

I. CALL TO ORDER

The regular meeting of the Matanuska-Susitna Borough Assembly was held on February 7, 2012, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Mayor Larry DeVilbiss.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1
Mr. Noel Woods, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*)(*entered telephonically at 6:12 p.m.*)
Mr. Steven Colligan, Assembly District No. 4
Mr. Darcie K. Salmon, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6

Assemblymembers absent and excused were:

Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. Don Moore, Acting Assistant Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Shaune O'Neil, Public Works Director
Mr. Dennis Brodigan, Emergency Services Director
Ms. Patty Sullivan, Public Affairs Director
Mr. Phil Morgan, Animal Care and Regulation Manager
Mr. Russ Krafft, Purchasing Officer
Ms. Sharon Huckins, Administrative Secretary I
Ms. Marian Romano, Community Development Director
Ms. Sara Jansen, Planner II
Mr. Michael Newman, Document Specialist
Ms. Glenda Smith, Real Property Analyst

III. APPROVAL OF AGENDA

Mayor DeVilbiss inquired if there were any changes to the agenda.

Assemblymember Keogh:

- requested to remove Ordinance Serial No. 12-037 and Resolution Serial No. 12-021 under introductions from the agenda;

- noted that the legislation pertains to funds from Conoco Phillips for the Sutton Library project; and
- stated that a check from Conoco Phillips has been received by the Friends of the Sutton Library, but it is unclear who will administer the funds at this time.

Mayor DeVilbiss inquired if there was any objection to removing Ordinance Serial No. 12-037 and Resolution Serial No. 12-021 from the agenda.

There was no objection noted.

Mayor DeVilbiss inquired if there were any items that members wished to pull from the consent agenda.

Assemblymember Woods requested to pull Resolution Serial No. 12-015.

GENERAL CONSENT: The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Jeanne Troshynski, a member of the audience.

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 12/29/11
- B. Special Assembly Meeting: 01/17/12
- C. Regular Assembly Meeting: 01/17/12

Mayor DeVilbiss inquired if there were any corrections to the special meeting minutes of December 29, 2011 or January 1, 2012, and the regular meeting minutes of January 17, 2012.

GENERAL CONSENT: The minutes were approved as presented without objection.

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

(There were no reports provided.)

2. Matanuska-Susitna Borough School District

Dr. Deena Paramo, School District Superintendent:

- noted that the School District is beginning the public hearing process for the budget;
- stated that the School District has received approval of \$169,000,000 in projects to be reimbursed at 70 percent from the Alaska State Department of Education;

- provided a list of the projects that have been approved; and
- noted that the School District is excited to get started on the projects.

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

Assemblymember Colver:

- spoke to attending the Borough Area School's Site Selection Committee meeting on Monday;
- related that he also attend the School Board meeting on Wednesday;
- related that there has been a lot of discussion regarding school bonds;
- opined that it is important for the Assembly to have a plan as to how the school bonds will be sold.

Mayor DeVilbiss requested that Dr. Paramo speak to the recommendation of the School District concerning the sale of the school bonds.

Dr. Paramo:

- stated that the recommendation from the School District would be to sell no more than \$100,000,000;
- related that would allow the School District to move forward with preconstruction on smaller projects;
- noted that \$50,000,000 was originally discussed before the second confirmation letter was received from the Alaska State Department of Education; and
- further added that after the second confirmation was received, the School District's recommendation increased.

Discussion ensued regarding:

- how pupil population impacts projects and bonds;
- when target thresholds may be met;
- that approval was not sought for the proposed school at Knik-Goose Bay;
- that Public Works will be providing a spread sheet of projects that have been funded and a schedule to sell the bonds, which will allow staff to move forward with the projects;
- that the first bond sale total will be \$99,784,362.14;
- security bond wrap up projects that were previously before the Assembly;
- the preliminary numbers for the School District budget;
- possible staff reductions that could occur;
- the desire of the body to work collaboratively on the School District budget; and
- the resolutions of the School District that are directed to the Assembly.

2. Assembly Public Relations

Assemblymember Salmon:

- spoke to his attendance at a recent Big Lake Community Council meeting;
- opined that it is a vibrant community with a lot of things going on;
- related that there has been a Big Lake Community Council Transportation Board created; and
- noted that there is a first annual Big Lake Festival that will be occurring on February 18.

D. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Foraker Group Re: Rasmuson Foundation Grant Process

Mr. Moore:

- spoke to the Manager's report that was previously submitted by Mr. Moosey;
- related how Administration is working to coordinate the best way to sell the school bonds;
- stated that legislation regarding the bond sales will be before the body at the February 21 meeting;
- noted that Mr. Moosey had requested a presentation from the Foraker Group regarding the grant process for libraries; and
- introduced Ms. Martha Schoenthal of the Foraker Group.

Ms. Martha Schoenthal, Project Manager with Foraker Group, provided a report regarding the Rasmuson Foundation Grant Process.

A. ATTORNEY COMMENTS

Mr. Spiropoulos provided an update regarding the State Redistricting lawsuit.

