

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645-6488 - 907-745-9683

## **BOROUGH MAYOR**

Timothy L. Anderson

## **BOROUGH CLERK**

Michelle M. McGehee, CMC

## **BOROUGH MANAGER**

John Duffy

## **BOROUGH ATTORNEY**

Teresa S. Williams



## **BOROUGH ASSEMBLY**

Lynne Woods, District 1

Bill Allen, District 2

Talis J. Colberg, District 3

Mary Kvalheim, District 4

Jody Simpson, District 5

Jim Colver, District 6

Betty Vehrs, District 7

## **ASSEMBLY AGENDA**

**ASSEMBLY CHAMBERS  
350 E. DAHLIA AVENUE, PALMER**

**REGULAR MEETING**

**6 P.M.**

**TUESDAY, APRIL 5, 2005**

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA<sup>1</sup>

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

A. Joint Assembly/School Board Meeting: 03/08/05

B. Special Assembly Meeting: 03/14/05

C. Joint Assembly/Planning Commission Meeting: 03/15/05

D. Regular Assembly Meeting: 03/15/05

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

2. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

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<sup>1</sup> Resolution Serial No. 05-043 was pulled from the agenda.

1. Joint Assembly/School Board Committee on School Issues
2. Regional Transportation Planning Organization

C. MANAGER COMMENTS

1. State/Federal Legislation

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
  - a. Circle View and Stampede Estates Flood and Water Erosion Control Service Area No. 131: 03/02/05
  - b. Greater Butte Road Service Area No. 26: 03/10/05
  - c. Knik Road Service Area No. 17: 03/03/05
  - d. Local Road Service Area Advisory Board: 02/17/05, 03/17/05
  - e. Mat-Su Fire Chiefs Association: 01/28/04, 03/24/04, 04/28/04
  - f. Parks, Recreation, and Trails Advisory Board: 02/23/04, 04/05/04, 01/24/05, Resolution 04-11, Resolution 05-04
  - g. Planning Commission: 03/07/05, 03/14/05
  - h. Port Commission: 12/20/04, 02/16/05, Resolution Serial No. 05-001, Resolution Serial No. 05-002
  - i. Talkeetna Sewer and Water Service Area No. 36: 09/30/04, 11/23/04, 01/27/05
2. Community Council Correspondence:
  - a. Big Lake Community Council: 10/13/04, 12/08/04, 02/09/05
  - b. North Lakes Community Council: 03/09/05, 03/10/05, 03/11/05, 03/11/05
  - c. Sutton Community Council: 01/11/05
  - d. Willow Area Community Organization: 03/07/05

G. INFORMATIONAL MEMORANDUMS

1. IM No. 05-067: AN INFORMATIONAL MEMORANDUM REGARDING A REVISION TO MSB 5.25.142(A), GREATER PALMER CONSOLIDATED FIRE SERVICE AREA NO. 132, ADOPTED BY ORDINANCE SERIAL NO. 03-124 ON AUGUST 5, 2003.

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

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

1. Kelly Ladere Re: Y Community Comprehensive Plan Process

B. PUBLIC HEARINGS (Three minutes per person.)

1. Resolution Serial No. 05-029: A RESOLUTION ADOPTING THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2006 THROUGH 2011.
  - a. IM No. 05-057
2. Ordinance Serial No. 05-038: AN ORDINANCE AMENDING MSB 4.28.020(C), ENHANCED 911 ADVISORY BOARD, TO PROVIDE FOR APPOINTMENT OF ALTERNATES THROUGH THE MAYORAL RECOMMENDATION AND ASSEMBLY CONFIRMATION PROCESS. (*Sponsor: Mayor Anderson*)
  - a. IM No. 05-066
3. Ordinance Serial No. 05-039: AN ORDINANCE APPROPRIATING \$28,132,377 TO FUND 400, SCHOOL PROJECTS, FOR THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF SCHOOL AND RELATED CAPITAL IMPROVEMENTS WITHIN THE BOROUGH.
  - a. Resolution Serial No. 05-030: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE 2005 SERIES A GENERAL OBLIGATION SCHOOL BOND CONSTRUCTION PROJECTS.
    - (1) IM No. 05-068
4. Ordinance Serial No. 05-040: AN ORDINANCE ACCEPTING AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$500,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION

