

1 By: Bryce J. Ward, Mayor  
2 Matt Cooper  
3 Shaun Tacke  
4 Aaron Lojewski  
5 Introduced: 07/25/2019  
6 Advanced: 07/25/2019  
7 Substituted: 08/08/2019  
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9 Immediate  
10 Reconsideration Failed: 08/08/2019  
11 Adopted: 08/08/2019

12 FAIRBANKS NORTH STAR BOROUGH

13 ORDINANCE NO. 2019 - 35

14 AN ORDINANCE AMENDING FNSBC 7.12.120, CAPITAL IMPROVEMENT PROGRAM AND  
15 FNSBC 3.24.030, CAPITAL PROJECTS AND LEGISLATIVE PRIORITIES COMMITTEE

16  
17 WHEREAS, A capital improvement program (CIP) is a required program  
18 under Alaska State Law, AS 29.20.500; and

19  
20 WHEREAS, FNSBC 7.12.120 sets parameters and requirements for the  
21 Fairbanks North Star Borough's (FNSB) capital improvement program; and

22  
23 WHEREAS, Capital improvement programs are useful tools to identify  
24 projects and the funding necessary to complete them; and

25  
26 WHEREAS, The FNSB has utilized annual capital improvement programs  
27 but it has not had a rigorous vetting process for projects, nor have the programs been  
28 fiscally constrained; and

29  
30 WHEREAS, In order for a capital improvement program to be successful  
31 the process must be understood by the public; and

32  
33 WHEREAS, Establishing program and fiscal requirements to the  
34 development, implementation, and execution of the CIP, will help guide the decision  
35 making process and ensure that the public, administration, and assembly have  
36 identified appropriate projects for the community; and

37  
38 WHEREAS, Strong public support of the CIP process is key to the success  
39 of capital improvement projects.

40  
41 AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

42 Text to be *added* is underlined

Text to be *deleted* is [BRACKETED, CAPITALIZE]

43 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks  
44 North Star Borough:

45  
46 Section 1. Sections 1, 2, and 3 of this ordinance are of a general and  
47 permanent nature and shall be codified. Sections 4 and 5 of this ordinance are not of a  
48 general and permanent nature and shall not be codified.

49  
50 Section 2. FNSBC 7.12.120, Capital Improvement Program, is hereby  
51 amended as follows:

52 [THE MAYOR SHALL SUBMIT TO THE ASSEMBLY ANNUALLY ON A DATE THE MAYOR  
53 DEEMS APPROPRIATE A SIX-YEAR CAPITAL IMPROVEMENT PROGRAM INCLUDING  
54 CAPITAL PROJECTS FOR EDUCATION. THE ASSEMBLY SHALL HOLD AT LEAST ONE  
55 PUBLIC HEARING ON THE PROGRAM PRIOR TO ADOPTION. THE FIRST YEAR PLAN OF  
56 THE PROGRAM SHALL CONSTITUTE THE CAPITAL IMPROVEMENT BUDGET AND SHALL  
57 BE PART OF THE ANNUAL BUDGET SUBMISSION PROVIDED FOR IN FNSBC  
58 7.12.020(C).] A capital improvement program that plans for and anticipates necessary  
59 capital projects, including capital projects for education, shall be reviewed and adopted  
60 by the assembly on an annual basis. A capital project is a substantial, non-recurring  
61 expenditure for a physical improvement with a long, useful life, and does not include  
62 routine or preventative maintenance or custodial care programs. Development of the  
63 capital improvement program shall be as follows:

64 A. Project Nominations. Written nominations for capital improvement projects may  
65 be submitted biennially on an approved form to the administration during a project  
66 nomination period. Any borough resident may nominate a project. The administration  
67 shall hold at least one public workshop during the project nomination period for the  
68 purpose of providing information and technical assistance in completing the project  
69 nomination form.

70 B. Project Evaluation and Selection. All submitted applications will be reviewed for  
71 duplication and evaluated for feasibility. The school board shall receive a copy of the  
72 submittals for education facilities for the purpose of providing recommendations to the  
73 assembly. The mayor shall provide all nomination submittals to the assembly finance  
74 committee annually in or before November along with a proposed resolution setting  
75 forth a recommended project list for inclusion in the program. The finance committee  
76 will forward a recommended resolution to the assembly for public hearing and adoption.  
77 Projects approved for inclusion in the program will then be scored and ranked by the  
78 administration.

