

MATANUSKA SUSITNA BOROUGH

350 E Dahlia Ave., Palmer, Alaska 99645

CHAIRPERSON

Ron Tracy

VICE CHAIR

Rob Brown



COMMISSION MEMBERS

Dane Crowley

Fred Elvsaaas

Bryan Scoresby

PORT COMMISSION AGENDA

LOWER LEVEL CONFERENCE ROOM, DSJ

REGULAR MEETING

3:00 P.M.

January 29, 2024

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES
 - A. Regular Meeting, July 17, 2023
4. ELECTIONS
 - A. Chair
 - B. Vice Chair
5. AGENCY AND STAFF REPORTS
 - A. Mr. Dave Griffin, Port Operations Manager
 1. Quarterly Update
 2. Business Development
 - B. Mr. Joe Metzger, Asset Manager
 1. Review Port Lease/Permit Activities

6. PERSONS TO BE HEARD

7. UNFINISHED BUSINESS

8. NEW BUSINESS

A. Approve Port Commission Meeting Dates for Calendar Year 2024

B. Discuss Port Commission

1. Roles and Responsibilities

2. Expectations

3. Objectives

4. Goals

9. ADMINISTRATION AND COMMISSION MEMBER COMMENTS

10. CORRESPONDENCE AND INFORMATION

A. Informal Minutes from October 16, 2023 Port Commission

11. ADMINISTRATION AND COMMISSION MEMBER COMMENTS

12. ADJOURNMENT

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLIGENCE

The regular meeting of the Port Commission was held in the Port MacKenzie Conference Room and called to order at 3:36 p.m. by Chairperson Mr. Ron Tracy.

Commission members present and establishing a quorum were:

Mr. Rob Brown Mr. Ron Tracy
Mr. Fred Elvsaas
Mr. Dane Crowley, arrived later

Commission members not present were:

Mr. Bryan Scoresby

Staff in attendance were:

Mr. Dave Griffin, Port Operations Manager
Ms. Sandy Luckett, Port Administrative Specialist
Mr. Joe Metzger, Asset Manager

There were no Assembly Members in attendance.

2. APPROVAL OF AGENDA

A. The Port Commission approved the agenda as amended.

3. APPROVAL OF MINUTES

A. The Port Commission approved the minutes from the following meetings:

- Regular Meeting, April 17, 2023

4. AGENCY AND STAFF REPORTS

A. Mr. Dave Griffin, Port Operations Manager

- Reported we have a bonus ship at port, the M/V Ise Harmony is unloading road salt from Peru for Northern Gravel & Trucking. This is the first ship of their five year contract. Northern Gravel is providing their own stevedoring and security for this operation.
- Stated Northern Gravel has purchased a 50T crane, scales and a few other pieces of equipment which will be available for lease (from Northern Gravel) to other companies at Port MacKenzie.
- Reported Quality Asphalt & Paving (QAP) has confirmed they will bring a cement ship to Port MacKenzie in May of 2024.
- Commented he is focused on business development which has primarily been alternative energy companies such as wind, solar, ammonia for e-fuel and wood waste conversion for aviation fuel.
- Stated we have 9000 acres of industrial zoned land with 4 miles of tidelands available for lease.
- Reported he attended the Sustainable Energy Conference in May.

- Distributed maps of Port MacKenzie showing alternative roads and land ownership status.
- Reported the Port MacKenzie website has been updated and well received, but we are still working on getting photos on the website.
- Commented he met with Totem Ocean Trailer Express (TOTE) who sent a planner out for a tour several weeks ago and Alaska Marine Lines (AML) and plans to meet with Matson. We need equipment infrastructure to attract these businesses to our port.
- Introduced Mr. Jim Baxter, owner of Northern Gravel & Trucking and presented him with a plaque of appreciation.
 - Mr. Baxter stated he brought in his first salt ship to the Anchorage port in 2006. All of the salt brought in had to be trucked to a staging area outside of the port. At Port MacKenzie he is able to convey the salt off the ship and stage it on the barge dock for transport throughout the State.
- Stated the Cell 1 repair is complete and he will have PND Engineers do an inspection of the entire barge dock.
- Reported the Barge Ramp RO/RO 35% Design Study has been completed with the rock revetment design as the most attractive option vs using sheet pile.

Discussion followed on outreach to the various shipping companies, cost comparison with the Anchorage port, the flexibility of Port MacKenzie and containerized shipping.

B. Mr. Joe Metzger, Asset Manager

- Stated we have one lease with Central Alaska Energy (CAE) for \$5,500 +/- per month. CAE has not done anything with their lease yet so we are looking to revise the terms of that lease.
- Reported we have two permits with QAP (formerly Colaska) for the old Alutiiq (white) and NPI (blue) warehouses totaling \$10,200 +/- per month for 18 months.
- Commented we share the revenue with NPI for their former lease until revenue reaches the agreed upon limit.

Discussion followed on increasing the cost of leases with a 3% escalator clause over 5 years vs using an appraisal and CAE's development clause in their lease.

