

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Timothy L. Anderson

BOROUGH CLERK

Sandra A. Dillon, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Teresa S. Williams



BOROUGH ASSEMBLY

J. Bruce Bush, 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, JUNE 1, 2004

**Teleconferenced to the Talkeetna Elementary School Library
13798 E. Veterans Way, Talkeetna, Alaska**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
 - A. Special Assembly Meeting: 05/11/04
 - B. Special Assembly Meeting: 05/18/04
- VI. REPORTS/CORRESPONDENCE
 - A. AGENCY REPORTS
 1. Reports from cities
 2. Matanuska-Susitna Borough School District
 3. Alaska State Fair Re: Update on Fair Projects – Joe Lawton

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. Library Board: 05/15/04
 - b. Midway Road Service Area No. 9: 05/06/04
 - c. Platting Board: 04/15/04, 05/06/04
 - d. Port Commission: 03/15/04

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. 04-094: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$14,120.13 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, TO PAY DELINQUENT TAXES, SPECIAL ASSESSMENT PRINCIPLE, PENALTIES, INTEREST, AND FORECLOSURE COSTS ON FORECLOSED PROPERTIES FOR LOT 7, BLOCK 10, WILDERNESS EAST, LOT 13, BLOCK 1, LALEN LAKE, AND LOT 15, BLOCK 6, RIVERDELL ESTATES WHERE THE REPURCHASE RIGHTS OF THE FORMER RECORD OWNERS HAVE EXPIRED.
 - a. IM No. 04-102

2. Ordinance Serial No. 04-095: AN ORDINANCE AMENDING MSB 8.55.040, SPECIAL EVENTS, TO ALLOW EXEMPTIONS FROM BONDING REQUIREMENTS UNDER CERTAIN CONDITIONS.
 - a. IM No. 04-130

3. Ordinance Serial No. 04-096: AN ORDINANCE ACCEPTING AND APPROPRIATING \$500,000 FROM THE ALASKA STATE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT TO FUND 480, PROJECT NO. 20347, KIDS ARE PEOPLE, INC. YOUTH TRANSITIONAL LIVING CENTER AND OFFICE ADDITION.
 - a. Resolution Serial No. 04-073: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO EXECUTE A TRANSFER OF RESPONSIBILITIES AGREEMENT BY AND BETWEEN THE MATANUSKA-SUSITNA BOROUGH AND KIDS ARE PEOPLE, INC. FOR PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.
 - (1) IM No. 04-135

4. Ordinance Serial No. 04-097: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$2,400 FROM THE FISCAL YEAR 2004 MEADOW LAKES FIRE SERVICE AREA OPERATING BUDGET, FUND 257, TO CAPITAL PROJECT NO. 45114, FUND 405, AS A SUPPLEMENTAL ALLOCATION FOR THE UPGRADE OF THE PUMP SYSTEM IN THE WATER STORAGE TANK AT THE MEADOW LAKES PUBLIC SAFETY BUILDING.
 - a. Resolution Serial No. 04-074: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET AS ADOPTED IN FISCAL YEAR 2003 BUDGET, CAPITAL PROJECTS, FUND 405, PROJECT NO. 45114, TO UPGRADE THE PUMP SYSTEM IN THE WATER STORAGE TANK AT THE MEADOW LAKES PUBLIC SAFETY BUILDING.
 - (1) IM No. 04-141

5. Ordinance Serial No. 04-098: AN ORDINANCE REAPPROPRIATING \$135,000 TO FUND 480, FROM THE FY04 PLANNING DEPARTMENT'S OPERATING BUDGET, FUND 100, FOR THE PURPOSE OF UPDATING THE MASTER PLAN FOR PORT MACKENZIE.