SERVICE (NRCS) TO FUND 445, PROJECT NO. 55008, FOR ENVIRONMENTAL ANALYSIS, DESIGN, AND CONSTRUCTION OF STREAM BANK STABILIZATION MEASURES ALONG THE MATANUSKA RIVER.

- a. Resolution Serial No. 05-031: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE (NRCS) APPROPRIATION, TO FUND 445, PROJECT NO. 55008, FOR THE ENVIRONMENTAL ANALYSIS, DESIGN, AND CONSTRUCTION OF STREAM BANK STABILIZATION MEASURES ALONG THE MATANUSKA RIVER.

*(Sponsor: Assemblymember Woods)*

(1) IM No. 05-073

C. AUDIENCE PARTICIPATION (Three minutes per person.)

## VIII. UNFINISHED BUSINESS

## IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 04/19/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-041: AN ORDINANCE ACCEPTING THE FINAL REPORT OF CRITICAL HABITATS, INC., ON WETLAND MITIGATION BANKING OF BOROUGH-OWNED LAND; ESTABLISHING A NEW SECTION IN CODE CREATING A WETLAND MITIGATION BANK AND DEFINING ITS PURPOSES AND FUNCTIONS; AUTHORIZING THE MANAGER TO CREATE PRIVATE CONSERVATION EASEMENTS FOR WETLAND MITIGATION BANKING; AND AUTHORIZING A REQUEST FOR PROPOSALS FOR CREATION AND OPERATION OF A WETLAND MITIGATION BANK.

a. IM No. 05-052

2. Ordinance Serial No. 05-042: AN ORDINANCE AMENDING MSB 23.05.100(A)(15), THE CLASSIFICATION OF WATERSHED LANDS AND ADOPTING MSB 23.05.100(A)(17), A NEW LAND CLASSIFICATION OF WETLAND BANK LAND.

a. IM No. 05-053

3. Ordinance Serial No. 05-043: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND WITHIN SECTIONS 1, 3, 4, 10, AND 12, TOWNSHIP 16 NORTH, RANGE 6 WEST, SEWARD MERIDIAN, ALASKA (FISH CREEK AREA) AS WETLAND BANK AND AGRICULTURE; AND LAND WITHIN SECTIONS 5, 8, 10, 20, AND 29, TOWNSHIP 16 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA (BIG LAKE AND POINT MACKENZIE AREAS), SECTIONS 10, 29, 31, AND 32, TOWNSHIP 17 NORTH, RANGE 5 WEST, SEWARD MERIDIAN, ALASKA (FISH CREEK AND DELYNDIA LAKE AREAS), SECTIONS 12, 13, 17, 18, 19, 20, 23, 24, AND 30, TOWNSHIP 16 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA (POINT MACKENZIE, DIAMOND LAKE, SEVEN MILE LAKE, CARPENTER LAKE AREAS) AS WETLAND BANK AND PUBLIC RECREATION (MSB 004260).
  - a. IM No. 05-054
  
4. Ordinance Serial No. 05-044: AN ORDINANCE ACCEPTING AND APPROPRIATING \$62,500 FROM THE ALASKA STATE DIVISION OF EMERGENCY SERVICES, AND \$187,500 FROM THE HAZARD MITIGATION GRANT PROGRAM, AND APPROPRIATING \$13,650 FROM THE 2004 SERIES B GENERAL OBLIGATION SCHOOL BOND INTEREST EARNINGS TO FUND 400 FOR THE PURCHASE AND INSTALLATION OF ROOF STRAPPING SYSTEMS FOR SELECTED BOROUGH SCHOOLS.
  - a. Resolution Serial No. 05-037: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SCHOOL ROOF UPGRADES HAZARD MITIGATION, PROJECT NO. 40158, FUND 400.
    - (1) IM No. 05-071
  