79 C. Financial Analysis. The capital improvement program will be developed by taking  
80 into consideration a project's score and rank and will list projects in priority order after  
81 considering funding year, project and schedule details, and financing sources. The first  
82 four years of the capital improvement program must be fiscally constrained to the  
83 estimated resources available, which may include general fund, anticipated bonds,  
84 grants, donations, and other funding sources.

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85 D. Review and adoption. The mayor will present a proposed resolution to the  
86 assembly finance committee with a final capital improvement program setting forth the  
87 approved projects, the year in which they will be funded, and the proposed funding  
88 source. The finance committee will forward a recommended resolution with the capital  
89 improvement program to the assembly for public hearing and adoption on or before  
90 March 1. The first year of the program shall constitute the capital improvement budget  
91 for that fiscal year and shall be part of the annual budget submission pursuant to  
92 FNSBC 7.12.020(C).

93  
94 Section 3. FNSBC 3.24.030, Capital projects and legislative priorities

95 committee, is hereby renamed Legislative priorities committee and amended as follows:  
96 3.24.030 [CAPITAL PROJECTS AND L] Legislative priorities committee.

97 A. The [CAPITAL PROJECTS AND] legislative priorities committee shall consist of  
98 three members appointed by the presiding officer.

99 B. The chair of the [CAPITAL PROJECTS AND] legislative priorities committee shall  
100 be selected by the presiding officer, and shall preside over all meetings of the [CAPITAL  
101 PROJECTS AND] legislative priorities committee, setting its agenda, and organizing such  
102 procedures as are necessary to meeting annual goals. These shall include but are not  
103 limited to:

104 [1. COORDINATE WITH THE ADMINISTRATION AND PRODUCE AN ANNUAL  
105 CAPITAL PROJECTS LIST FOR ASSEMBLY FINANCE COMMITTEE BY NO LATER THAN  
106 OCTOBER 15TH OF EACH YEAR.

107 2. WORK WITH THE SCHOOL BOARD AND SCHOOL DISTRICT ON ALL SCHOOL  
108 BOND ISSUES.

109 3. WORK WITH THE BOROUGH ADMINISTRATION ON ALL OTHER BOND ISSUES.

110 4]1. Coordinate legislative priorities requests with administration.

111 2. Review the capital projects list and make recommendations as appropriate for  
112 presentation to the Alaska Congressional Delegation and the State Legislature.

113 [5. COORDINATE WITH THE ADMINISTRATION AND PRODUCE AN ANNUAL  
114 CAPITAL PROJECTS LIST APPROPRIATE FOR FEDERAL FUNDING AS NEEDED FOR  
115 PRESENTATION TO THE ALASKA CONGRESSIONAL DELEGATION.

116 C. WITHIN 30 DAYS AFTER RECEIPT OF ANY CAPITAL IMPROVEMENT BOND  
117 PROPOSITION REQUESTED BY THE SCHOOL BOARD, THE PRESIDING OFFICER SHALL  
118 SCHEDULE AND HOLD A JOINT WORK SESSION WITH THE ASSEMBLY CAPITAL  
119 PROJECTS COMMITTEE AND THE SCHOOL BOARD FOR THE PURPOSE OF DISCUSSING  
120 THE REQUESTED CAPITAL IMPROVEMENT PROJECTS. NO ORDINANCE PROVIDING  
121 FOR A SCHOOL CAPITAL IMPROVEMENT BOND PROPOSITION SHALL BE INTRODUCED  
122 AND ADVANCED PRIOR TO THIS JOINT WORK SESSION.]

123  
124 Section 4. Waiver. The capital improvement program timelines set forth  
125 in the FY 2019-2020 budget document and/or as set forth in this ordinance are hereby

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126 waived for the first year of the revised program if deemed necessary by the mayor for  
127 implementation of the process.

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129 Section 5. Effective Date. This ordinance is effective at 5:00 p.m. on the  
130 first Borough business day following its adoption.

131  
132 PASSED AND APPROVED THIS 8<sup>TH</sup> DAY OF AUGUST, 2019.  
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135  
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138   
139 Matt Cooper  
140 Presiding Officer

141 ATTEST:

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143   
144 April Trickey, CMC  
145 Borough Clerk  
146

147  
148 Yeses: O'Neill, Wildridge, Sanford, Lyke, Williams, Lojewski, Quist  
149 Noes: None  
150 Other: Tacke (Excused), Cooper (Excused)

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