

ASSEMBLY COMMITTEE OF THE WHOLE WORKSESSION AGENDA

March 18, 2021

This meeting will be held at or hosted from the
Mona Lisa Drexler Assembly Chambers
Juanita Helms Administration Center
907 Terminal Street, Fairbanks, AK

Immediately following the Assembly Finance Committee

This meeting will be conducted in-person and by zoom or zoom-only based upon the Borough Risk Matrix FNSB Operational Status and if the Juanita Helms Administration Center is otherwise open to the public. Please visit <https://www.fnsb.gov/415/Stay-Connected-with-the-Assembly> or contact the Borough Clerk's Office (907) 459-1401.

1. CALL TO ORDER

2. ROLL CALL

3. MEMORANDA/REPORTS/PRESENTATIONS

NONE

4. ADVANCED ORDINANCES AND RESOLUTIONS

4.a. ORDINANCE NO. 2021-12.

An Ordinance Authorizing The Direct Sale Of A Portion Of Tract H-3 Of Alaska State Land Survey 87-17, Within Section 16, T.1S., R.1W., To An Adjoining Landowner (Located On The North Side Of 30th Avenue, East Of Peger Road, West Of North Van Horn Road). (Sponsor: Mayor Ward)

Documents:

[2021-12 Backup Information.pdf](#)

4.b. ORDINANCE NO. 2021-13.

An Ordinance Authorizing The Direct Sale Of A Portion Of Tract H-3 Of Alaska State Land Survey 87-17, Within Section 16, T.1S., R.1W., To An Adjoining Landowner (Located On The North Side Of 30th Avenue, East Of Peger Road, West Of North Van Horn Road). (Sponsor: Mayor Ward)

Documents:

[2021-13 Backup Information.pdf](#)

5. BRIEFINGS FROM THE BOROUGH MAYOR

5.a. Brief update on the COVID-19 public health emergency by Mayor Ward and/or a representative from the Interior Unified Command.

5.b. Other Briefings.

6. ASSEMBLY BUSINESS/COMMENTS

7. ADJOURNMENT

THE AGENDA ITEMS AS LISTED MAY NOT BE CONSIDERED IN SEQUENCE. THIS AGENDA IS SUBJECT TO CHANGE TO INCLUDE THE DELETION OF ITEMS OR EXECUTIVE SESSIONS, IF NEEDED.



Fairbanks North Star Borough

Mayor's Office
Land Management

land@fnsb.gov
Main: (907) 459-1241
Fax: (907) 459-1122

MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Bryce Ward, Mayor *for BW*

FROM: Daniel Welch, Acting Land Manager

DATE: March 11, 2021

SUBJECT: AN ORDINANCE AUTHORIZING THE DIRECT SALE OF A PORTION OF TRACT H-3 OF ALASKA STATE LAND SURVEY 87-17 TO VIA VITA HEALTH PROJECT, INC., WITHIN SECTION 16, T.1S., R.1W., TO AN ADJOINING LANDOWNER (LOCATED ON THE NORTH SIDE OF 30TH AVENUE, EAST OF PEGER ROAD, WEST OF NORTH VAN HORN ROAD).

The attached ordinance requests authorization for the direct sale of a portion of Borough land to the adjoining landowner, Via Vita Health Project, Inc. The proposed 1.3-acre sale parcel is located at the west end of Thirtieth (30th) Avenue, west of undeveloped Wilbur Street right-of-way, and south of the Robert J. Mitchell Expressway.

FNSBC 20.20.090(A) allows the sale of borough land directly to those holding a land interest in borough land or land adjoining borough land. Via Vita Health Project, Inc. owns land adjoining borough land.

The sale price reflects the appraised fair market value (FMV) with an added ten percent of FMV as required by FNSBC 20.20.090(A). The sale would be contingent on surveying and platting of the property as required by FNSBC Title 17 to establish an acceptable legal description for purposes of conveyance.