5. Ordinance Serial No. 05-045: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,885.50 TO FUND 480, PROJECT NO. 45009, FROM BARB AND LOUIS LACHER FOR THE SEVEN MILE CANOE LAKE SIGNAGE PROJECT.
  - a. Resolution Serial No. 05-038: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SEVEN MILE CANOE TRAIL SIGN PROJECT.
    - (1) IM No. 05-076

6. Ordinance Serial No. 05-046: AN ORDINANCE REPEALING MSB 3.37, REAL ESTATE TRANSFER FEE.
  - a. Ordinance Serial No. 05-047: AN ORDINANCE REPEALING REGULATIONS FOR THE REAL ESTATE TRANSFER FEE, MSB 3.37.  
*(Sponsors: Assemblymembers Kvalheim and Vehrs)*
    - (1) IM No. 05-079
  
7. Ordinance Serial No. 05-048: AN ORDINANCE AMENDING MSB 5.25.022, SOUTH COLONY ROAD SERVICE AREA NO. 16, TO ADD A LEGAL DESCRIPTION AND TO AMEND THE BOUNDARIES AFFECTED BY THE TRUNK ROAD REALIGNMENT.
  - a. Ordinance Serial No. 05-049: AN ORDINANCE AMENDING MSB 5.25.016, MIDWAY ROAD SERVICE AREA NO. 9, TO AMEND THE BOUNDARIES AFFECTED BY THE TRUNK ROAD REALIGNMENT.
    - (1) IM No. 05-084
  
8. Ordinance Serial No. 05-050: AN ORDINANCE AMENDING MSB 1.50.040, EXEMPTION FOR PARTICULAR RECORDS, TO ADD A SUBSECTION TO ENSURE THAT FINANCIAL INFORMATION SUBMITTED BY PROPERTY OWNERS TO THE BOROUGH ASSESSOR IS CONSIDERED CONFIDENTIAL INFORMATION UNDER MSB 1.50.040.
  - a. IM No. 05-085
  
9. Ordinance Serial No. 05-051: AN ORDINANCE AMENDING MSB 3.15.030(B) CONCERNING ELIGIBILITY REQUIREMENTS FOR SENIOR CITIZENS AND DISABLED VETERANS TO RECEIVE TAX EXEMPTIONS THROUGH USE OF PERMANENT FUND RECORDS.
  - a. IM No. 05-086
  
10. Ordinance Serial No. 05-052: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$5,500 GRANT TO FUND 440, PROJECT NO. 15015, FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR RIVER CROSSINGS AT MCROBERTS CREEK AS PART OF THE PLUMLEY MAUD TRAIL IMPROVEMENTS.
  - a. Resolution Serial No. 05-039: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR RIVER CROSSINGS AT MCROBERTS CREEK AS

PART OF THE PLUMLEY MAUD TRAIL  
IMPROVEMENTS.

(1) IM No. 05-087

B. CONSENT AGENDA<sup>2</sup>

1. RESOLUTIONS

a. Resolution Serial No. 05-040: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR INFRASTRUCTURE PROJECTS USING THE FISCAL YEAR 2005 TRANSIENT ACCOMMODATION TAX (BED TAX) FUNDS IN AN AMOUNT NOT TO EXCEED \$292,000.

(1) IM No. 05-078

b. Resolution Serial No. 05-041: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGETS FOR THE LAKE LOUISE BOAT LAUNCH AND DAY USE AREA, TRAIL DEVELOPMENT, AND THE REGIONAL PARK IMPROVEMENT PROJECT.

(1) IM No. 05-080

c. Resolution Serial No. 05-042: A RESOLUTION AMENDING THE BUDGET FOR THE DOROTHY SWANDA JONES ADMINISTRATION BUILDING REPAIRS, PROJECT NO. 10057.

