sections and parts of this ordinance become effective upon adoption.

Introduction: $\frac{\sqrt{20/88}}{\sqrt{50/88}}$ First Reading: $\frac{\sqrt{50/88}}{\sqrt{50/88}}$

Public Hearing:

ADOPTED by the Assembly of the Matanuska-Susitna Borough, this 3 day of Assembly 1989.

Orothy Jones
Borough Mayor

ATTEST:

Linda Dahl Borough Clerk

(SEAL)

(ord/72988-1)

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