5. PERSONS TO BE HEARD

A. Mr. Brian Murkowski, Energy Consulting, LLC

- Commented on a few observations he has made - TOTE uses mainly RO/RO for their operation and Matson uses mostly cranes. Matson has asked TOTE to share the cost of cranes which is not popular with TOTE and the Alaska Railroad (ARRC) has the availability to bond up to \$20 billion that is not required to be used for rail, however they have never used that option.
- Stated he was born and raised in Alaska and has worked in banking for many years but is now in the Energy business working with Ocean Renewable Power Company (ORPC).
- Reported ORPC is based out of Portland Maine and has been in business for 17

years in 47 counties working on renewable energy prospects converting energy in water currents to electricity.

- Reviewed the various potential projects they are working on including one 5 MW power system in Nikiski, 1-mile offshore. They require at least 3 knots to produce power, Knik Arm currents are between 5-7 knots.
- Commented the Port MacKenzie project could yield 40 KW to provide cathodic protection for our docks.
- Stated the Federal Energy Regulatory Commission (FERC) requires approval before power can be supplied to the grid so to reduce cost most of their projects will not supply the grid.
- Stated they recently received \$25M from Hatch to which will fund the commercial phase of their projects with all work being conducted in Palmer, Wasilla and Nikiski.
- Reported they have the potential to produce 18GW of power which is 10 times what Alaska needs now.
- Commented the challenges of Alaskan waters have made it necessary to make the equipment stronger and better.

Discussion followed on lease/sale/own of equipment, maintenance costs, purchase price, grant opportunities, and life expectancy of units.

Mr. Brown cautioned against the MSB purchasing the device; ORPC should pay for and maintain each unit.

6. UNFINISHED BUSINESS

There was no unfinished business.

7. NEW BUSINESS

MOTION: Mr. Crowley moved to extend the meeting time by 15 minutes, Mr. Brown seconded, the motion was approved unanimously.

8. ADMINISTRATION AND COMMISSION MEMBER COMMENTS

Mr. Brown inquired about the estimated revenue for the salt ship. Mr. Griffin stated the estimate is \$85,000 with 1 vessel per year and barge deliveries to Ketchikan, Thorne Bay, Juneau, etc.

Mr. Griffin commented plans are to remove the "A" frame from the trestle and lower the conveyor on the side of trestle for the next salt shipment. Northern Gravel is looking into shipping other products such as fracking sand, cement, and calcium chloride. Mr. Ray Wonders may bring in 1 or 2 ships this fall to support the oil and gas companies.

Discussion on the Jones Act, repurpose or disposal of the conveyor and the Port MacKenzie Rail Extension not being built. Trucking over road is better than rail if it is 150 miles or less, rail is more cost effective for anything over 150 miles.

9. ADJOURNMENT

The meeting adjourned at 5:21 p.m.

Sandy Lockett, Port Admin Specialist

Ron Tracy, Chairperson

Minutes Approved _____



MATANUSKA-SUSITNA BOROUGH Port MacKenzie

350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7799 • david.griffin@matsugov.us



January 2, 2024

The following information is provided to keep the Assembly apprised of ongoing operations, maintenance and business development at the Port during the 2nd Quarter of FY24 (October - December).

FY24 Operating Costs and Revenues:

2nd Qtr Operating Costs:	\$93,196.46
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2nd Qtr Revenues:	\$53,186.53
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Dockage	Wharfage	Storage	Leases/Permits
\$1,066.34	\$3,122.75	\$0	\$48,997.44

2nd Quarter FY24 Vessel Traffic:

Northern Gravel & Asphalt brought in their last barge for the year in October to transport salt from Port MacKenzie. Cruz Construction off-loaded two barges of containers, rolling stock and bulk cargo at the end of October.

Upcoming Vessel Traffic (3rd Quarter FY24):

We do not anticipate any vessel traffic during January to the end of March. We will expect salt and cement ships in April or May of 2024 as well as several barges.

Maintenance:

Bathymetric/Hydrographic Survey

- A Hydrographic survey of the barge and deep-draft docks to the north and south was recently completed by eTrac. This survey is done at regular intervals so we are able to compare the data from previous years bathymetry and monitor the seafloor near our facility for any changes. We still do not require any dredging at Port MacKenzie.

Conveyor

- The temporary placement of the reconstructed conveyor on the trestle will remain in place until April or May of 2024 for the next salt shipment or until another vessel needs to use the deep-draft dock.
- We continue to explore options to remove the A-frame from the trestle to allow for more diversified shipments at the deep-draft dock.

Pile Sleeves/ \$10.5M – Funded EDA \$8.6M and MSB \$1.9M

- The Assembly appropriated an additional \$1M from the EDA for the pile sleeve project. Bids were opened with just one bid which came in above the project funds. The scope of work was then reduced to fit the available budget. The reduced SOW has been submitted to the EDA for approval .

RO-RO Ramp

- The Ro-Ro ramp was separated from the Pile Sleeve project funded by the EDA grant due to the change in SOW from a portable ramp to a permanent structure placed in the water. The Assembly appropriated \$4.8M from the American Rescue Plan in November. Moffat & Nichol continue work on the design.

Items of Interest:

Hydrogen Fuel

- Applications received from five different companies seeking land use authorizations to perform due diligence activities for the purpose of hydrogen-based fuel production and fuel storage – DG Fuels, Knik Energy LLC, Pacific H2, HIF Global, and BAC Global.

US Department of Defense

- The Department of Defense continues to visit Port MacKenzie to assess whether the port could be used for training and off-loading ammunition and explosive ordinances.
- Warning lights and sirens were installed on the terminal building to meet the USCG requirements for transporting munitions and explosives.

