

# 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, MAY 3, 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. Regular Assembly Meeting: 04/19/05

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities
2. Matanuska-Susitna Borough School District
3. HDR Alaska Re: Wasilla Rail Realignment Alternatives – Mr. John McPherson, Project Manager

B. COMMITTEE REPORTS

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. Animal Care and Regulation Board: 01/10/05, 02/14/05, 03/14/05
- b. Greater Willow RSA Board of Supervisors No. 20: 03/24/05
- c. Parks, Recreation, and Trails Advisory Board: Resolution No. 05-07

2. Community Council Correspondence:

- a. Butte Community Council: 01/12/05, 02/09/05, 03/09/05
- b. Sutton Community Council: 03/15/05
- c. Talkeetna Community Council: 01/06/05, 01/14/05, 02/07/05, 03/07/05

G. INFORMATIONAL MEMORANDUMS

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

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

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 05-053: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$14,500 GRANT FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF AGRICULTURE TO FUND 480, PROJECT NO. 20205, FOR A MATERIALS ASSESSMENT WITHIN THE FISH CREEK MANAGEMENT PLAN AREA.

- a. Resolution Serial No. 05-045: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 20205, FUND 480 AND AUTHORIZING THE MANAGER TO ENTER INTO A

CONTRACTUAL SERVICES AGREEMENT WITH THE STATE OF ALASKA FOR A MATERIALS ASSESSMENT WITHIN THE FISH CREEK MANAGEMENT PLAN AREA.

(1) IM No. 05-090

2. Ordinance Serial No. 05-054: AN ORDINANCE REAPPROPRIATING \$40,000 FROM FUND 100, AREAWIDE FUND, COMMUNITY DEVELOPMENT ADMINISTRATION DIVISION FISCAL YEAR 2005 OPERATING BUDGET TO FUND 480, PROJECT NO. 45159 FOR THE STUDENT CONSERVATION ASSOCIATION AND AMERICORPS SUMMER 2005 WORK PROJECTS.

a. Resolution Serial No. 05-046: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE STUDENT CONSERVATION CORPS AND AMERICORPS CREWS FOR THE SUMMER 2005 WORK SEASON.

(1) IM No. 05-091

3. Ordinance Serial No. 05-055: AN ORDINANCE APPROPRIATING \$50,000 OF THE INTEREST EARNINGS ON THE PROCEEDS OF THE 2001 SERIES A, GENERAL OBLIGATION BONDS TO FUND 400, SCHOOL CAPITAL PROJECTS, PROJECT NO. 40158 TO ALLOW COMPLETION OF THE DESIGN OF THE ROOF REPLACEMENT AT SU VALLEY HIGH SCHOOL.

a. Resolution Serial No. 05-047: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE SU VALLEY HIGH SCHOOL ROOF REPLACEMENT.

(1) IM No. 05-093

4. Ordinance Serial No. 05-056: AN ORDINANCE APPROVING THE REAPPROPRIATION OF \$48,171 FROM THE PLANNING DEPARTMENT'S OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 20349 FOR THE HUMAN SERVICES COMMUNITY MATCHING GRANT PROGRAM.

a. Resolution Serial No. 05-048: A RESOLUTION AUTHORIZING THE MANAGER TO AMEND THE HUMAN SERVICES COMMUNITY MATCHING GRANT AGREEMENTS.