As required by FNSBC 20.20.020(A), Land Management has reviewed records for the property and there are no existing mining claims or other third-party interests known to Land Management within the proposed sale property which Land Management believes impact or are impacted by the proposed sale.

We support the ordinance and urge its adoption. Thank you.



By: Bryce J. Ward, Mayor
Introduced: 03/11/2021

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2021 - 12

AN ORDINANCE AUTHORIZING THE DIRECT SALE OF A PORTION OF TRACT H-3 OF ALASKA STATE LAND SURVEY 87-17, WITHIN SECTION 16, T.1S., R.1W., TO AN ADJOINING LANDOWNER (LOCATED ON THE NORTH SIDE OF 30TH AVENUE, EAST OF PEGER ROAD, WEST OF NORTH VAN HORN ROAD)

WHEREAS, The Fairbanks North Star Borough (Borough) holds good and equitable title to the property known as Tract H-3 of Alaska State Land Survey (ASLS) 87-17, within Section 16, T.1S, R.1W, F.M. as shown on Exhibit Map "A" attached hereto; and

WHEREAS, Tract H-3 was successfully re-zoned by Ordinance No. 2020-23, adopted on August 27, 2020, with the intent of future subdivision and sale of lots in the Fall of 2021; and

WHEREAS, Ordinance No. 2020-20-10, adopted on January 28, 2021, appropriated funding for the subdivision of Tract H-3 with the intent of future sale of lots during the Fall of 2021; and

WHEREAS, FNSBC 20.20.090(A) states that the Assembly may, by ordinance, authorize the Mayor to sell Borough land directly to those holding a land interest in land adjoining Borough land if there is no public use for the land; and

WHEREAS, Via Vita Health Project, Inc. owns land adjoining the intended sale parcel, more specifically described as Lot 2A of the replat of Lot 2, Tract H, ASLS 80-

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

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

32 64, according to the plat filed June 18, 1985 as plat number 85-97, recorded in the
33 Fairbanks Recording District, Fourth Judicial District, State of Alaska; and

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35 WHEREAS, Via Vita Health Project, Inc. wishes to purchase from the
36 Borough an approximately 1.3-acre portion of Tract H-3 of ASLS 87-17; and

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38 WHEREAS, There is no foreseeable public use for the intended sale area,
39 as the intention was to subdivide and sell the portion of Tract H-3 that Via Vita Health
40 Project, Inc. wishes to purchase; and

41
42 WHEREAS, Rather than require Via Vita Health Project, Inc. to separately
43 survey, map and plat the sale area, the Borough intends to include the lot for direct sale
44 in its subdivision application, which will ensure that platting approval can be accomplished
45 in time for a Fall 2021 land sale; and

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47 WHEREAS, FNSBC 20.20.090(A) states where multiple land interest holders
48 declare their interest in purchasing the same parcel of borough land, the sale shall be
49 conducted by sealed bid auction between them; and

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51 WHEREAS, Landowners of adjoining parcels who would qualify for direct
52 purchase of this same parcel were notified of the request and given an opportunity to
53 competitively bid for acquisition of the sale parcel as required by FNSBC 20.20.090(A);
54 and

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56 WHEREAS, The Division of Land Management has reviewed records for the
57 proposed sale of property and there are no known existing mining claims or other third-
58 party interests which Land Management believes impact or are impacted by the proposed
59 sale.

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

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

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

Section 1. Classification. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. Authorization. The parcel proposed for sale meets the conditions of FNSBC 20.20.090 for a direct sale to the adjoining landowner. The Borough Mayor is hereby authorized to take all actions and execute all documents necessary to convey the Borough’s interest in that portion of Tract H-3 of Alaska State Land Survey (ASLS) 87-17, Section 16 T.1S, R.1W, F.M., as shown on attached Exhibit Map “A”, to Via Vita Health Project, Inc. by Warranty Deed at ten percent above fair market value and as a cash sale.