- a. IM No. 04-145
- b. AM No. 04-090: AWARD OF PROPOSAL NO. 04-141 TO THE CORNELL GROUP, INC. FOR THE AMOUNT NOT TO EXCEED \$135,000 FOR THE PORT MACKENZIE MASTER PLAN.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 04-086: AN ORDINANCE AMENDING MSB CHAPTER 8.50, TRASH AND JUNK. (*Postponed from 5/18/04, Motion pending*)
 - 1. IM No. 04-113

IX. NEW BUSINESS

- A. INTRODUCTION (For public hearing - 06/15/04, 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 04-102: AN ORDINANCE CLASSIFYING TWELVE PARCELS OF LAND AND APPROVING LANDS FOR SALE IN THE KNIK, BIG LAKE, AND WILLOW AREAS.
 - a. IM No. 04-076
 - 2. Ordinance Serial No. 04-103: AN ORDINANCE AMENDING MSB TITLE 24 REGARDING ANIMAL CARE AND REGULATION CLARIFYING PROVISIONS FOR FORFEITURE OF ANIMALS; CREATING A NEW INFRACTION FOR VIOLATING A SUPERVISED QUARANTINE ORDER; AMENDING PROVISIONS CONCERNING PROTECTIVE CUSTODY OF ANIMALS; CREATING REQUIREMENTS FOR RESTRAINT OF ANIMALS; ADDING DEFINITIONS FOR ABANDONMENT OF ANIMALS; AND AMENDING MSB TITLE 2 TO EXPAND THE JURISDICTION OF HEARING OFFICERS TO ANIMAL FORFEITURE CASES. (*Sponsor: Assemblymember Vehrs*)
 - a. IM 04-137
 - 3. Ordinance Serial No. 04-104: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$26,685 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, AND A TRANSFER OF \$18,962 FROM PROJECT NO. 45032, FUND 405, AND \$404 FROM PROJECT NO. 45069, FUND 405,

TO PROJECT NO. 45104, FUND 405, TO ACCOMPLISH SEVERAL IMPROVEMENT PROJECTS TO THE THREE BIG LAKE PUBLIC SAFETY BUILDINGS.

a. Resolution Serial No. 04-081: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 45104, FUND 405, TO ACCOMPLISH SEVERAL IMPROVEMENT PROJECTS TO THE THREE BIG LAKE PUBLIC SAFETY BUILDINGS.

(1) IM No. 04-143

4. Ordinance Serial No. 04-105: AN ORDINANCE REAPPROPRIATING \$47,000 FROM THE FISCAL YEAR 2004 AREAWIDE RESCUE DIVISION OPERATING BUDGET, FUND 100, TO THE RESCUE CAPITAL PROJECT, FUND 425, PROJECT NO. 45084, TO PURCHASE HEAVY HYDRAULIC RESCUE EQUIPMENT.

a. Resolution Serial No. 04-082: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR CAPITAL PROJECT NO. 45084, TO PURCHASE HEAVY HYDRAULIC RESCUE EQUIPMENT.

(1) IM No. 04-149

5. Ordinance Serial No. 04-106: AN ORDINANCE AMENDING MSB 3.04.095(C), RESERVE OF THE GENERAL FUND BALANCE FOR CAPITAL. (*Sponsor: Assemblymember Vehrs*)

a. IM No. 04-152

6. Ordinance Serial No. 04-107: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$25,000 FROM THE FISCAL YEAR 2004 ANIMAL CARE AND REGULATION OPERATING BUDGET, FUND 200, TO PROJECT NO. 10156, FUND 480, TO PURCHASE OFFICE EQUIPMENT AND FURNITURE AT THE ANIMAL CARE SHELTER.

a. Resolution Serial No. 04-083: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 10156, FUND 480, TO PURCHASE OFFICE EQUIPMENT AND FURNITURE FOR THE ANIMAL CARE SHELTER.

(1) IM No. 04-153

7. Ordinance Serial No. 04-108: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,680 FROM THE ALASKA STATE DIVISION OF EMERGENCY SERVICES TO THE LOCAL

EMERGENCY PLANNING COMMITTEE, FUND 480, PROJECT NO. 20259, FOR FISCAL YEAR 2004 OPERATIONS.

a. Resolution Serial No. 04-084: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 20259, FUND 480, FOR FISCAL YEAR 2004 LOCAL EMERGENCY PLANNING COMMITTEE OPERATIONS.