(1) IM No. 05-081

d. Resolution Serial No. 05-043: A RESOLUTION SUPPORTING SPONSOR SUBSTITUTE HOUSE BILL 50, AN ACT RELATING TO MUNICIPAL INITIATIVE AND REFERENDUM ELECTIONS.<sup>3</sup>

*(Sponsor: Assemblymember Kvalheim)*

(1) IM No. 05-082

e. Resolution Serial No. 05-044: A RESOLUTION SUPPORTING THE GOVERNOR'S PROPOSED USE OF THE AMERADA HESS SETTLEMENT FUNDS TO IMPROVE THE STATE'S AND BOROUGH'S

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2 Resolution Serial Nos. 05-040 and 05-044 and AM Nos. 05-029, 05-038, 05-040, and 05-041 were pulled from the consent agenda and addressed separately.

3 Resolution Serial No. 05-043 was pulled from the agenda under approval of the agenda.

TRANSPORTATION SYSTEM AND OTHER STATE AND MUNICIPAL CAPITAL IMPROVEMENTS. (*Sponsor: Assemblymember Allen*)

(1) IM No. 05-089

2. ACTION MEMORANDUMS

- a. AM No. 05-029: AUTHORIZING THE MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY IN THE AMOUNT NOT TO EXCEED \$200,000 THROUGH JUNE 30, 2006, FOR WILDFIRE MITIGATION.
- b. AM No. 05-033: AUTHORIZATION TO INCREASE THE PURCHASE OF COMMUNICATIONS EQUIPMENT FROM PROCOMM ALASKA FROM \$50,000 TO AN AMOUNT NOT EXPECTED TO EXCEED \$100,000 ANNUALLY.
- c. AM No. 05-037: AWARD OF BID NO. 05-104 TO PIERCE MANUFACTURING, INC., FOR THE AMOUNT OF \$427,834 TO PURCHASE A NEW HEAVY RESCUE/HAZARDOUS MATERIAL APPARATUS FOR STATIONING AT THE CENTRAL MAT-SU EMERGENCY SERVICES FACILITY.
- d. AM No. 05-038: AWARD OF BID NO. 05-090 TO COLLINS CONSTRUCTION FOR THE CONTRACT AMOUNT OF \$9,863,800.69 FOR THE WASILLA AREA ELEMENTARY SCHOOL CONSTRUCTION.
- e. AM No. 05-039: AWARD OF BID NO. 05-105 TO WELDIN CONSTRUCTION, INC., FOR THE CONTRACT AMOUNT NOT TO EXCEED \$29,575 TO PROVIDE ALL LABOR, EQUIPMENT, AND MATERIALS TO REMOVE AND REPLACE TWO MOTOR CONTROL CENTERS AT THE PALMER COMMUNITY POOL.
- f. AM No. 05-040: AWARD OF BID NO. 05-102 TO WILDER CONSTRUCTION COMPANY FOR THE CONTRACT AMOUNT OF \$214,562 FOR THE CONSTRUCTION OF TURN LANES AND HIGHWAY

LIGHTING AT THE INTERSECTION OF PITTMAN ROAD AND THE ACCESS TO MEADOW LAKES ELEMENTARY SCHOOL.

- g. AM No. 05-041: AUTHORIZATION OF CHANGE ORDER NO. 4 TO LOUNSBURY & ASSOCIATES, CONTRACT NO. 04-093, IN THE AMOUNT OF \$20,000 FOR ADDITIONAL WORK ON THE MEADOW LAKES ELEMENTARY SCHOOL TURN LANES AND HIGHWAY LIGHTING DESIGN PROJECT.
- h. AM No. 05-042: AUTHORIZATION TO PURCHASE MOTOROLA PORTABLE AND MOBILE RADIOS UNDER MSB 3.08.280 FOR THE AMOUNT OF \$139,302.45 FOR THE DEPARTMENT OF EMERGENCY SERVICES.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

D. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

XIV. ADJOURNMENT