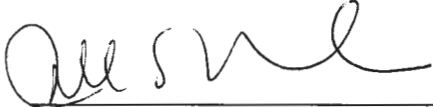
Section 3. Condition to the Sale. Conveyance is subject to restricted appraisal of the sale parcel at the buyer’s sole expense. Sale of the property is contingent upon the required platting approval.

Section 4. Effective Date. This ordinance shall be effective at 5:00 p.m. on the first Borough business day following its adoption.

ADOPTED THE _____ DAY OF _____ 2021.

Mindy O’Neill
Presiding Officer

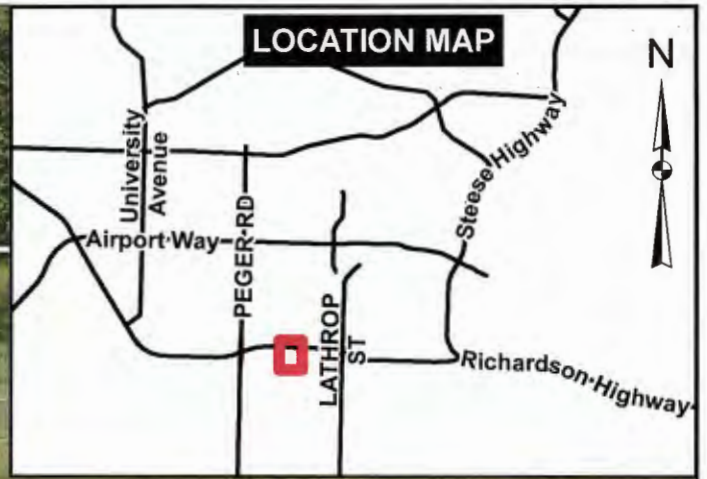
89 ATTEST:
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92 _____
93 April Trickey, CMC
94 Borough Clerk

APPROVED:


Jill S. Dolan
Borough Attorney

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be *added* is underlined
Text to be *deleted* is [BRACKETED, CAPITALIZED]

Exhibit Map "A"



ESSWAY

Mitchell Expy

Borough Owned

Tr H-3



Applicant:
Alaska Family
Health & Birth
Center

FAIRBANKS MONTESSORI

WILBUR ST

IVE

30TH AVE

DEVELOPMENT (1)

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11

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NORTH VAN HORN RD

PEGER LAKE DEVELOPMENT

1A

Peger Lake



Fairbanks North Star Borough

Mayor's Office
Land Management

land@fnsb.gov
Main: (907) 459-1241
Fax: (907) 459-1122

MEMORANDUM

TO: Fairbanks North Star Borough Assembly

THROUGH: Bryce Ward, Mayor *Qr for BW*

FROM: Daniel Welch, Acting Land Manager

DATE: March 11, 2021

SUBJECT: AN ORDINANCE AUTHORIZING THE DIRECT SALE OF A PORTION OF TRACT H-3 OF ALASKA STATE LAND SURVEY 87-17, WITHIN SECTION 16, T.1S., R.1W., TO AN ADJOINING LANDOWNER (LOCATED ON THE NORTH SIDE OF 30TH AVENUE, EAST OF PEGER ROAD, WEST OF NORTH VAN HORN ROAD).

The attached ordinance requests authorization for the direct sale of a portion of Borough land to an adjoining landowner, Fairbanks Montessori Association Inc. The proposed 1.4-acre sale parcel is located at the west end of Thirtieth (30th) Avenue, west of undeveloped Wilbur Street right-of-way, and south of Robert J. Mitchell Expressway.

FNSBC 20.20.090(A) allows the sale of borough land directly to those holding a land interest in borough land or land adjoining borough land. Fairbanks Montessori Association Inc. owns land adjoining borough land.