FEMA

- Port MacKenzie is being evaluated for its geographically strategic role in emergency planning and supply chain redundancy in the event that the Port of Alaska or Glen Highway bridges suffer a catastrophic disaster.

MARAD

- Port MacKenzie was awarded a \$1M grant from the US Marine Highway Program for the purchase of a 75-ton rough terrain crane that will be used to improve freight and cargo handling activities at the port.

Website Updated

- The Port MacKenzie website has been updated including the domain name. The new address is: <https://portmackenzie.matsugov.us>. Pictures will be added to the website soon.

Uplands Leases and Permits:

Colaska Inc. Permits

- Storing super sacks of cement in the old NPI blue metal building and the old Alutiiq Manufacturing Company (AMC) white metal building for construction and maintenance projects.

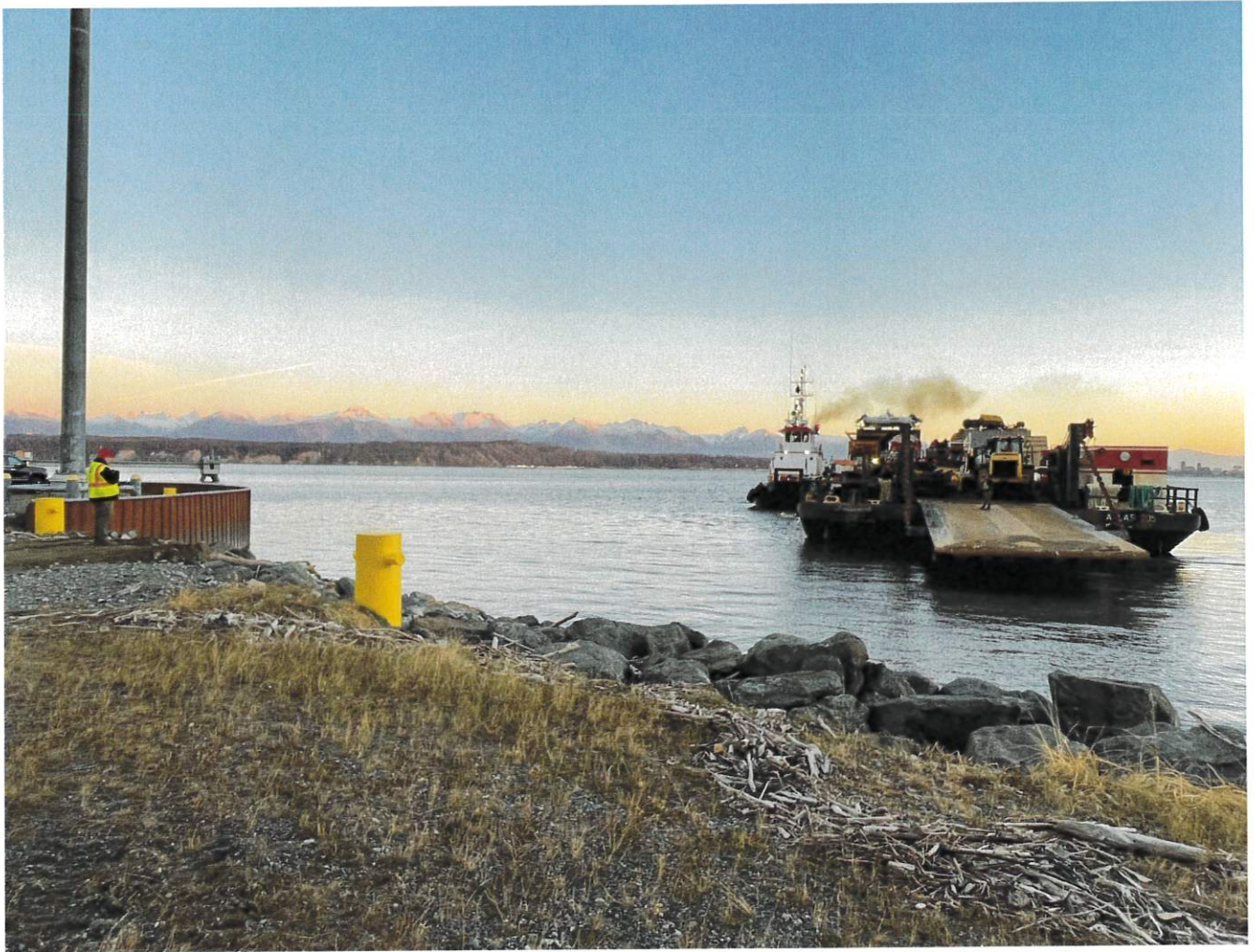
North Star Supply Permit

- Permit for 1 acre of the old NPI paved 5-acres pad for salt storage.

Central Alaska Energy (CAE) Lease

- Negotiations for a revised land lease with CAE have been stymied by volatile fuel prices. In the meantime, CAE will continue under the existing lease.