B. CLERK COMMENTS

Ms. McKechnie:

- spoke regarding the upcoming meeting schedule;
- noted that Administration had requested a work session on February 21, 2012, at 3:30;
- spoke to the topics of the work session; and
- queried if that was a meeting the Assembly would like to schedule.

There was no objection noted.

Ms. McKechnie:

- advised that the School District had requested the Assembly consider rescheduling the joint Assembly/School Board meeting scheduled for March 13, 2012, as that is during the timeframe for spring break;
- queried if March 20, 2012, at 4 p.m. would work for the body.

There was no objection noted.

Ms. McKechnie:

- advised that it was requested that the Assembly hold a joint work session with the Wasilla-Lakes Fire Service area; and
- queried if that was a meeting that the Assembly would like to schedule.

Discussion ensued whether or not the Assembly wanted to schedule the joint work session.

(The Assembly chose to not schedule the joint work session.)

Ms. McKechnie:

- advised that the Commission on Salaries and Emoluments will not be meeting this year;
- stated that there are only two members on the Commission and a quorum for the Commission is three members; and
- related that the Commission will meet as soon as there is a quorum.

Assemblymember Colver requested to start the February 16, 2012, meeting regarding the ethics code earlier than 6 p.m.

Discussion ensued regarding changing the start time of the meeting regarding the ethics code.

The Mayor inquired if there was objection to starting the meeting on February 16, 2012, at 4 p.m.

There was no objection noted.

C. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Caswell FSA Board of Supervisors: 09/07/11
- b. Greater Butte RSA Board of Supervisors: 04/07/11, 05/05/11
- c. Greater Talkeetna RSA Board of Supervisors: 11/10/11
- d. Local Emergency Planning Committee: 08/17/11
- e. Local Road Service Area Advisory Board: 07/21/11, Resolution Serial Nos. 11-02, 11-03, 11-05, 11-06, 11-07
- f. Parks, Recreation, and Trails Advisory Board: 10/24/11, Resolution Serial No. 11-03
- g. Planning Commission: 12/05/11, Resolution Serial Nos. 11-32, 11-034, 11-037
- h. Port Commission: 10/17/11, Resolution Serial No. 11-011
- i. Transportation Advisory Committee: 11/30/11, Resolution Serial Nos. 11-15, 11-16, 11-17
- j. Wasilla-Lakes FSA Board of Supervisors: 09/12/11

2. Community Council Correspondence:

- a. Big Lake Community Council: 08/10/11

The citizen and other correspondence were presented and no comments were noted.

D. INFORMATIONAL MEMORANDUMS

(There were no informational memorandums presented.)

(The meeting recessed at 7:01 p.m. and reconvened at 7:11 p.m.)

VII. UNFINISHED BUSINESS

A. Resolution Serial No. 12-004: A RESOLUTION AUTHORIZING THE MANAGER TO ESTABLISH A WATER RIGHTS PUBLIC AWARENESS CAMPAIGN. *(Sponsored by Assemblymember Keogh)*

1. IM No. 12-015

MOTION PENDING: Assemblymember Salmon moved to adopt Resolution Serial No. 12-004.

Assemblymember Keogh spoke to the cost to put together a Water Rights Campaign.

Assemblymember Woods:

- noted his objection to the legislation;
- stated that water rights is a state of Alaska program;
- related that water rights information is public knowledge provided by the State; and
- noted that water rights is not within the purview of the Borough.

Discussion ensued regarding:

- water rights being administered by the state of Alaska;
- that it is a minimal cost for the Borough to educate citizen's on water rights;
- that there are approximately 20,000 Borough residents that depend on well water;
- the need to protect residents from water loss;
- the process of how to obtain water rights;
- concerns that the costs proposed will not be what is actually necessary to carry out the campaign; and
- concerns that it could become necessary to educate the public on many items that are not within the purview of the Borough.

VOTE: The motion failed with Assemblymembers Arvin, Colver and Keogh in support and Assemblymembers Salmon, Colligan, and Woods opposed. The motion failed with the Mayor invoking his voting privilege in the negative.

VIII. VETO

(There were no vetoes presented.)

IX. SPECIAL ORDERS (to begin at 7 p.m.)

A. PERSONS TO BE HEARD (Three minutes per person.)

(There were no persons to be heard.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 11-167: AN ORDINANCE CREATING WEST METCALF CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 466, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 11-280

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 11-167.

Mr. Newman provided a staff report.

VOTE: The motion passed without objection.

2. Ordinance Serial No. 12-005: AN ORDINANCE ACCEPTING AND APPROPRIATING \$119,100 FROM THE ALASKA STATE DEPARTMENT OF FISH AND GAME TO FUND 410, PROJECT NO. 30113, FOR CULVERT REPLACEMENT IN THE HIDDEN HILLS FISH PASSAGE PROJECT.
 - a. Resolution Serial No. 12-007: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CULVERT REPLACEMENT IN THE HIDDEN HILLS FISH PASSAGE PROJECT, PROJECT NO. 30113.
 - (1) IM No. 12-001

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-005 and Resolution Serial No. 12-007.