The sale price reflects the appraised fair market value (FMV) with an added ten percent of FMV as required by FNSBC 20.20.090(A). The sale would be contingent on surveying and platting of the property as required by FNSBC Title 17, by the buyer and at its sole expense, to establish an acceptable legal description for purposes of conveyance.

As required by FNSBC 20.20.020(A), Land Management has reviewed records for the property and there are no existing mining claims or other third-party interests known to Land Management within the proposed sale property which Land Management believes impact or are impacted by the proposed sale.

We support the ordinance and urge its adoption. Thank you.



By: Bryce J. Ward, Mayor
Introduced: 03/11/2021

FAIRBANKS NORTH STAR BOROUGH

ORDINANCE NO. 2021 - 13

AN ORDINANCE AUTHORIZING THE DIRECT SALE OF A PORTION OF TRACT H-3 OF ALASKA STATE LAND SURVEY 87-17, WITHIN SECTION 16, T.1S., R.1W., TO AN ADJOINING LANDOWNER (LOCATED ON THE NORTH SIDE OF 30TH AVENUE, EAST OF PEGER ROAD, WEST OF NORTH VAN HORN ROAD)

WHEREAS, The Fairbanks North Star Borough (Borough) holds good and equitable title to the property known as Tract H-3 of Alaska State Land Survey (ASLS) 87-17, within Section 16, T.1S, R.1W, F.M. as shown on Exhibit Map "A" attached hereto; and

WHEREAS, Tract H-3 was successfully re-zoned by Ordinance No. 2020-23, adopted on August 27, 2020, with the intent of future subdivision and sale of lots; and

WHEREAS, Ordinance No. 2020-20-10, adopted on January 28, 2021, appropriated funding for the subdivision of Tract H-3 with the intent of future sale of lots during the Fall of 2021; and

WHEREAS, FNSBC 20.20.090(A) states that the Assembly may, by ordinance, authorize the Mayor to sell Borough land directly to those holding a land interest in land adjoining Borough land if there is no public use for the land; and

WHEREAS, Fairbanks Montessori Association Inc. owns land adjoining the intended sale parcel, more specifically described as Lot 1A of Fairbanks Montessori

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

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

33 Subdivision, according to Plat No. 2013-2, Instrument No. 2013-000174-0 recorded in
34 the Fairbanks Recording District on January 4, 2013; and

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36 WHEREAS, Fairbanks Montessori Association Inc. wishes to purchase from
37 the Borough an approximately 1.4-acre portion of Tract H-3 of ASLS 87-17; and

38
39 WHEREAS, There is no foreseeable public use for the intended sale area,
40 as the intention was to subdivide and sell the portion of Tract H-3 that Fairbanks
41 Montessori Association, Inc. wishes to purchase; and

42
43 WHEREAS, Rather than require Fairbanks Montessori Association, Inc. to
44 separately survey, map and plat the sale area, the Borough intends to include the lot
45 for direct sale in its subdivision application, which will ensure that platting approval can
46 be accomplished in time for a Fall 2021 land sale; and

47
48 WHEREAS, FNSBC 20.20.090(A) states where multiple land interest
49 holders declare their interest in purchasing the same parcel of borough land, the sale
50 shall be conducted by sealed bid auction between them; and

51
52 WHEREAS, Landowners of adjoining parcels who would qualify for direct
53 purchase of this same parcel were notified of the request and given an opportunity to
54 competitively bid for acquisition of the sale parcel as required by FNSBC 20.20.090(A);
55 and

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57 WHEREAS, Fairbanks Montessori Association Inc. wishes for early
58 occupancy of the parcel to begin construction on an expansion of their school building;
59 and

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AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

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

61 WHEREAS, Early occupancy would be subject to appropriate safeguards to
62 the Borough included in the purchase and sale agreement including, but not limited to,
63 obtaining a Temporary Use License under FNSBC 20.16.050 and bonding for removal of
64 improvements in the event the sale is not completed; and

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66 WHEREAS, The Division of Land Management has reviewed records for
67 the proposed sale of property and there are no known existing mining claims or other
68 third-party interests which Land Management believes impact or are impacted by the
69 proposed sale.

