

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Curtis D. Menard

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Lynne Woods, District 1
Pete Houston, District 2
Michelle R. Church, District 3
Mary Kvalheim, District 4
Cindy L. Bettine, District 5
Robert F. Wells, District 6
Tom Kluberton, District 7

ASSEMBLY AGENDA

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

REGULAR MEETING

6 P.M.

TUESDAY, MAY 20, 2008

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

A. Special Assembly Meeting: 04/29/08

B. Special Assembly Meeting: 05/01/08

C. Regular Assembly Meeting: 05/06/08

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS

1. Reports from cities

2. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues

2. Assembly Public Relations
 - C. MANAGER COMMENTS
 1. State/Federal Legislation
 - D. ATTORNEY COMMENTS
 - E. CLERK COMMENTS
 - F. CITIZEN AND OTHER CORRESPONDENCE
 1. MSB Board/Committee Minutes:
 - a. Parks, Recreation, and Trails Advisory Board: 02/25/08
Resolution Serial Nos. 08-03, 08-04, 08-05
 - b. Planning Commission Resolution Serial No. 08-03 (SUB)
 - c. Platting Board: 04/03/08
 - d. Port Commission: 01/29/08
 - e. Wasilla-Lakes FSA No. 130: 02/04/08
 2. Community Council Correspondence:
 - a. North Lakes Community Council: 02/26/08
 - G. INFORMATIONAL MEMORANDUMS
 1. IM No. 08-127: AN INFORMATIONAL MEMORANDUM ADVISING OF CONTRACT AWARDS AND AMENDMENTS IN THE AMOUNT OF \$100,000 OR LESS, AND SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF APRIL 1, 2008, TO APRIL 30, 2008.
- VII. SPECIAL ORDERS (to begin at 7 p.m.)
- A. PERSONS TO BE HEARD (MSB 2.12.081; Three minutes per person.)
(Requires 11 days advance notice and must otherwise be in compliance with the necessary code requirements. If no advance notice is given, persons wishing to speak may do so under the Audience Participation section of the agenda.)
 - B. PUBLIC HEARINGS (Three minutes per person.)
 1. Ordinance Serial No. 08-065: AN ORDINANCE APPROVING THE PURCHASE OF APPROXIMATELY 3.52 ACRES OF LAND IN THE AMOUNT OF \$55,000 LOCATED ON WEST FAIRVIEW LOOP ROAD AND TO CLASSIFY THE PROPERTY AS RESERVED USE – EMERGENCY SERVICE FACILITY, FOR

USE BY THE DEPARTMENT OF EMERGENCY SERVICES FOR
A FUTURE FIRE STATION (MSB 004759).

- a. IM No. 08-094
2. Ordinance Serial No. 08-066: AN ORDINANCE ACCEPTING AND APPROPRIATING \$50,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE KIME LANE CULVERT REPLACEMENT PROJECT, PROJECT NO. 30095, FUND 410.
 - a. Resolution Serial No. 08-047: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE KIME LANE ROAD CULVERT REPLACEMENT PROJECT, PROJECT NO. 30095.
 - (1) IM No. 08-101
3. Ordinance Serial No. 08-067: AN ORDINANCE AMENDING MSB 8.40, LIQUOR LICENSE REFERRALS, TO ESTABLISH A PROCESS FOR ASSEMBLY REVIEW OF APPLICATIONS TO RELOCATE A BEVERAGE DISPENSARY LIQUOR LICENSE FROM AN UNINCORPORATED AREA OF THE BOROUGH INTO AN INCORPORATED CITY.
 - a. Resolution Serial No. 08-048: A RESOLUTION ESTABLISHING FEES FOR APPLICATIONS UNDER MSB 8.40.060, REVIEW OF LIQUOR LICENSE REFERRAL FOR RELOCATION.
 - (1) IM No. 08-110
4. Ordinance Serial No. 08-068: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ENACT AN AREAWIDE SALES TAX NOT EXCEEDING 3 PERCENT OF SALES, SERVICES, AND RENTALS WITHIN THE BOROUGH AND TO SUBMIT THE QUESTIONS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 7, 2008, REGULAR BOROUGH ELECTION.
 - a. Ordinance Serial No. 08-069: AN ORDINANCE ADOPTING MSB 3.35, A UNIFORM SALES TAX.
 - (1) IM No. 08-114
5. Ordinance Serial No. 08-070: AN ORDINANCE AMENDING MSB 8.52.020, AND ADOPTING MSB. 8.55.110, TEMPORARY NOISE PERMIT.
 - a. IM No. 08-128