(1) IM No. 04-154

8. Ordinance Serial No. 04-109: AN ORDINANCE ACCEPTING AND APPROPRIATING \$926,023 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 425, PROJECT NO. 45158, FOR THE PURPOSE OF EQUIPPING RESPONDERS TO BETTER DEAL WITH EMERGENCY INCIDENTS.

a. Resolution Serial No. 04-085: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45158, FUND 425, FOR THE PURPOSE OF EQUIPPING RESPONDERS TO BETTER DEAL WITH EMERGENCY INCIDENTS AND AUTHORIZING THE MANAGER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE CITIES OF PALMER AND WASILLA.

(1) IM No. 04-155

9. Ordinance Serial No. 04-110: AN ORDINANCE ACCEPTING AND APPROPRIATING \$47,000 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 480, PROJECT NO. 45126, FOR TRAINING, TO EMPLOY A CITIZEN CORPS COORDINATOR, AND PURCHASE EQUIPMENT AND SUPPLIES.

a. Resolution Serial No. 04-086: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45126, FUND 480, FOR TRAINING, TO EMPLOY A CITIZEN CORPS COORDINATOR, AND PURCHASE EQUIPMENT AND SUPPLIES.

(1) IM No. 04-156

10. Ordinance Serial No. 04-111: AN ORDINANCE REAPPROPRIATING \$47,699 FROM THE FISCAL YEAR 2004 AREAWIDE DIVISION OF OFFICE OF INFORMATION TECHNOLOGY OPERATING BUDGET AND REAPPROPRIATING \$4,502 FROM THE FISCAL YEAR 2004 NON-AREAWIDE DIVISION OF OFFICE OF INFORMATION TECHNOLOGY OPERATING BUDGET FOR A TOTAL OF \$52,201 TO FUND 480, PROJECT NO. 20348, FOR THE PROCUREMENT OF DELL NETWORK INFRASTRUCTURE SUPPORT HARDWARE TO INCLUDE SERVERS, RACKS, CABLES, AND CONSOLES.
 - a. Resolution Serial No. 04-087: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PROCUREMENT OF DELL NETWORK INFRASTRUCTURE SUPPORT HARDWARE.
 - (1) IM No. 04-159

11. Ordinance Serial No. 04-112: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 04-161

12. Ordinance Serial No. 04-113: AN ORDINANCE APPROVING AN APPROPRIATION OF \$575,000 FROM THE LAND MANAGEMENT FUND BALANCE, FUND 203, AND A REAPPROPRIATION OF \$155,000 FROM THE ECONOMIC DEVELOPMENT OPERATING BUDGET, FUND 200, AND \$120,000 FROM THE PORT MACKENZIE OPERATING BUDGET, FUND 100, TO FUND 450 FOR A CONTINGENCY RESERVE FOR THE PORT MACKENZIE DEEP DRAFT DOCK CONSTRUCTION PROJECT.
 - a. Resolution Serial No. 04-088: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE 2004 SERIES C GENERAL OBLIGATION PORT CONSTRUCTION PROJECT.
 - (1) IM No. 04-162

13. Ordinance Serial No. 04-114: AN ORDINANCE ACCEPTING AND APPROPRIATING \$10,635,729 FROM THE FEDERAL TRANSIT ADMINISTRATION, TO FUND 450, PROJECT NO. 70001, FOR THE PURPOSE OF DESIGN AND CONSTRUCTION OF FERRY TERMINALS, FERRY LANDINGS, AND ANCILLARY FACILITIES AND STUDIES.