(1) IM No. 05-096

5. Ordinance Serial No. 05-057: AN ORDINANCE ACCEPTING AND APPROPRIATING \$4,120 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT TO THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE, FUND 480, PROJECT NO. 20259, FOR FISCAL YEAR 2005 OPERATIONS.
  - a. Resolution Serial No. 05-049: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 20259, FUND 480, FOR THE FISCAL YEAR 2005 LOCAL EMERGENCY PLANNING COMMITTEE OPERATIONS.
    - (1) IM No. 05-099

C. AUDIENCE PARTICIPATION (Three minutes per person.)

#### VIII. UNFINISHED BUSINESS

- A. 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
    - (2) IM No. 05-112
  
- B. AM No. 05-050: APPROVAL OF CHANGE ORDER NO. 4 TO TRYCK, NYMAN, HAYES, INC., IN THE AMOUNT OF \$358,118 TO COMPLETE THE DESIGN, PRELIMINARY ENGINEERING, AND GEOTECHNICAL WORK FOR THE FERRY LANDINGS, TERMINAL BUILDINGS, AND PARKING LOTS AT PORT MACKENZIE AND THE PORT OF ANCHORAGE.

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 05/17/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-058: AN ORDINANCE REAPPROPRIATING \$105,097 FROM THE PLANNING DIVISION'S FISCAL YEAR 2005 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NOS. 20129, 45135, 45172, 20338, 45173, 20358, AND 45174, FOR THE PURPOSE OF PLANNING STUDY SERVICES AND \$10,000 FROM THE PLATTING DIVISION'S FISCAL YEAR 2005 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45175, FOR THE PURPOSE OF DISPUTE RESOLUTIONS.
  - a. IM No. 05-097
  
2. Ordinance Serial No. 05-059: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS A PORTION OF TAX PARCEL 26N04W31D002, LOCATED TWO MILES SOUTH OF TALKEETNA AT THE INTERSECTION OF TALKEETNA SPUR ROAD AND SOUTH COMSAT ROAD AS PUBLIC RECREATION LANDS.
  - a. IM No. 05-105
  
3. Ordinance Serial No. 05-060: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS LOTS 6 AND 7, EAST 1/2 SOUTHWEST 1/4, SECTION 6, TOWNSHIP 17 NORTH, RANGE 2 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE CREVASSE MORAINÉ AREA, AS RESERVED USE/PUBLIC RECREATION LANDS.
  - a. IM No. 05-106
  
4. Ordinance Serial No. 05-061: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS TAX PARCEL 17N01E10A011, LOCATED AT THE INTERSECTION OF TRUNK ROAD AND EAST COLLEGE DRIVE, AS RESERVED USE LANDS FOR AN EMERGENCY SERVICES FACILITY.
  - a. IM No. 05-107
  
5. Ordinance Serial No. 05-062: AN ORDINANCE CLASSIFYING BOROUGH-OWNED LAND DESCRIBED AS SOUTH 1/2 SOUTHEAST 1/4, SECTION 11, SOUTHWEST 1/4 SOUTHWEST 1/4, SECTION 12, AND NORTH 1/2 NORTHWEST 1/4,

SECTION 13, TOWNSHIP 17 NORTH, RANGE 1 EAST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE CREVASSE MORAIN/KEPLER-BRADLEY LAKES AREA, AS PUBLIC RECREATION LANDS.

a. IM No. 05-108

6. Ordinance Serial No. 05-063: AN ORDINANCE ADOPTING THE LITTLE LONELY LAKE LAKE MANAGEMENT PLAN AND AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES, AND 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.

a. IM No. 05-109

7. Ordinance Serial No. 05-064: AN ORDINANCE APPROPRIATING \$250,000 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO FUND 400, PROJECT NO. 40147 FOR THE DESIGN, RIGHT-OF-WAY ACQUISITION, UPGRADE, AND CONSTRUCTION OF NORTH FRANCE ROAD, WHICH PROVIDES ACCESS TO 160 ACRES OF BOROUGH-OWNED LAND, AND ACCESS TO THE PALMER ALTERNATIVE SCHOOL (VALLEY PATHWAYS).

a. Resolution Serial No. 05-056: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR NORTH FRANCE ROAD, WHICH PROVIDES ACCESS TO BOROUGH-OWNED LAND, AND ACCESS TO THE PALMER ALTERNATIVE SCHOOL (VALLEY PATHWAYS), PROJECT NO. 40147.