VOTE: The motion passed without objection.

3. Ordinance Serial No. 12-006: AN ORDINANCE AMENDING MSB 4.10.030, AVIATION ADVISORY BOARD COMPOSITION. *(Sponsored by Mayor DeVilbiss)*
 - a. IM No. 12-011

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-006.

Mayor DeVilbiss stated that he brought the legislation forward as he has been unable to fill all the seats on the board due to their specific requirements.

Assemblymember Keogh:

- stated that he appreciates the effort to fill the seats;
- spoke to how seats on the board were designated to be filled in order to keep a range of different interests and geographic locations within the Borough;
- stated that he would like to ensure there is a balance of interests on the Board;
- opined that qualified people could be recruited to fill the positions that have been difficult to fill; and
- noted that he would prefer to wait to see if qualified people could be recruited before the code requirements are changed.

Discussion ensued regarding:

- the intent of the legislation;
- the purpose of the Aviation Advisory Board; and
- that changing the member qualifications does not take away the objective of the Board.

VOTE: The motion passed with Assemblymember Keogh opposed.

4. Ordinance Serial No. 12-007: AN ORDINANCE REAPPROPRIATING \$100,000 FROM LAND AND RESOURCES MANAGEMENT DIVISION'S FISCAL YEAR 2012 OPERATING BUDGET FUND 203, TO FUND 450, PROJECT NO. 70011, FOR THE PORT OPERATIONS TECHNICAL ADVISOR CONTRACT.
 - a. Resolution Serial No. 12-008: A RESOLUTION APPROVING THE SCOPE WORK AND BUDGET FOR PROJECT NO. 70011, PORT OPERATIONS TECHNICAL ADVISOR.
 - (1) IM No. 12-005

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-007 and Resolution Serial No. 12-008.

Assemblymember Keogh stated that he is not opposed to the legislation but would like to know what services have been provided by the consultant thus far.

Mr. Moore:

- related that the technical advisor is to assist with port operations;
- noted that there are very onerous requirements with operating ports and creating port leases;
- stated that special expertise is required for port functions;
- related that at this time he does not know specifically what may have been accomplished; and
- stated that he would gather that information for the body.

Discussion ensued regarding:

- who the advisor reports to;
- terms of the contract;
- the desire of Administration to ensure that any port lease is appropriate;
- that the position assists in making important decisions that impact the port operations;
- duties that the technical advisor would have and what has been done thus far; and
- that the advisor would ultimately report to Administration and the Assembly.

VOTE: The motion passed without objection.

5. Ordinance Serial No. 12-008: AN ORDINANCE APPROVING AN APPROPRIATION OF \$115,000 FROM WILLOW ROAD SERVICE AREA NO. 20 FUND BALANCE FUND 276, TO FUND 410, PROJECT NO. 30042, FOR WILLOW ROAD SERVICE AREA NO. 20 CAPITAL PROJECTS.
 - a. IM No. 12-006

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-008.

VOTE: The motion passed without objection.

6. Ordinance Serial No. 12-009: AN ORDINANCE ACCEPTING AND APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$528,000 FROM THE ALASKA STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND APPROPRIATING THE REQUIRED MATCH FUNDS IN THE AMOUNT OF \$352,000 FROM THE UNRESTRICTED NET ASSETS IN THE SOLID WASTE ENTERPRISE FUND, FUND 510, TO FUND 420, PROJECT NO. 25052, CENTRAL LANDFILL CELL 2A CLOSURE.
 - a. Resolution Serial No. 12-009: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 25052, CENTRAL LANDFILL CELL 2A CLOSURE.
 - (1) IM No. 12-008

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Woods moved to adopt Ordinance Serial No. 12-009 and Resolution Serial No. 12-009.

Assemblymember Keogh:

- noted that the funding outlined in the legislation is for the first phase of work; and
- queried what the second phase of work is.

Ms. O'Neil:

- advised that Phase I begins design and construction;
- related that the Borough is under orders from the Alaska State Department of Conservation (DEC) to close the cell;
- noted that the design must be approved by the DEC;
- stated that if DEC approves the design and there is enough funds to finish what is proposed, then there will not be a need for more funds;
- if DEC denies the design or directs the Borough to do additional work, then more funds will be necessary; and
- advised that Public Works is seeking grants just in case Phase II becomes necessary.

VOTE: The motion passed without objection.

7. Ordinance Serial No. 12-010: AN ORDINANCE AMENDING MSB 17.28, DESIGNATING THE SUSITNA PARKWAY PIT AN INTERIM MATERIALS DISTRICT, LOCATED WITHIN TOWNSHIP 16 NORTH, RANGE 4 WEST, SECTION 6, ON PARCEL D-1, SEWARD MERIDIAN.
 - a. IM No. 12-012

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-010.

Assemblymember Salmon advised that staff had requested that the legislation be postponed to February 21, 2012, as there have been additional recommendations that have come forward from the Planning Commission and staff would like to review them.

MOTION: Assemblymember Salmon moved to postpone Ordinance Serial No. 12-010 to time certain of February 21, 2012.