- a. Resolution Serial No. 04-089: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PORT MACKENZIE INTERMODAL FACILITY (COOK INLET FERRY SYSTEM) PROJECT NO. 70001, FUND 450, FOR THE PURPOSE OF DESIGNING AND CONSTRUCTING FERRY LANDINGS, TERMINALS, AND ANCILLARY FACILITIES AND STUDIES TO SUPPORT THE IMPLEMENTATION OF FERRY SERVICE.
(1) IM No. 04-163
14. Ordinance Serial No. 04-115: AN ORDINANCE APPROVING AN APPROPRIATION OF \$754,972 FROM THE AREAWIDE FUND BALANCE, FUND 100, OF WHICH \$108,852 IS FOR THE CITY OF PALMER BLOCK GRANT, \$150,076 IS FOR THE CITY OF WASILLA BLOCK GRANT AND \$496,044 IS FOR TRANSFER TO FUND 480 FOR THE FINANCIAL SYSTEM UPGRADE AND THE NEW ASSESSMENT SYSTEM.
- a. Ordinance Serial No. 04-116: AN ORDINANCE APPROVING A REAPPROPRIATION OF \$55,000 FROM THE ACCOUNTING DIVISION OPERATING BUDGET, FUND 100, AND \$54,956 FROM THE ASSESSMENT DIVISION OPERATING BUDGET, FUND 100, TO FUND 480 FOR FINANCIAL SYSTEM UPGRADE AND THE NEW ASSESSMENT SYSTEM.
- (1) Resolution Serial No. 04-090: A RESOLUTION APPROVING THE TRANSFER OF \$54,000 FROM THE GOVERNMENTAL ACCOUNTING STANDARDS BOARD 34 IMPLEMENTATION PROJECT, FUND 480, TO THE FINANCIAL AND ASSESSMENT SYSTEM UPGRADE PROJECT, FUND 480, AND ADOPTING A CORRESPONDING SCOPE OF WORK FOR THE ENTIRE PROJECT.
(Sponsors: Assemblymembers Allen and Kvalheim)
(a) IM No. 04-164
15. Ordinance Serial No. 04-117: AN ORDINANCE REAPPROPRIATING \$14,418 FROM FISCAL YEAR 2004 AREAWIDE OPERATING BUDGET, FUND 100, RECREATIONAL SERVICES DIVISION TO A NON-LAPSING PROJECT, PROJECT NO. 15007, FUND 480, FOR THE WASILLA POOL REFINISHING PROJECT.

- a. Resolution Serial No. 04-091: A RESOLUTION APPROVING THE TRANSFER OF \$10,582 FROM THE FISCAL YEAR 2003 AND 2004 CAPITAL PROJECTS TO THE WASILLA COMMUNITY POOL REFINISHING PROJECT; AMENDING THE SCOPE OF WORK AND BUDGET FROM FISCAL YEAR 2003 AND 2004 CAPITAL PROJECTS, AND APPROVING A SCOPE OF WORK AND BUDGET FOR THE WASILLA POOL REFINISHING PROJECT.
(1) IM No. 04-166

- 16. Ordinance Serial No. 04-118: AN ORDINANCE REAPPROPRIATING \$29,745 FROM LAND MANAGEMENT FUND 203, FISCAL YEAR 2004 ASSET MANAGEMENT OPERATING BUDGET, TO A NON-LAPSING, NON-CAPITAL PROJECT NO. 45097, FUND 480 FOR THE ASSET MANAGEMENT PLAN.
 - a. AM No. 04-094: AWARD OF PROPOSAL NO. 04-128 TO NORTHERN ECONOMICS, INC., FOR THE CONTRACT AMOUNT NOT TO EXCEED \$29,745 FOR THE DEVELOPMENT OF THE ASSET MANAGEMENT PLAN FOR BOROUGH-OWNED NATURAL RESOURCES.
(1) IM No. 04-167

B. CONSENT AGENDA¹

1. RESOLUTIONS

- a. Resolution Serial No. 04-092: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE REMODEL OF THE DOROTHY SWANDA JONES BUILDING AND TO PROVIDE FOR A NEW UNINTERRUPTED POWER SUPPLY.
(1) IM No. 04-111
- b. Resolution Serial No. 04-093: A RESOLUTION REVISING THE EMERGENCY MEDICAL SERVICES FEE SCHEDULE FOR AMBULANCE AND RESCUE SERVICES.
(1) IM No. 04-146

¹ Resolution Serial Nos. 04-093 and 04-096 and AM Nos. 04-096 and 04-101 were pulled from the consent agenda and addressed separately.