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71 NOW, THEREFORE, BE IT ORDAINED by the Assembly of the Fairbanks
72 North Star Borough:

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74 Section 1. Classification. This ordinance is not of a general and
75 permanent nature and shall not be codified.

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77 Section 2. Authorization. The parcel proposed for sale meets the
78 conditions of FNSBC 20.20.090 for a direct sale to the adjoining landowner. The
79 Borough Mayor is hereby authorized to take all actions and execute all documents
80 necessary to convey the Borough's interest in that portion of Tract H-3 of Alaska State
81 Land Survey (ASLS) 87-17, Section 16 T.1S, R.1W, F.M., as shown on attached Exhibit
82 Map "A", to Fairbanks Montessori Association Inc. by Warranty Deed at ten percent
83 above fair market value and as a cash sale.

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85 Section 3. Condition to the Sale. Conveyance is subject to restricted
86 appraisal of the sale parcel at the buyer's sole expense. Sale of the property is
87 contingent upon the required platting approval.

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AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

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

89 Section 4. Effective Date. This ordinance shall be effective at 5:00
90 p.m. on the first Borough business day following its adoption.

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92 ADOPTED THE _____ DAY OF _____ 2021.

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ATTEST:

April Trickey, CMC
Borough Clerk

Mindy O'Neall
Presiding Officer

APPROVED:



Jill S. Dolan
Borough Attorney

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

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

Exhibit Map "A"

LOCATION MAP



Mitchell Expy

Borough Owned

Area Proposed for Direct Sale

WILBUR ST

2A

1A

FAIRBANKS MONTESSORI

Applicant

30TH AVE



Peger Lake

NORTH VAN HORN RD

PEGER LAKE DEVELOPMENT

1A

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Fairbanks North Star Borough Fiscal Impact Statement (FIS) (FNSBC 3.20.010 C.)

Check	Date
Version 1	
Version 2	
Version 3	
Version 4	

Originator's Name: Daniel Welch **Department:** Mayor's Office/Land Management
To Be Introduced/Sponsored By: Mayor Bryce Ward
Abbreviated Ordinance Title: Ordinance for Direct Sale of a portion of Tract H-3 to Fairbanks Montessori Assoc
Department(s)/Division(s) Affected: Mayor's Office/Land Management
Proposed Introduction Date: February 16, 2021 **Ordinance No.:** _____

Does this ordinance authorize:

- 1) a new or expansion of services which entails additional costs beyond that approved in the current adopted budget? Yes ___ No *
- 2) a project that is capital in nature and increases operational costs of the Borough in the current or any future fiscal year? Yes ___ No *

Required Information/Estimates	FISCAL IMPACT PRO FORMA SUMMARY - BEST ESTIMATE				
	Remainder of Current FY	1st Full FY of Operations	2nd Full FY of Operations	3rd Full FY of Operations	4th Full FY of Operations
	FY 20__ / __	FY 20__ / __	FY 20__ / __	FY 20__ / __	FY 20__ / __
1. Timeline inclusive of all phases					
2. Number and type of new positions which may be required					
3. Cost of operations and maintenance					
4. Future costs to complete capital assets					
5. Estimated revenue impact					
6. Estimated non-Borough funds that may be received:					
a. to fund the ordinance					
b. to fund future phases					
c. to fund future operations and maintenance costs					
7. Anticipated annual tax subsidy					

Is backup attached? Yes ___ No ___

Contact Person's Name, for FIS questions: Daniel Welch **Extension:** 1247

Director(s) Signature(s): _____ **Date:** _____

Mayor's Office or Assembly Member Signature: _____ **Date:** _____

Chief Financial Officer Signature: _____ **Date:** _____