Dave Griffin
Port Operations Manager
Port MacKenzie



Cruz Barge "Atlas205" returning from Platinum to off-load



Mining equipment driven off the barge from Platinum



MATANUSKA-SUSITNA BOROUGH
PORT MACKENZIE DIRECTOR
350 East Dahlia Avenue • Palmer, AK 99645
Phone (907) 861-7799



MATANUSKA-SUSITNA BOROUGH
PORT COMMISSION

MEETING DATES

CALENDAR YEAR 2024

MEETING	DATE	TIME	LOCATION
REGULAR	APRIL 22, 2024	3:00 PM	DSJ LOWER LEVEL CONFERENCE ROOM
REGULAR	JULY 22, 2024	3:00 PM	DSJ LOWER LEVEL CONFERENCE ROOM
REGULAR	OCTOBER 21, 2024	3:00 PM	DSJ LOWER LEVEL CONFERENCE ROOM
REGULAR	JANUARY 20, 2025	3:00 PM	DSJ LOWER LEVEL CONFERENCE ROOM

CHAPTER 18.02: PORT DISTRICT

Section

18.02.010 Management and use

18.02.020 Boundaries

18.02.010 MANAGEMENT AND USE.

(A) The area defined as port district shall be managed by the borough manager with due consideration of the recommendations of the port commission. The manager, in consultation with the port commission, shall be responsible for the promotion and lease of this land for commercial or industrial use. The use of port district land shall be in accordance with a master plan identified in MSB [15.24.030\(F\)](#).

(B) Notwithstanding other titles of the borough code, the form and substance of all leases in the port district shall be approved by the borough assembly by ordinance. All terms and conditions of proposed leases will be developed and forwarded by the borough manager to the assembly. Land use permits without assembly approval for a period of time under 18 months are allowed in addition to leases with manager approval.

(C) All proposed leases within the port district shall be presented to the assembly for consideration no more than 60 days following completion of the survey and appraisal of proposed lease.

(D) The borough manager and the chair of the port commission will provide an oral report to the assembly twice a year on port activities.

(Ord. 11-033, § 2, 2011; Ord. 97-175, § 4, 1997; Ord. 94-119, § 2 (part), 1994; Ord. 88-222 (part), 1988)

18.02.020 BOUNDARIES.

(A) *[Repealed by Ord. 02-208, § 2 (part), 2002]*

(B) *[Repealed by Ord. 02-208, § 2 (part), 2002]*

(C) Uplands in the Point MacKenzie Port District:

**Township 14 North, Range 4 West, Seward
Meridian, Alaska**

Sections 10 and 11 All

Section 12 Government Lots 3 and 4, W 1/2
W 1/2

Section 13 Government Lot 1, excepting
therefrom the Chugach Electric Association
leased land, Government Lots 2 and 3, W 1/2
W 1/2

Sections 14 and 15 All

Sections 20, 21, 22, and 23 All

Section 24 Government Lots 2, 3, and 4, SW
1/4 NW 1/4, SE 1/4 NW 1/4 NW 1/4, W 1/2 NW
1/4 NW 1/4

Section 25 Government Lots 1, 2, 3, and 4,
and Alaska Tideland Survey #1440

Sections 26, 27, and 28 All

Section 29 E 1/2, N 1/2 SW 1/4, NW 1/4

Section 33 N 1/2 NE 1/4

Section 34 NE 1/4, N 1/2 SE 1/4, N 1/2 NW
1/4

Section 35 W 1/2 NW 1/4 SW 1/4, W 1/2 NW
1/4

(D) Tide and Submerged Lands in the Point MacKenzie Port District:

**Township 14 North, Range 3 West, Seward
Meridian, Alaska**

Protracted Section 30 All tide and
submerged land lying northwesterly of the
southeasterly boundary of the Matanuska-
Susitna Borough.

**Township 14 North, Range 4 West, Seward
Meridian, Alaska**

Protracted Section 24 All tide and
submerged land of the S 1/2

Protracted Section 25 All tide and
submerged land easterly of Alaska Tideland
Survey #1440

Protracted Section 36 All tide and
submerged land of the N 1/2 lying
northwesterly of the southeasterly boundary
of the Matanuska-Susitna Borough.

(Ord. 13-042, § 2, 2013; Ord. 02-208, § 3, 2002; Ord. 99-096, § 2, 1999; Ord. 94-119, § 2 (part), 1994; Ord. 90-86, § 2, 1990; Ord. 88-222 (part), 1988)

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CHAPTER 18.03: PORT COMMISSION: ESTABLISHMENT OF POWERS, AUTHORITY AND DUTIES

Section

18.03.010 Establishment of powers

18.03.020 Delegation of authority [Repealed]

18.03.030 Duties

18.03.040 Compensation

18.03.010 ESTABLISHMENT OF POWERS.

The port commission is established pursuant to MSB [1.10.125](#) to provide advice to the assembly and manager on harbors, wharves, docks, elevators, storage yards and other related marine facilities.

(Ord. 90-42, § 5, 1990; Ord. 88-222 (part), 1988)

18.03.020 DELEGATION OF AUTHORITY. [Repealed by Ord. 90-042, § 6, 1990]

18.03.030 DUTIES.

(A) The port commission shall advise the assembly and the manager on port development matters.