(1) IM No. 05-110

8. Ordinance Serial No. 05-065: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO LEVY A SALES TAX NOT EXCEEDING ONE PERCENT OF SALES, SERVICES, AND RENTALS WITHIN THE BOROUGH, AND TO SUBMIT THE QUESTION OF THE LEVYING OF THE SALES TAX TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, REGULAR BOROUGH ELECTION.

a. Ordinance Serial No. 05-066: AN ORDINANCE ADOPTING MSB 3.35, A UNIFORM SALES TAX.

(1) IM No. 05-113

9. Ordinance Serial No. 05-069: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO LEVY A SEVERANCE TAX NOT EXCEEDING \$.25 PER YARD OF MATERIAL, \$.25 PER SHORT TON OF COAL AND \$2.50 PER ACRE OF TIMBER, AND SUBMITTING THE QUESTION OF THE LEVYING OF THE SEVERANCE TAX TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, REGULAR BOROUGH ELECTION.
  - a. Ordinance Serial No. 05-067: AN ORDINANCE ESTABLISHING A TAX ON A NATURAL RESOURCE WHENEVER THE NATURAL RESOURCE IS SEVERED AND SOLD FROM PROPERTY WITHIN THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING FOR PENALTIES FOR FAILURE TO PAY TAXES DUE BY ADOPTING MSB 3.55, NATURAL RESOURCE SEVERANCE TAX.
    - (1) IM No. 05-114
  
10. Ordinance Serial No. 05-068: AN ORDINANCE ESTABLISHING AN EXCISE TAX ON CIGARETTES AND TOBACCO PRODUCTS ACQUIRED WITHIN OR BROUGHT INTO THE MATANUSKA-SUSITNA BOROUGH AND PROVIDING FOR PENALTIES FOR FAILURE TO PAY TAXES DUE BY ADOPTING MSB 3.30, EXCISE TAX ON CIGARETTES AND TOBACCO PRODUCTS.
  - a. IM No. 05-115

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

1. RESOLUTIONS

- a. Resolution Serial No. 05-055: A RESOLUTION IN CONSIDERATION OF SENATE BILL (SB) 100 REGARDING ENHANCED 911 SURCHARGES IMPOSED BY A MUNICIPALITY AND REQUESTING NO ACTION THIS LEGISLATIVE SESSION.  
*(Sponsor: Mayor Anderson)*
  - (1) IM No. 05-116
  
- b. Resolution Serial No. 05-057: A RESOLUTION SUPPORTING THE PROPOSAL TO DESIGNATE THE

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<sup>2</sup> Resolution Serial Nos. 05-055 and 05-058 and AM Nos. 05-049, 05-053, and 05-056 were pulled from the consent agenda and addressed separately.

ENTIRE COASTAL ZONE AS A RECREATION AND  
TOURISM USE AREA.

(1) IM No. 05-075

- c. Resolution Serial No. 05-058: A RESOLUTION SETTING  
FORTH ASSEMBLY RULES OF POLICY AND  
PROCEDURE. (*Sponsor: Assemblymember Simpson*)