Assemblymember Arvin queried if there were any negative impacts to the rail project timeline by postponing the legislation.

Mr. Moore advised that there was not.

VOTE: The motion to postpone passed without objection.

8. Ordinance Serial No. 12-011: AN ORDINANCE AMENDING MSB 2.12.075, TO SPECIFY HOW JOINT MEETINGS MAY BE CHANGED OR CANCELLED.
(Sponsored by Assemblymember Keogh)
 - a. IM No. 12-014

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Keogh moved to adopt Ordinance Serial No. 12-011.

Assemblymember Keogh

- opined that code was unclear regarding how a joint meeting may be cancelled;
- noted that there are provisions within code as to how regular meetings can be cancelled by the Assembly;
- spoke to how the Mayor may cancel meetings;
- advised that the amendment to the legislation uses the same language as is used for regular meetings; and
- stated that it is intended to bring all language concerning meeting cancellation into conformity.

Assemblymember Salmon queried how code currently reads.

Ms. McKechnie read the portion of code that speaks to joint meetings established.

Discussion ensued regarding:

- what caused the need for the legislation;
- cancellation of a previous joint Assembly/School Board meeting;
- whether or not it is necessary to adopt the changes;
- the need to retain flexibility in scheduling meetings;
- that code works as it is written now;
- the opinion of some members that the legislation is redundant and unnecessary;
- that there is a significant difference between cancelling and rescheduling a meeting;

MOTION: Assemblymember Arvin moved a primary amendment to Ordinance Serial No. 12-011, MSB 2.12.075(A) and (B) by striking all of the proposed language and reinserting the deleted language into (B) the following language: “However, a meeting may be changed to a different day or may be canceled by the Mayor and the Chairman of the School Board and the Assembly and School Board may otherwise meet as they see fit.”

Assemblymember Keogh opined that it is up to the Assembly to schedule or cancel meetings not the Mayor

Assemblymember Colver:

- opined that this type of legislation is devisive;
- noted that historically the body has been successful in working together;
- opined that if adjustments need to be made then the Mayor can step in; and
- further opined that it needs to remain a cooperative effort.

Mayor DeVilbiss stated that he will ensure that more of the body is involved in the process when it comes to cancelling meetings.

VOTE: The primary amendment passed with Assemblymembers Woods and Keogh opposed.

VOTE: The main motion passed with Assemblymembers Keogh and Salmon opposed.

9. Ordinance Serial No. 12-013: AN ORDINANCE ADOPTING AN AMENDMENT TO THE DEFINITION OF RESERVE USE LANDS TO INCLUDE “FOR DEVELOPMENT OF PORT MACKENZIE,” MSB 23.05.100 AND RECLASSIFYING ALL BOROUGH-OWNED LAND WITHIN THE PORT MACKENZIE SPECIAL USE DISTRICT AS RESERVED USE LANDS.
 - a. IM No. 12-017

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-013.

Assemblymember Colver requested a staff report.

Mr. Moore:

- stated that the legislation reclassifies land within the Port District as port lands;
- noted that Port MacKenzie lands are classified as a Special Use District;
- related that it is to ensure orderly development of the Port District;
- stated that there are currently land classifications that are not compatible with port development; and
- advised that the legislation would remedy the problem.

Assemblymember Arvin:

- noted that when he was on the Port Commission, that the Port Master Plan and the Port Special Use District prevented recreational and residential uses in the Port area; and
- queried if this legislation is to prevent incompatible land uses in the Port District.

Mr. Moore affirmed the query.

VOTE: The motion passed without objection.

10. Ordinance Serial No. 12-014: AN ORDINANCE REAPPROPRIATING \$50,000 FROM THE FISCAL YEAR 2012 CAPITAL PROJECT, NORTHERN PARKS UPGRADE AND IMPROVEMENTS, FUND 440, PROJECT NO. 15040 TO FUND 480, PROJECT NO. 47026, MEADOW LAKES PARK PLAYGROUND.
 - a. Resolution Serial No. 12-010: A RESOLUTION AMENDING THE SCOPE OF WORK FOR PROJECT NO. 15040, THE FISCAL YEAR 2012 CAPITAL PROJECTS FOR THE NORTHERN PARKS UPGRADE AND IMPROVEMENTS AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MEADOW LAKES PARK PLAYGROUND, PROJECT NO. 47026.
 - (1) IM No. 12-018

Mayor DeVilbiss opened the public hearing.

The following person spoke in support of Ordinance Serial No. 12-014: Mr. Tim Sweezy, Meadow Lakes Community Council President; and Ms. Leiba Putnam.

There being no others present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-014 and Resolution Serial No. 12-010.

Assemblymember Salmon queried if it might be possible to create a local improvement district for this type of development.

Mr. Spiropoulos:

- advised that it would have to be researched; and
- stated that the issue with local improvement districts would be defining who would receive the benefit of the improvement, which is a requirement.

VOTE: The motion passed without objection.