- c. Resolution Serial No. 04-094: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 20317, FOR THE ALCANTRA RECREATIONAL FACILITY.
(1) IM No. 04-148
- d. Resolution Serial No. 04-095: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A BOROUGHWIDE COMMUNITY SCHOOLS PROGRAM.
(1) IM No. 04-160

2. ACTION MEMORANDUMS

- a. AM No. 04-092: RETROACTIVE APPROVAL OF DISABLED VETERAN PROPERTY TAX EXEMPTION FOR NATHANIEL P. CRIPPEN ON TAX ACCOUNT NUMBER 5018B02L011 FOR TAX YEARS 2002 AND 2003.
- b. AM No. 04-093: RETROACTIVE APPROVAL OF DISABLED VETERAN PROPERTY TAX EXEMPTION FOR ROBERT L. COLLIER ON TAX ACCOUNT NUMBER 3015B03L004 FOR TAX YEAR 2003.
- c. AM No. 04-095: AWARD OF BID NO. 04-135 TO TEW'S EXCAVATION FOR THE CONTRACT AMOUNT NOT TO EXCEED \$248,700.80 FOR CORE AREA ROAD PROJECTS.
- d. AM No. 04-096: AWARD OF BID NO. 04-120 TO KOPPERUD TRANSPORTATION FOR A FIVE YEAR CONTRACT, SUBJECT TO ANNUAL APPROPRIATIONS, IN THE YEARLY AMOUNT OF \$336,115 FOR THE TRANSPORTATION OF SOLID WASTE.
- e. AM No. 04-097: THE VACATION OF THE NORTH 325.27-FOOT BY 25-FOOT OF SOUTH LINCOLN DRIVE AND THE ADJACENT NORTH 325.27-FOOT BY 25-FOOT ROAD EASEMENT RECORDED IN BOOK 436, PAGE 695, PALMER RECORDING DISTRICT, LOCATED IN SECTION 19, TOWNSHIP 17 NORTH, RANGE 2

WEST, SEWARD MERIDIAN, ALASKA, IN THE MEADOW LAKES COMMUNITY COUNCIL AREA.

- f. AM No. 04-098: THE ELIMINATION OF THE 15-FOOT UTILITY EASEMENT ON THE WEST SIDE OF SOUTH LINCOLN DRIVE, LOCATED IN SECTION 19, TOWNSHIP 17 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA, IN THE MEADOW LAKES COMMUNITY COUNCIL AREA.
- g. AM No. 04-099: THE ELIMINATION OF THE 15-FOOT UTILITY EASEMENT GRANTED IN BOOK 120, PAGE 416, RECORDED JULY 29, 1976, PALMER RECORDING DISTRICT, ON THE NORTH SIDE OF SOUTH BURMA ROAD IN SECTION 2, TOWNSHIP 16 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED IN THE BIG LAKE COMMUNITY COUNCIL AREA.
- h. AM No. 04-101: AWARD OF THE FINAL ENGINEERING AND DESIGN (PHASE-1) CONTRACT FOR THE DUAL-USE VESSEL TO LOCKHEED-MARTIN.
 - (1) Resolution Serial No. 04-096: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FINAL ENGINEERING AND DESIGN (PHASE-1) OF THE DUAL-USE VESSEL, PROJECT NO. 70001, FUND 450.
- i. AM No. 04-104: THE VACATION OF A PORTION OF SOUTH BURMA ROAD IN GOVERNMENT LOT 2 AND GOVERNMENT LOT 7, RECORDED JULY 29, 1976, PALMER RECORDING DISTRICT, IN BOOK 120, PAGE 416, LOCATED IN SECTION 2, TOWNSHIP 16 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, IN THE BIG LAKE COMMUNITY COUNCIL AREA.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

D. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION (*matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough; in particular, to discuss the Houston High School litigation.*)

XIII. MAYOR AND ASSEMBLY COMMENTS

XIV. ADJOURNMENT