(1) IM No. 05-117

2. ACTION MEMORANDUM

- a. AM No. 05-049: APPROVAL OF CHANGE ORDER TO  
QUALITY ASPHALT PAVING IN THE AMOUNT OF  
\$39,000 FOR THE 2004 ROADS PAVING PROJECT FOR  
UPGRADES TO SCATTERS WAY AND EXTRA PAVING  
FOR THE CITY OF HOUSTON.
- b. AM No. 05-053: APPROVAL OF A BULK PURCHASE  
AND APPLICATION OF CALCIUM CHLORIDE  
THROUGH A STATE OF ALASKA CONTRACT WITH  
UNIVAR USA, INC., IN THE AMOUNT OF \$497,026.66  
FOR SEASONAL OPERATIONS AND CAPITAL  
PROJECTS BY THE PUBLIC WORKS DEPARTMENT.
- c. AM No. 05-055: APPROVAL OF VACATION OF A  
PORTION OF NORTH THORN AVENUE, EAST  
CHUGACH STREET, AND NORTH CHICKALOON  
AVENUE THROUGH PROPOSED LAZY MOUNTAIN  
ACRES SUBDIVISION 2005 ADDITION, LOCATED  
WITHIN THE NORTHEAST 1/4, SECTION 34,  
TOWNSHIP 18 NORTH, RANGE 2 EAST, SEWARD  
MERIDIAN, ALASKA, LOCATED IN THE LAZY  
MOUNTAIN COMMUNITY COUNCIL AREA.
- d. AM No. 05-056: APPROVAL OF CHANGE ORDER NO. 1  
TO CONTRACT NO. 04-180 TO ALASKA RIM  
ENGINEERING IN THE AMOUNT OF \$50,000 FOR  
ON -CALL SURVEYING.

- e. AM No. 05-057: AWARD OF PROPOSAL NO. 05-098 TO BURKHART CROFT ARCHITECTS, LLC., IN THE AMOUNT OF \$47,422 FOR THE SU-VALLEY HIGH SCHOOL ROOF REPLACEMENT DESIGN.
- f. AM No. 05-058: AUTHORIZATION TO PURCHASE 15 MSA ULTRALITE MASK MOUNTED REGULATORS FROM ALASKA SAFETY, INC., IN THE AMOUNT OF \$70,811.85, FOR THE SUTTON FIRE SERVICE AREA.
- g. AM No. 05-059: AWARD OF BID NO. 05-137 TO WESTERN CONSTRUCTION AND EQUIPMENT IN THE AMOUNT OF \$34,438 FOR THE LUCY LAKE DRIVE PROJECT.
- h. AM No. 05-060: APPROVAL OF CHANGE ORDER NO. 1 TO WRG FIRE TRAINING SIMULATION SYSTEMS, INC., IN THE AMOUNT OF \$25,820 FOR CHANGES AND UPGRADES TO THE DESIGN AND CONSTRUCTION OF THE LIVE FIRE TRAINING EQUIPMENT FOR THE BIG LAKE FIRE DEPARTMENT.
- i. AM No. 05-061: AWARD OF PROPOSAL NO. 05-109 TO MCGHAN CONSTRUCTION COMPANY IN THE AMOUNT OF \$60,000 FOR THE WILLOW CREEK ELEVATED WALKWAY DESIGN-BUILD.
- j. AM No. 05-062: AWARD OF PROPOSAL NO. 05-111 TO GDM, INC., IN THE CONTRACT AMOUNT OF \$128,376.28 FOR THE PALMER HIGH SCHOOL RENOVATION DESIGN.
- k. AM No. 05-063: AUTHORIZATION TO PURCHASE TWO PRE-FABRICATED RESTROOMS FROM ROMTEC, INC., IN THE AMOUNT OF \$46,629.45, FOR INSTALLATION IN THE TALKEETNA AREA.
- l. AM No. 05-064: AWARD OF CONTRACT NO. 05-146 TO 911 INSIGHT IN THE AMOUNT NOT TO EXCEED \$90,000 FOR COMPUTER AIDED DISPATCH PLANNING FOR THE MAT-SU REGIONAL EMERGENCY COMMUNICATION CENTER.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

D. OTHER NEW BUSINESS

1. AM No. 05-036: APPROVAL TO DISPOSE OF THE FORMER SCHOOL DISTRICT ADMINISTRATION BUILDING LOCATED ON LOT 7, BLOCK 13, ARRC NO. 1, LOCATED IN THE PALMER RECORDING DISTRICT (125 WEST EVERGREEN) BY COMPETITIVE BID AND PROVIDING ADDITIONAL INFORMATION REGARDING OPTIONS FOR OFFICE, MAINTENANCE, AND STORAGE SPACE FOR BOROUGH OPERATIONS.

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

XIV. ADJOURNMENT