11. Ordinance Serial No. 12-016: AN ORDINANCE AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE BOROUGH AND MUNICIPALITY OF ANCHORAGE FOR CONSTRUCTION AND MAINTENANCE OF A COMMUNICATION TOWER (MSB006514).
 - a. IM No. 12-021

Mayor DeVilbiss opened the public hearing.

There being no one present who wished to testify, the public hearing closed and discussion moved to the Assembly.

MOTION: Assemblymember Salmon moved to adopt Ordinance Serial No. 12-016.

Assemblymember Keogh

- spoke to concerns that have been voiced to him about the project;
- noted that one was the Knik Fairview Community Council and that the other was an adjacent land owner;
- related that the Community Council had objected to the purchase of the property;
- noted that they were told that the fire service area would receive income from any use of the land by entities other than the Wasilla-Lakes Fire Service Area; and
- queried if the Community Council and the private citizen were satisfied with that answer.

Ms. Glenda Smith:

- advised that they worked closely with the community council;`
- stated that the site was specifically chosen because there is a whole line-of-sight towers; and
- related that they were advised that the fire service area could potentially receive funds from use of the land;
- spoke to the land being segmented from the training facility; and
- noted the topography does not make it useable with the rest of the property.

Assemblymember Keogh:

- opined that there is a 30-year lease so it is doubtful that there would be income generated; and
- noted that it is a significant benefit to the Borough to have the tower.

Assemblymember Colver queried if there were public notices put out to the surrounding property owners.

Ms. Smith stated that notices were sent to anyone within a one-mile radius of the tower site.

VOTE: The motion passed without objection.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

The following person spoke to concerns with a cell tower being in close proximity to a school site: Mr. Mike Kelly.

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 12-012: A RESOLUTION AMENDING THE BUDGETS FOR THE HOT TUB REPLACEMENT, HANDICAPPED LIFTS, AND INSTALLATION OF WATER SOFTENER PROJECT, THE WASILLA POOL MAJOR MAINTENANCE PROJECT, AND THE SALT GENERATOR DISINFECTION SYSTEMS FOR THE PALMER AND WASILLA POOLS PROJECTS, PROJECT

NO. 15007, AND APPROVING THE AMENDED SCOPE OF WORK TO CONSOLIDATE THE PROJECTS.

- (1) IM No. 12-019

 - b. Resolution Serial No. 12-013: A RESOLUTION APPROVING THE AMENDED SCOPE OF WORK FOR THE FISCAL YEAR 2007 DESIGNATED LEGISLATIVE GRANT FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE BOROUGH WIDE ROAD UPGRADE PROJECTS TO INCLUDE SOUTH CHEECHAKO DRIVE, EAST BREEZY COURT, AND EAST HEARTHSTONE DRIVE IN THE MCKINLEY HEIGHTS PHASE 2 AND CABBAGE PATCH SUBDIVISIONS, GREATER BUTTE ROAD SERVICE AREA NO. 26.
 - (1) IM No. 12-034

 - c. Resolution Serial No. 12-014: A RESOLUTION REALLOCATING HUMAN SERVICES COMMUNITY MATCHING GRANT FUNDS TO NON-PROFIT HUMAN SERVICE AGENCIES WITHIN THE COMMUNITY AND AUTHORIZING THE MANAGER TO ENTER INTO GRANT AGREEMENTS WITH THE SUB-GRANTEE AGENCIES.
 - (1) IM No. 12-037

 - e. Resolution Serial No. 12-016: A RESOLUTION SUPPORTING SENATE BILL 140 AND HOUSE BILL 253, BANNING THE COMPOUNDS USED TO MAKE SYNTHETIC COCAINE. (*Sponsored by Mayor DeVilbiss*)
 - (1) IM No. 12-040
2. ACTION MEMORANDUMS
- a. AM No. 12-001: APPROVAL OF ROAD SERVICE AREA ROAD IMPROVEMENTS; ROAD MAINTENANCE AND REPAIR CAPITAL PROJECTS, SUMMER 2012.

 - b. AM No. 12-005: AWARD OF BID NO. 12-045 TO ALASKA ELECTRIC AND CONTROL IN AN AMOUNT NOT TO EXCEED \$214,586.30 TO PURCHASE AND INSTALL A CONVEYOR AT THE VALLEY COMMUNITY FOR RECYCLING SOLUTIONS.

 - c. AM No. 12-006: VACATION OF A PORTION OF THE SECTION LINE EASEMENT LOCATED WITHIN LOT 3, BLOCK 9, GREENSWARD SUBDIVISION, ASLS 79-154, LOCATED IN SECTION 23, TOWNSHIP 18 NORTH, RANGE 2 WEST, SEWARD MERIDIAN.

 - d. AM No. 12-009: AWARD OF BID NO. 12-058 TO PACIFIC PILE AND MARINE, LP. IN A CONTRACT AMOUNT OF \$383,835 FOR THE LITTLE SUSITNA CHANNEL BRIDGE AT NORTH MOOSE MEADOWS ROAD.