(B) The port commission may:

- (1) submit an annual budget to the manager to be considered for inclusion in the manager's budget request to the assembly;
- (2) prepare a strategic port development plan which shall include a marketing, management, financial and facility development strategy for approval by the assembly. The port development plan shall identify port commission goals, objectives and an anticipated course of action to attain those goals. The plan shall be updated annually and be submitted with the annual budget;
- (3) submit a quarterly report to the assembly which includes a status report on progress towards goals identified in the strategic development plan;
- (4) recommend to the assembly for approval of leases of port district land for beneficial industrial or commercial enterprises pursuant to MSB Title [13](#);
- (5) encourage participation of private industry in port development and port-related projects;

- (6) recommend to the assembly the establishment of tariffs, rental and ground lease rates consistent with the goal of providing equity among users and in accordance with MSB Title [23](#), except as provided in MSB [18.02.010](#);
- (7) prepare a master plan for the port district which shall be reviewed and recommended by the planning commission to the assembly for approval;
- (8) assist the borough, other jurisdictions and private industry to plan and promote the development of infrastructure necessary to transport commodities through a Point MacKenzie Port.

(Ord. 94-119, § 2 (part), 1994; Ord. 90-42, § 7, 1990; Ord. 88-222 (part), 1988)

18.03.040 COMPENSATION.

Commission members shall be reimbursed for mileage incurred in connection with meetings of the board in the same manner as borough employees are compensated for mileage expenses upon presentation of supporting documentation satisfactory to the appropriate director.

(Ord. 00-085 § 2, 2000)

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CHAPTER 18.04: PORT COMMISSION ORGANIZATION AND MEETINGS

Section

18.04.010 Reimbursement

18.04.020 Appointments and qualifications

18.04.030 Terms of members [Repealed]

18.04.035 Membership

18.04.040 Officials

18.04.050 Documentation

18.04.060 Vacancies and removal

18.04.070 Quorum

18.04.080 Meetings; scheduling; notice

18.04.090 Meetings; agenda; notice of meeting; order of business

18.04.100 Office and staff

18.04.110 Formal acts by resolution

18.04.120 [Repealed]

18.04.130 Conflict of interest; ex parte contact

18.04.010 REIMBURSEMENT.

Port commission members shall be reimbursed actual expenses incurred on authorized port commission business.

(Ord. 94-119, § 2 (part), 1994; Ord. 91-037AM, § 3 (part), 1991; Ord. 88-222 (part), 1988)

18.04.020 APPOINTMENTS AND QUALIFICATIONS.

(A) Appointments of port commission members shall be made pursuant to MSB [4.05.030](#).

(B) Notwithstanding MSB [4.05.040](#), non-borough residents may be appointed to the port commission, but a majority of port commissioners will be Matanuska-Susitna Borough residents.

(C) A port commission member is not eligible to hold the position of port director.

(Ord. 94-119, § 2 (part), 1994; Ord. 90-42, § 8, 1990; Ord. 88-222 (part), 1988)

18.04.030 Terms of members. [Repealed by Ord. 96-072, § 2, 1996 and recodified as MSB 18.04.035]

18.04.035 MEMBERSHIP.

(A) The port commission shall be composed of five members and the seats shall be numerically designated.

(B) Irrespective of the limits specified in MSB [4.05.050](#), a board member may serve up to three consecutive three-year terms.

(C) A city official may be nominated and confirmed to one of the seats on the port commission.

(Ord. 23-009, § 2, 2023; Ord. 21-023, § 2, 2021; Ord. 10-103, § 2, 2010; Ord. 98-025AM, § 2, 1998; Ord. 96-072, § 3, 1996)

18.04.040 OFFICIALS.

The port commission shall annually elect a chairperson, vice-chairperson and secretary. The vice-chairperson is to serve as chairperson in the chairperson's absence and the secretary shall prepare the journal of the port commission's proceedings.

(Ord. 94-119, § 2 (part), 1994; Ord. 88-222 (part), 1988)

18.04.050 DOCUMENTATION.

The port commission shall adopt a seal upon which appear the words "Matanuska-Susitna Borough Port Commission," "Seal" and "State of Alaska." It shall be retained in the custody of the secretary.

(Ord. 94-119, § 2 (part), 1994; Ord. 88-222 (part), 1988)

18.04.060 VACANCIES AND REMOVAL.

Vacancies occurring prior to expiration of a term and removal of port commission members shall be pursuant to MSB [4.05.030](#).

(Ord. 94-119, § 2 (part), 1994; Ord. 88-222 (part), 1988)

18.04.070 QUORUM.

A majority of the port commission membership constitutes a quorum. Any act of the port commission requires the majority of the entire body of the port commission.

(Ord. 94-119, § 2 (part), 1994; Ord. 88-222 (part), 1988)

18.04.080 MEETINGS; SCHEDULING; NOTICE.

(A) The port commission shall hold a regular, quarterly meeting on the third Monday of January, April, July, and October beginning at 3 p.m. Special meetings may be called by the port commission chairperson or upon the request of at least three port commission members.

(B) Regular and special meetings of the port commission shall be advertised in a newspaper of general circulation.

(C) During the month of January each year, the commission shall adopt a schedule of regular meetings to be held by the commission through January of the following year. The adopted schedule shall be provided to each member of the commission and shall be published at least once in a newspaper of general circulation within the borough.

(Ord. 21-009, § 2, 2021; Ord. 03-132(AM), § 2, 2003; Ord. 94-119, § 2 (part), 1994; Ord. 90-42, § 10, 1990; Ord. 88-222 (part), 1988)

18.04.090 MEETINGS; AGENDA; NOTICE OF MEETING; ORDER OF BUSINESS.

(A) The agenda for special and regular meetings shall be prepared by the port director. Items not on the agenda shall not be added to the agenda or discussed at a meeting over the objection of any two port commission members.