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA¹

1. RESOLUTIONS

- a. Resolution Serial No. 08-049: A RESOLUTION CREATING USER FEES FOR THE UTILIZATION OF PUBLIC SAFETY BUILDINGS BY NON-BOROUGH AGENCIES.
 - a. IM No. 08-116
- b. Resolution Serial No. 08-050: A RESOLUTION AMENDING THE SCOPE OF WORK FOR PROJECT NO. 10154, FUND 435, TO INCLUDE REPLACEMENT OF VINYL FLOORING, FOR THE BIG LAKE LIBRARY.
 - a. IM No. 08-122
- c. Resolution Serial No. 08-051: A RESOLUTION SELECTING THE SITE FOR THE FRONTERAS CHARTER SCHOOL.
 - a. IM No. 08-123

2. ASSEMBLY MEMORANDUMS

- a. AM No. 08-046: APPROVING THE VACATION OF A PORTION OF THE 66 FOOT WIDE SECTION LINE EASEMENT BETWEEN THE COMMON LOT LINE OF GOVERNMENT LOT 2 AND GOVERNMENT LOT 8, LOCATED IN SECTION 3, TOWNSHIP 18 NORTH, RANGE 4 WEST, AND SECTION 34, TOWNSHIP 19 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, IN THE WILLOW COMMUNITY COUNCIL AREA.
- b. AM No. 08-047: AWARD OF PROPOSAL NO. 08-089 TO HATTENBURG DILLEY AND LINNELL, LLC., IN THE AMOUNT OF \$163,610 FOR THE LUCILLE STREET REHABILITATION ENGINEERING SERVICES.
- c. AM No. 08-048: AWARD OF PROPOSAL NO. 08-082 TO SCOTT BALICE STRATEGIES, IN THE AMOUNT OF \$200,000 FOR THE MATANUSKA-SUSITNA BOROUGH RAIL EXTENSION FINANCING PLAN STUDY.

¹ AM No. 08-048 was pulled from the consent agenda and addressed separately.

- d. AM No. 08-049: AUTHORIZING THE MANAGER TO AWARD PHASE II SERVICES TO HDR ALASKA, INC., IN THE AMOUNT OF \$300,000, FOR CONSTRUCTION MANAGEMENT ASSISTANCE AND SUPPORT SERVICES FOR THE POINT MACKENZIE ROAD IMPROVEMENTS, PROJECT NO. 35245.

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 08-016: AN ORDINANCE AMENDING MSB 5.15.010, OPERATION OF SERVICE AREAS; ORGANIZATION OF BOARDS OF SUPERVISORS. *(Sponsored by Assemblymember Bettine) (Previously Ordinance Serial No. 07-109) (Main motion pending from: 08/07/07)*
 - a. IM No. 08-035

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 06/03/08, 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 08-071: AN ORDINANCE REAPPROPRIATING FUNDS IN THE AMOUNT OF \$127,000 FROM THE NON-AREAWIDE FUND, FUND 200, AND \$13,690 FROM THE MISCELLANEOUS CAPITAL PROJECTS FUND, FUND 480, PROJECT NOS. 45064, 45164, AND 45168, TO THE BOROUGH FACILITIES CAPITAL PROJECT FUND, FUND 435, PROJECT NO. 10176, ANIMAL CARE BUILDING.
 - a. Resolution Serial No. 08-052: A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 10146, 10147, 10148, 10151, 45064, 45164, AND 45168, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 10176, ANIMAL CARE BUILDING.
 - a. IM No. 08-103
 - 2. Ordinance Serial No. 08-072: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$9,000 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, TO FUND 425, PROJECT NO. 45158.
 - a. Resolution Serial No. 08-053: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NO. 45158, TO ALLOW FOR THE PAYMENT OF STORAGE FACILITY FEES ON THE

MOBILE COMMAND/COMMUNICATIONS VAN
(FIELD COMM. I).

(1) IM No. 08-106

3. Resolution Serial No. 08-054: A RESOLUTION APPROVING THE MAY 2008 REWRITE OF THE BOROUGH EMERGENCY OPERATIONS PLAN.

(1) IM No. 08-118

4. Ordinance Serial No. 08-073: AN ORDINANCE ADOPTING THE LITTLE BEAVER LAKE, LAKE MANAGEMENT PLAN, AND AMENDING MSB 15.24.030, COMPREHENSIVE PLAN AND PURPOSES, AND MSB 17.59, LAKE MANAGEMENT PLAN IMPLEMENTATION.

(1) IM No. 08-125

5. Ordinance Serial No. 08-074: AN ORDINANCE APPROPRIATING \$225,000 FROM INTEREST EARNINGS ON THE LAND MANAGEMENT PERMANENT FUND, FUND 203, TO FUND 495, POINT MACKENZIE CORRECTIONAL CENTER PROJECT, FOR THE OWNER'S REPRESENTATIVE CONTRACT.

(1) IM No. 08-126

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

- A. MOTION TO OVERRIDE ANY POSSIBLE MAYORAL VETO ON FISCAL YEAR 2009 BUDGET ITEMS (ORDINANCE SERIAL NO. 08-008)

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

XIV. ADJOURNMENT