- g. AM No. 12-014: AWARD OF BID NO. 12-057 TO SWALLING CONSTRUCTION COMPANY, INC. IN THE CONTRACT AMOUNT OF \$1,602,000 FOR THE WILLOW CREEK BRIDGE REPLACEMENT PROJECT AT WEST MICHELLE DRIVE.
- h. AM No. 12-015: AUTHORIZATION TO PURCHASE TWO SOLID WASTE TRANSFER TRAILERS FROM YUKON EQUIPMENT, INC. IN THE AMOUNT OF \$173,738.
- i. AM No. 12-016: AUTHORIZATION TO PURCHASE DENTAL EQUIPMENT AND SUPPLIES FROM HENRY SCHEIN IN AN AMOUNT NOT TO EXCEED \$309,107 FOR THE GOOSE CREEK CORRECTIONAL CENTER.
- j. AM No. 12-018: AUTHORIZATION TO PURCHASE COMMUNICATIONS EQUIPMENT FROM MOTOROLA SOLUTIONS, INC. IN AN AMOUNT NOT TO EXCEED \$840,525 FOR THE GOOSE CREEK CORRECTIONAL CENTER.

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Salmon moved to approve the consent agenda as read into the record by the Clerk.

VOTE: The motion passed without objection.

- d. Resolution Serial No. 12-015: A RESOLUTION SUPPORTING SENATE BILL 159, ESTABLISHING THE SUSITNA STATE FOREST. *(Sponsored by Assemblymembers Halter and Arvin)*
- (1) IM No. 12-038

MOTION: Assemblymember Salmon moved to adopt Resolution Serial No. 12-015.

Assemblymember Woods:

- stated that the Assembly does not know how the State intends to manage the resources; and
- opined that the legislation should be postponed.

MOTION: Assemblymember Woods moved to postpone Resolution Serial No. 12-015 to a time certain of February 21, 2012.

Assemblymember Colligan:

- noted that he would also like to have more information; and
- stated that he is in support of postponement.

Discussion ensued regarding:

- confusion regarding the information of the House Bill;
- the possibility of having the Alaska State Division of Forestry appear under agency reports at the next meeting; and
- the opinion of some members that postponement is appropriate as the co-sponsor is not present.

VOTE: The motion to postpone passed without objection.

- e. AM No. 12-011: APPROVAL OF UTILITY RELOCATION COSTS TO ENSTAR NATURAL GAS COMPANY IN THE AMOUNT OF \$111,807 FOR THE SUNRISE ACRES PROJECT, PROJECT NO. 30037.

MOTION: Assemblymember Salmon moved to adopt AM No. 12-011.

Assemblymember Arvin spoke to concerns with entering into an agreement with a utility company on a time and materials basis with no cost cap.

Ms. O'Neil:

- noted that is historically what has been done;
- agreed that there should be firm fixed prices;
- noted that it is specialty work and that not anyone can relocate utilities;
- stated that she has not spoken with the utilities to see if they would agree to fixed pricing; and
- advised that Public Works has been very vigilant in monitoring the projects and their costs.

Mr. Krafft:

- noted that there is a lot of engineering and design work in the relocation of utilities;
- advised that the utility is providing their best estimate at what it would cost;
- reiterated that this is how the projects have been handled in the past; and
- stated that until they get to the site there is no way to identify where the utilities are actually located.

Discussion ensued regarding:

- the large amount of work involved in relocating utilities;
- the cost estimates that were provided;
- that general contractors cannot be hired to relocate utilities;
- that staff is diligent in ensuring that the costs are reasonable;
- whether or not utilities would subcontract out work;
- that utilities are regulated and have regulated rates;
- how to negotiate the best deal;
- that monitoring the project is sufficient;
- that the Borough should be requiring firm fixed price proposals;
- that this is a procurement issue that needs to be addressed; and
- the desire of the body to have staff research options.

VOTE: The motion passed without objection.

- f. AM No. 12-012: APPROVAL OF UTILITY RELOCATION COSTS TO GENERAL COMMUNICATIONS, INC. IN THE AMOUNT OF \$106,890.54 FOR THE SUNRISE ACRES PROJECT, PROJECT NO. 30037.

CONFLICT OF INTEREST: Assemblymember Colver declared a conflict of interest as he does work on behalf of General Communications, Inc.

RULING: Mayor DeVilbiss ruled that Assemblymember Colver had a conflict of interest and would be recused from voting.

(Assemblymember Colver exited the meeting.)

MOTION: Assemblymember Salmon moved to adopt AM No. 12-012.

VOTE: The motion passed without objection.

(Assemblymember Colver re-entered the meeting.)

(The meeting recessed at 8:50 p.m. and reconvened at 9 p.m.)

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 02/21/12, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 12-017: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE TRIMOTOR AND FAIRCHILD STREETS AND A PORTION OF ALIX DRIVE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 450 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 12-018: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$166,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE TRIMOTOR AND FAIRCHILD STREETS AND A PORTION OF ALIX DRIVE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 450, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 12-026

2. Ordinance Serial No. 12-019: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE FAIRVIEW ACRES AND LUPINE LANE ACRES ADDITION NO. 1 AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 453 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

a. Ordinance Serial No. 12-020: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$107,000 PRINCIPAL AMOUNT OF SPECIAL

ASSESSMENT BONDS FOR THE FAIRVIEW ACRES AND LUPINE LANE ACRES ADDITION NO. 1 AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 453, AND FIXING DETAILS OF SAID BONDS.