(B) At least five days prior to a regular meeting, the secretary at the direction of the port director shall mail or deliver to each port commission member a packet including information on the time, place of the meeting, and the agenda. Minutes of the previous meeting and any background materials pertinent to the agenda shall be included in the packet.

(C) The chairperson shall provide written or oral notice of special meetings to each port commission member at least 24 hours prior to the meetings. Notice may be provided at either the residence or the usual work place of the commission member. Notice of the special meeting shall include a statement of the subject for which the meeting is called. Attendance at a meeting is acknowledgement of the receipt of notice.

(D) At every regular meeting, the order of business shall be as follows:

- (1) call to order;
- (2) roll call, determination of quorum and approval of agenda;
- (3) approval of minutes of previous meetings;
- (4) agency and staff reports;
- (5) committee reports;
- (6) persons to be heard;
- (7) public hearings (immediately after persons to be heard);
- (8) unfinished business;
- (9) old business;
- (10) new business;
- (11) correspondence and information;
- (12) administration and commission member comments;
- (13) adjournment.

(E) Meetings shall be conducted under the current edition of *Robert's Rules of Order Newly Revised* except as modified by this chapter.

(F) The order of business at special meetings shall be prescribed by the chairperson.

(Ord. 03-132(AM), § 3, 2003; Ord. 97-038, § 9, 1997; Ord. 94-119, § 2 (part), 1994; Ord. 90-42, §§ 12 and 13, 1990; Ord. 88-222 (part), 1988)

18.04.100 OFFICE AND STAFF.

(A) The port commission may be provided office space suitable for its needs, adequate to file its journals, resolutions, records, reference materials, correspondence and drawings, all of which shall constitute public records of the borough.

(B) The manager shall appoint the port director and port staff, after consultation with the port commission.

(C) The manager may retain legal counsel to advise the port commission in the proper performance of its duties. (Ord. 94-119, § 2 (part), 1994; Ord. 90-42, § 14, 1990; Ord. 88-222 (part), 1988)

18.04.110 FORMAL ACTS BY RESOLUTION.

All formal actions of the port commission shall be by resolution.

(Ord. 94-119, § 2 (part), 1994; Ord. 88-222 (part), 1988)

18.04.120 [Repealed by Ord. 90-042, § 15, 1990]

18.04.130 CONFLICT OF INTEREST; EX PARTE CONTACT.

(A) A port commission member shall not participate in deliberation or vote on a question if:

- (1) the port commission member or a member of the commissioner's immediate family has a financial interest in any property affected by the decision; and
- (2) the port commission member or a member of commissioner's immediate family could foreseeably profit in any material way through a favorable or unfavorable decision.

(B) Port commission members shall be impartial in all administrative decisions, both in fact and in appearance. No port commission member may receive or otherwise engage in ex parte contact with the applicant or appellant, or other parties interested in the application or appeal, or members of the public, concerning the application or appeal or issues presented in an application or notice of appeal, either before the application or appeal hearing or during any period of time the matter is submitted for decision or subject to reconsideration. This subsection shall not prevent port commission members from discussing an application or appeal among themselves, or prohibit communications between borough staff and port commission members where staff members are not named parties to the application or appeal, or members of an organization which in its own name has become an active party to an application or appeal.

(Ord. 94-119, § 2 (part), 1994; Ord. 90-42, § 16, 1990; Ord. 88-222 (part), 1988)

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CHAPTER 18.10: POINT MACKENZIE PORT DEVELOPMENT STANDARD DISTRICT (DISTRICT)

Section

18.10.010 Intent and purpose

18.10.020 Establishment of district boundaries

18.10.030 Platting requirements

18.10.040 Road construction standards

18.10.050 Issuance of lease or other authorization

18.10.060 Performance bond or other form of surety

18.10.070 Terminal Tariff No. 1

18.10.010 INTENT AND PURPOSE.

(A) The intent of this chapter is to:

- (1) provide for timely development;
- (2) stimulate development of transportation and other infrastructure;
- (3) have the ability to spread road building costs among benefiting parties;
- (4) spread road building and improvement costs over a reasonable time;
- (5) implement the recommendations of the Point MacKenzie port master plan; and
- (6) allow leasing of land that encourages port development.

(B) The purpose of this chapter is to:

- (1) provide for orderly development of a commercial and industrial port district;
- (2) provide for the ability to issue land leases with road construction and development to occur over a scheduled period of time; and

(3) provide that road construction costs will be fairly allocated among the lessees.

(C) Development of land within this development district shall be in accordance with this chapter.

(D) The requirements of this chapter may not address all approvals, permits, and authorizations required for a use or development. It shall be the responsibility of the applicant to identify and comply with all necessary laws, regulations, policies and procedures of the borough, any applicable plat notes, or restrictions.

(Ord. 00-155(AM), § 2 (part), 2000)

18.10.020 ESTABLISHMENT OF DISTRICT BOUNDARIES.

(A) The boundaries for this district are established in MSB [18.02.020](#).

(B) The regulations, restrictions, and boundaries set forth in this chapter may from time to time be amended, supplemented, or changed. This chapter shall automatically apply to any such amendments.

