

**CITY OF WASILLA
RESOLUTION SERIAL NO. 04-10**

A RESOLUTION OF THE WASILLA CITY COUNCIL AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE CITY OF PALMER AND MAT-SU VALLEY MEDICAL CENTER, LLC RESOLVING THE CONTESTED WATER AND SEWER SERVICE AREA BOUNDARY BETWEEN THE CITY OF WASILLA AND THE CITY OF PALMER.

WHEREAS, the City of Wasilla ("Wasilla") and the City of Palmer ("Palmer") have submitted applications to the Regulatory Commission of Alaska ("RCA") for authority to provide water and sewer service to the site of the hospital to be constructed by Mat-Su Valley Medical Center, LLC ("MVMC") near the intersection of the Parks and Glenn Highways, and to other areas lying between the boundaries of Wasilla and Palmer; and

WHEREAS, the RCA consolidated the cities' applications into a contested proceeding which has been scheduled for hearing commencing March 30, 2004; and

WHEREAS, the RCA permitted MVMC to intervene as a party in the contested proceeding; and

WHEREAS, determining with certainty the extent to which Wasilla may provide water and sewer service to the area lying east of its boundary, particularly along the Parks Highway corridor, is important to the future growth and development of Wasilla; and

WHEREAS, representatives of Wasilla and Palmer have negotiated an agreement among themselves and MVMC (the "Agreement") as to the water and sewer service area boundary between the two cities, which now is before this meeting; and

WHEREAS, the Agreement allows Wasilla to provide water and sewer service to the east of its boundary along most of the Parks Highway corridor, while allowing Palmer to provide water and sewer service to the new MVMC hospital site; and

WHEREAS, resolving the contested service area extension proceeding before the RCA on the terms set forth in the Agreement is in the best interest of Wasilla and its residents.

NOW, THEREFORE, BE IT ENACTED:

* **Section 1.** The council finds that the Agreement is a reasonable compromise of the contested water and sewer service area proceeding before the RCA between Wasilla and Palmer, and provides certainty as to the area east of Wasilla's boundaries to which Wasilla may extend water and sewer service, and therefore is in the best interest of Wasilla.

* **Section 2.** The form and content of the Agreement hereby are in all respects authorized, approved and confirmed, and each of the Mayor and the City Attorney hereby is authorized, empowered and directed to execute and deliver to the counterparties the Agreement on behalf of the City, in substantially the form and content now before this meeting but with such changes, modifications, additions and deletions therein as the signer shall deem necessary, desirable or appropriate, the execution thereof to constitute conclusive evidence of approval of any and all changes, modifications, additions or deletions therein from the form and content of said document now before this meeting, and from and after the execution and delivery of said document, each of the Mayor and the City Attorney hereby is authorized, empowered and directed to do all acts and things and to execute all documents as may be necessary to carry out and comply with the provisions of the Agreement as executed.

* **Section 3. Effective date.** This resolution shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council, Alaska, on February 28, 2004.


DIANNE M. KELLER, Mayor

ATTEST:



KRISTIE SMITHERS, CMC
City Clerk

[SEAL]