- (1) IM No. 12-027

3. Ordinance Serial No. 12-021: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE AURORA LANE AREA NO. 2 NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 454 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 12-022: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$101,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE AURORA LANE AREA NO. 2 NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 454, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 12-028

4. Ordinance Serial No. 12-023: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE NORTH EDENFIELD ROAD, ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 443 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 12-024: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$60,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE NORTH EDENFIELD ROAD, ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 443, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 12-029

5. Ordinance Serial No. 12-025: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE CENTENNIAL'S END SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 444 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 12-026: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$8,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE CENTENNIAL'S END SUBDIVISION ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 444, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 12-030

6. Ordinance Serial No. 12-027: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE LEOTA STREET ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 445 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

- a. Ordinance Serial No. 12-028: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$55,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE LEOTA STREET ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 445, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 12-031

- 7. Ordinance Serial No. 12-029: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE APRYL LANE AND SOUTH FRANCE COURT ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 452 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 12-030: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$43,000 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE APRYL LANE AND SOUTH FRANCE COURT ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 452, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 12-032

- 8. Ordinance Serial No. 12-031: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$7,000 OF REVENUES FROM PUBLIC DONATIONS TO THE FISCAL YEAR 2012 ANIMAL CARE AND REGULATION DIVISION'S OPERATING BUDGET FOR REVENUE ENHANCING OPPORTUNITIES.
 - a. IM No. 12-013

- 9. Ordinance Serial No. 12-032: AN ORDINANCE ACCEPTING AND APPROPRIATING \$997.10 FROM THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES TO FUND 480, PROJECT NO. 47006, FOR TRANSIT PLANNING.
 - a. Resolution Serial No. 12-017: A RESOLUTION APPROVING THE SCOPE OF WORK AND AMENDED BUDGET FOR THE SHORT RANGE TRANSIT PLAN UPDATE.
 - (1) IM No. 12-033

- 10. Ordinance Serial No. 12-033: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$25,056 UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT AND REQUESTING A REAPPROPRIATION FOR THE REQUIRED MATCHING FUNDS IN THE AMOUNT OF \$6,264 FROM THE DEPARTMENT OF EMERGENCY SERVICES ADMINISTRATION FISCAL YEAR 2012 OPERATING BUDGET, FUND 100, TO PROJECT NO. 45261, FUND 425, FOR REGIONAL EMERGENCY MEDICAL SERVICES TRAINING.
 - a. Resolution Serial No. 12-018: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE DEPARTMENT OF EMERGENCY SERVICES ADMINISTRATION, PROJECT

NO. 45261, FUND 425, FOR REGIONAL EMERGENCY MEDICAL SERVICES TRAINING.

- (1) IM No. 12-035
11. Ordinance Serial No. 12-034: AN ORDINANCE ACCEPTING AND APPROPRIATING AN ADDITIONAL \$170,000 IN AMERICAN RECOVERY AND REINVESTMENT ACT FUNDING FROM THE ALASKA STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES TO FUND 475, PROJECT NO. 20379, TO ALLOW FOR THE PURCHASE OF ADDITIONAL SHARE-A-RIDE VANS.
- a. Resolution Serial No. 12-019: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 20379, TRANSIT STOPS/ SHELTERS/VANS, TO ALLOW FOR THE PURCHASE OF ADDITIONAL SHARE-A-RIDE VANS.
- (1) IM No. 12-036
12. Ordinance Serial No. 12-035: AN ORDINANCE APPROVING THE ACCEPTANCE AND APPROPRIATION OF FISCAL YEAR 2012 COMMUNITY REVENUE SHARING PROGRAM FUNDS IN THE AMOUNT OF \$591,800 TO FUND 475, PROJECT NO. 47014.
- a. Resolution Serial No. 12-020: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FISCAL YEAR 2012 COMMUNITY REVENUE SHARING PROGRAM, PROJECT NO. 47014.
- (1) IM No. 12-042
13. Ordinance Serial No. 12-036: AN ORDINANCE APPROPRIATING \$218,465 FROM THE INTEREST EARNINGS FROM THE LAND MANAGEMENT PERMANENT FUND, FUND 203, TO FUND 430, IN ORDER TO SUPPLEMENT THE FUNDING FOR THE HATCHER PASS ACCESS ROAD AND TRANSIT FACILITY, PROJECT NO. 35187.
- a. IM No. 12-044
- b. AM No. 12-017: AWARD OF BID NO. 12-032 TO ANGAYUK CONSTRUCTION ENTERPRISES IN THE CONTRACT AMOUNT OF \$3,427,415.40 FOR THE HATCHER PASS ACCESS ROAD AND TRANSIT FACILITY.
- ~~14. Ordinance Serial No. 12-037: AN ORDINANCE ACCEPTING AND APPROPRIATING A DONATION IN THE AMOUNT OF \$10,000 TO FUND 435, PROJECT NO. 10168, FOR THE SUTTON LIBRARY/COMMUNITY CENTER.~~
- ~~a. Resolution Serial No. 12-021: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR DONATIONS IN THE AMOUNT OF \$10,000 FOR THE SUTTON LIBRARY/COMMUNITY CENTER, PROJECT NO. 10168. *(Sponsored by Assemblymember Keogh)*~~
- ~~(1) IM No. 12-045~~

Ms. McKechnie read the above legislation into the record.