(Ord. 00-155(AM), § 2 (part), 2000)

18.10.030 PLATTING REQUIREMENTS.

(A) Before any lease is issued a record of survey shall be prepared for the subject parcel by a land surveyor, and must be approved by the borough platting officer and recorded in the appropriate recording district.

(B) Physical construction of roads shall be performed in accordance with the terms of the lease or other authorization issued pursuant to MSB [18.10.050](#).

(Ord. 11-036, § 3, 2011; Ord. 00-155(AM), § 2 (part), 2000)

18.10.040 ROAD CONSTRUCTION STANDARDS.

The road construction standards applicable to the Point MacKenzie port development standard district are specified in MSB [17.23](#).

(Ord. 00-155(AM), § 2 (part), 2000)

18.10.050 ISSUANCE OF LEASE OR OTHER AUTHORIZATION.

(A) If a lease or other authorization is issued under the conditions of MSB [18.10.030](#), the lease shall reference that fact and state when road construction will take place.

(B) The lease shall state that failure to meet these standards shall be grounds for termination.

(C) No lease shall be issued until a record of survey is prepared and approved by the borough platting officer.

(D) Road maintenance will be the responsibility of the lessee until such time as the roads are upgraded to borough standards and are accepted by the borough.

(Ord. 11-036, § 4, 2011; Ord. 00-155(AM), § 2 (part), 2000)

18.10.060 PERFORMANCE BOND OR OTHER FORM OF SURETY.

In lieu of a subdivision agreement, a performance bond or other form of surety may be accepted by the borough manager. The amount of bond or surety may be adjusted to meet changed conditions such as further construction of the required road to acceptable standards, additional lessees that are located along the road that may contribute to its construction, or the establishment of a local improvement district and resulting assessment.

(Ord. 00-155(AM), § 2 (part), 2000)

18.10.070 TERMINAL TARIFF NO. 1.

The Port MacKenzie Terminal Tariff was adopted by the Matanuska-Susitna Borough Assembly for regulations, requirements, establishment of user fees, and safety in use of the Port Mackenzie Dock September 2000, as amended October 15, 2002, and April 4, 2006.

(Ord. 06-071, § 2, 2006; Ord. 02-160, § 2, 2002)

The Matanuska-Susitna Borough Code is current through Ordinance 23-072, passed August 1, 2023.

Disclaimer: The borough clerk's office has the official version of the Matanuska-Susitna Borough Code. Users should contact the borough clerk's office for ordinances passed subsequent to the ordinance cited above.

Borough Website: <https://www.matsugov.us/>

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[Code Publishing Company](#).

1. CALL TO ORDER; ROLL CALL; PLEDGE OF ALLIGENCE

There was no quorum for the Regular Scheduled Port Commission Meeting. An informal meeting of the Port Commission was held in the DSJ Lower Level Conference Room.

Commission members present were:

Mr. Ron Tracy
Mr. Fred Elvsaas

Commission members not present were:

Mr. Rob Brown Mr. Dane Crowley
Mr. Bryan Scoresby

Staff in attendance were:

Mr. Mike Brown, Borough Manager
Mr. Dave Griffin, Port Operations Manager
Mr. Joe Metzger, Asset Manager
Ms. Sandy Luckett, Port Administrative Specialist

There were no Assembly Members in attendance.

DISCUSSION:

A. Mr. Dave Griffin, Port Operations Manager

- Reported on November 2nd, Ms. Mary Ann Pease and Mr. Keith Myer brought 7 businessmen from the Japanese E-Fuel company ENEOS to Port MacKenzie to tour the facility. The Mayor, Manager, Mr. Joe Metzger and Mr. Stefan Hinman were all present to provide information on the Port and answer questions. The meeting was very well received.
- Stated on October 23rd, several members of the Governor's office staff, Senator McCabe and others met at Port MacKenzie to discuss the future of the rail/road project from the Port to Houston and other opportunities for the port.
- Stated three barges are due in October: the final salt barge of the year and two barges to offload from Cruz Construction Marine Division.
- Reported the Assembly recently appropriated an additional \$1 million grant from the Economic Development Association (EDA) for the Pile Sleeve project and \$4.7 million from The American Rescue Plan for the Barge Ramp project.
- Stated we were awarded a \$1 million grant from the US Marine Highway Program (USMHP) to purchase a 75-ton crawler crane and are still waiting on word from the Port Infrastructure Development Program (PIDP) grant application.
- Commented on upcoming projects: new bathymetry will be done this fall; sheet pile face inspection will go out to bid soon; and the \$10 million pile sleeve project bid opens soon.
- Advised we anticipate the next salt ship to arrive in April of 2024 and a cement ship in May of 2024. We also plan for several barges during the year.

- Commented the Pile Sleeve project could span 2 seasons due to the tidal range and belugas.
- Advised as soon as the barge ramp design is complete, an RFP will go out for construction-possibly in 2025.
- Reported the Port Mast Plan update is in process with our in-house staff.

Discussion followed on marketing strategies for the port, natural gas supplies, and mineral companies interested in the port. Mr. Griffin commented that he has been actively working with many businesses and has reached out to various shipping companies and will continue to do so.

B. Mr. Joe Metzger, Asset Manager

- Stated we have a new permit for 1 acre of the 5-acre paved pad with North Star Supply to store salt in a covered shelter.