MOTION: Assemblymember Salmon moved to introduce the legislation as read into the record by the Clerk and set the public hearings for February 21, 2012.

VOTE: The motion passed without objection.

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

Mayor DeVilbiss requested the following confirmations:

Aviation Advisory Board

David Palmer

Mark Stigar

Health and Social Services Board

Judy Gette

Dodd Shay

Becky Stoppa

Natasha Pineda

Eddie Ezelle

Philip Licht

Library Board

Jeanne Troshynski

Local Emergency Planning Committee

Leonard Betts, Resignation

Jimmie Rogers

William Morrow

Sandra Porter

Matanuska-Susitna Borough Fish and Wildlife Commission

Jehnifer Ehmann

Planning Commission

Thomas Healy

Vern Rauchenstein

Platting Board

Stanley Gillespie

Ralph Buzard

Wastewater and Septage Advisory Board

Thomas Healy

Fairview RSA No. 14

Stanley Gillespie

Mayor DeVilbiss made the following recommendations:

Board of Equalization

Read Dunn

Historical Preservation Committee
Ronald Bissett
Rosetta Alcantra
West Lakes FSA No. 136
William Browne

Chase Trail Service Area No. 134
Mike Wood

MOTION: Assemblymember Salmon moved to approve the Mayor's recommendations and resignations up for confirmation this evening.

VOTE: The motion passed without objection.

C. OTHER NEW BUSINESS

(There was no other new business.)

D. REFERRALS (For referral to the Planning Commission for 90 days or other date specified by the Assembly)

(There were no referrals presented.)

XI. RECONSIDERATION

(There were no reconsiderations presented.)

XII. EXECUTIVE SESSION

A. POTENTIAL LITIGATION REGARDING THE POINT MACKENZIE RAIL EXTENSION. *(for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the Borough and matters which by law, municipal charter, or ordinance are required to be confidential; Attorney/Client Communication; potential litigation strategy)*

MOTION: Assemblymember Salmon move to enter executive session for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the Borough and matters which by law, municipal charter, or ordinance are required to be confidential; Attorney/Client communication. Those present during the executive session were the Mayor, the Members of the Assembly, the Clerk, the Attorney, and the Acting Assistant Manager.

Mayor DeVilbiss noted that the topic of the executive session is potential litigation regarding the Point MacKenzie rail extension.

VOTE: The motion passed without objection and the Assembly entered into executive session at 9:06 p.m.

MOTION: Assemblymember Salmon moved to exit executive session.

VOTE: The motion passed without objection and the Assembly exited executive session at 9:25 p.m.

MOTION: Assemblymember Colligan moved to direct the Attorney to act on behalf of the Matanuska-Susitna Borough to intervene in the administrative appeal filed against the Surface Transportation Board regarding the Point MacKenzie Rail Extension to defend the record of decision.

VOTE: The motion passed without objection.

XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Mr. Moore:

- stated that Administration will be working with Enstar regarding concerns of the Assembly;
- noted that he is aware the members of the Assembly have been receiving a lot of calls regarding snow removal;
- stated that crews are working as quickly as possible;
- noted that the calls would probably increase with break-up due to the large volume of snow; and
- advised that they will continue to work as quickly as possible.

Mr. Spiropoulos:

- stated that he would intervene in the Rail Extension lawsuit; and
- would report back periodically to the body regarding the status of the suit.

Assemblymember Colver:

- spoke to citizen complaints concerning property taxes;
- opined that the mill rate will need to be monitored closely at budget time;
- spoke to the bi-annual property tax bills that are mailed out and opined that they are not clear;
- further opined that the rebate the Assembly intended during the last budget cycle was not applied properly to tax bills; and
- spoke to concerns with the upcoming budget cycle.

Assemblymember Woods:

- noted that he is receiving a lot of calls concerning snow removal;
- opined that there are contractors who are not doing as good of a job as others; and
- stated that he hopes that the problem has been remedied.

Assemblymember Salmon stated that he will be unavailable from February 24 to March 5, as he will be in Washington, D.C.

Assemblymember Arvin:

- spoke to School District Resolution Serial No. 12-007;
- noted that Mr. Spiropoulos had written him a memorandum that provided background information concerning reimbursement of charter school property taxes by the Borough; and
- requested that in light of that resolution, that the memorandum be provided to all Assembly members, as it would provide good background information.

Mayor DeVilbiss related that he cut his budget by 10 percent.

XIV. ADJOURNMENT

The regular meeting adjourned at 9:38 p.m.


LARRY DEVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes Approved: 02/21/12