Discussion followed on how well our port is positioned for barge traffic, reaching out to the barge and other shipping companies via mailer and phone contact, Seward port will have a lot of renovation work done this year-Port MacKenzie can be used as an alternative, cruise ship traffic, pros and cons of the impress system vs anodes for cathodic protection, military interest in the port for Arctic Edge training and munitions shipment, solar farm energy companies interest in the Port District and the Alaska Railroad's interest or lack thereof in completing the Port MacKenzie Rail Extension.

Mr. Tracy and Mr. Elvsaas stated they will get Mr. Griffin contact information for the various companies they have worked with.

Ms. Lockett will send a link to the September 13, 2023 Assembly meeting on the rail to the Commissioners.

The informal meeting ended at 5:00pm.

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Anchorage

Anchorage Assembly approves renaming port 'Don Young Port of Alaska'

By Emily Goodykoontz

Updated: 17 hours ago

Published: 1 day ago



Port of Alaska lights reflect in Cook Inlet in Anchorage. (Marc Lester / ADN)

The Anchorage Assembly has renamed the Port of Alaska after late U.S. Rep. Don Young. Members on Tuesday voted on a new name — the Don Young Port of Alaska — after a monthslong back-and-forth.

Before members ultimately approved the new name in a 10-2 vote, Tuesday night's debate devolved into a procedural mess.

Some members wanted to postpone a decision until February or March. That drew the ire of Mayor Dave Bronson, who at one point during the meeting vetoed an amendment by some Assembly members that would have postponed a vote until March.

Bronson proposed renaming the port after Young in March 2022, soon after the longtime Alaska congressman died during a flight to Seattle while on his way home. Young was the longest-serving member of the Congress when he died at age 88.

“This has been going on for almost two years now. This process started March 18. Two years — nearly two years ago. Why we need more work session, I have no idea. Get it figured out,” Bronson said.

Young was a sometimes polarizing figure in politics. He’s known for numerous legislative wins that brought big federal dollars to local projects — including the port — and a capacity for bipartisanship that stood out in a divided Congress in the latter years of his career. He was also known for inflammatory comments and an ethics scandal.

Member Karen Bronga on Tuesday voted against the measure, saying Young has already been honored in several ways, including the naming of a federal building in Fairbanks, a Job Corps Center in Palmer and a volcano in the Aleutian Islands.

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Many others have advocated for naming the port in Young’s remembrance, including several Assembly members and Alaska’s congressional delegation.

Other members said they felt frustrated and pressured into a decision by state and federal leaders.

“I’m disappointed because it feels like we’re being being bullied into a decision that’s not a very well thought out decision,” member Kameron Perez-Verdia said.

The debate about renaming the port after Young was “mischaracterized as a debate between people who respect him and people who don’t respect him, and that is just completely false,” he said.

“This is about this is about making a good decision,” he said.

The process to rename the port has been complex, with a few hiccups and sometimes prickly debates among Assembly members and the administration.

In December, the Assembly rejected the idea entirely, voting down a recommendation from a citizen naming panel to rename the Port of Alaska as the Don Young Port of

Anchorage. (They had also nixed two other options suggested by Assembly members: naming it after Young but retaining “Alaska” in the name, or to rename the cargo docks after Young, rather than the whole port.)

But the following day, member Felix Rivera called for the members to reconsider the matter in January.

“I do tend to think that we got a little bit wrapped around the process axle with this item,” Rivera said during Tuesday’s meeting. The two alternatives to the panel’s recommendation were realistic and “stand scrutiny,” he said.

After Bronson called for the port’s renaming last year, he and former Assembly Chair Suzanne LaFrance chose the citizen naming panel, each appointing two members.

The citizen panel in June recommended renaming the port as the Don Young Port of Anchorage. When the Assembly members took up the matter in September, they postponed their vote and directed the panel to again hold a public hearing and vote on their recommendation, because it had failed to give proper public notice to gather input. The panel returned with the same unanimous recommendation in December.

Young’s wife, Anne Garland Young, spoke at Tuesday’s meeting and voiced frustration over the long process. She urged the Assembly to change the name immediately and said watching the matter be “kicked down the road like a kick-the-can game is quite frustrating and very confusing and disappointing.”

“My husband was the epitome of an Alaskan. There never was and there never will be anyone any more committed to this state than he is,” she said.

On Tuesday, the Assembly also rejected naming the port’s cargo docks after Young. That option was proposed as a compromise by Vice Chair Meg Zaletel, who voted against the final measure Tuesday night. They also rejected part of the panel’s recommendation to include “Anchorage” in the port’s name.

In 2017, the Assembly changed the port’s name from the Port of Anchorage to the Port of Alaska, in part to send a message to state leaders that the port is a statewide

asset. Several Assembly members have been leery about returning the name to “Anchorage” as the citizen panel recommended, preferring to keep “Alaska” in the name.

Some members had misgivings over the entire renaming process, and in September the Assembly passed legislation changing how that process will work in the future.

The legislation sought to broaden the public process, creating a new naming commission of nine voting members, though its seats are not yet filled.

Emily Goodykoontz

Emily Goodykoontz is a reporter covering Anchorage local government and general assignments. She previously covered breaking news at The Oregonian in Portland before joining ADN in 2020. Contact her at egoodykoontz@adn.com.



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