

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Larry DeVilbiss

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

John Moosey

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Warren Keogh, District 1
Noel Woods, District 2
Ronald Arvin, District 3
Mark Ewing, District 4
Cindy L. Bettine, District 5
Jim Colver, District 6
Vern Halter, District 7

ASSEMBLY AGENDA

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

REGULAR MEETING

6 P.M.

TUESDAY, JUNE 7, 2011

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
 - A. Special Assembly Meeting: 05/03/11
 - B. Special Assembly Meeting: 05/04/11
 - C. Special Assembly Meeting: 05/05/11
 - D. Special Assembly Meeting: 05/10/11 (2)
 - E. Special Assembly Meeting: 05/12/11
 - F. Special Assembly Meeting: 05/16/11
 - G. Regular Assembly Meeting: 05/17/11
- VI. SPECIAL ORDERS OF THE DAY
 - A. A Proclamation in Recognition of Ms. Lois Feaster
 - B. A Proclamation in Recognition of Local Compost Month
- VII. REPORTS/CORRESPONDENCE

- A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)
 - 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
 - 2. Strategic Planning Issues
 - 3. State Redistricting
- D. ATTORNEY COMMENTS
- E. CLERK COMMENTS
- F. CITIZEN AND OTHER CORRESPONDENCE
 - 1. MSB Board/Committee Minutes:
 - a. Animal Care and Regulation Board: 07/26/10, 08/09/10, 09/13/10, 10/11/10, Resolution Serial No. 10-01
 - b. Greater Palmer Consolidated FSA Board of Supervisors: 02/15/11, 03/08/11
 - c. Local RSA Advisory Board: 02/17/11
 - d. Platting Board: 04/07/11
 - e. Port Commission: 03/02/11, 03/21/11
 - f. Transportation Advisory Board: 03/23/11
 - 2. Community Council Correspondence:
 - a. South Knik River Community Council: 01/20/11, 02/17/11, 03/17/11
- G. INFORMATIONAL MEMORANDUMS

VIII. UNFINISHED BUSINESS

- A. Resolution Serial No. 11-062: A RESOLUTION AUTHORIZING EMINENT DOMAIN AND USE OF DECLARATION OF TAKING PROCEDURES TO ACQUIRE PROPERTY INTERESTS NEEDED FOR THE BOGARD ROAD EXTENSION EAST PROJECT.
 - 1. IM No. 11-099

IX. VETO

X. 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. Resolution Serial No. 11-064: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR HEALTH, WELFARE, SAFETY, AND PUBLIC MEETING SPACE IMPROVEMENTS FOR THE DOROTHY SWANDA JONES ADMINISTRATION BUILDING ANNEX/RENOVATION, AND AMENDING BUDGETS FOR THE PROJECT.

a. IM No. 11-103

2. Ordinance Serial No. 11-057: AN ORDINANCE APPROPRIATING \$30,000 FROM TALKEETNA FLOOD CONTROL SERVICE AREA NO. 7 FUND BALANCE, FUND 290, TO FUND 490, FOR THE TALKEETNA FLOOD REVETMENT CONTROL PROJECT, PROJECT NO. 75004.

a. Resolution Serial No. 11-069: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE TALKEETNA FLOOD CONTROL PROJECT, FUND 490, PROJECT NO. 75004.

(1) IM No. 11-104

3. Ordinance Serial No. 11-058: AN ORDINANCE APPROPRIATING \$300,000 FROM THE INTEREST EARNINGS FROM THE LAND MANAGEMENT PERMANENT FUND, FUND 203, TO FUND 435, IN ORDER TO SUPPLEMENT THE FUNDING FOR THE SUTTON LIBRARY/COMMUNITY CENTER CONSTRUCTION PROJECT NO. 10168.

a. Resolution Serial No. 11-070: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 10168 FOR THE SUTTON LIBRARY/COMMUNITY CENTER CONSTRUCTION PROJECT.

(1) IM No. 11-108

(2) AM No. 11-051: AWARD OF BID NO. 11-102 TO COLLINS CONSTRUCTION COMPANY, INC. IN THE CONTRACT AMOUNT NOT TO EXCEED \$2,361,186, FOR THE SUTTON LIBRARY/COMMUNITY RESOURCE CENTER.

4. Ordinance Serial No. 11-059: AN ORDINANCE APPROPRIATING FUNDS IN THE AMOUNT OF \$85,600 FROM THE BUTTE FIRE SERVICE AREA NO. 2 FUND BALANCE, FUND 251, TO FUND 405, PROJECT NO. 45142, FOR A 3000 GALLON VAC TANKER.
 - a. Resolution Serial No. 11-071: A RESOLUTION AMENDING THE BUDGET FOR BUTTE FIRE SERVICE AREA PROJECT NO. 45142, FOR A 3000 GALLON VAC TANKER.
 - (1) IM No. 11-110
5. Ordinance Serial No. 11-060: AN ORDINANCE AMENDING MSB 2.70; MSB 4.38, AND MSB 2.29, REGARDING THE CODE OF ETHICS.
 - a. IM No. 11-113

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 11-073: A RESOLUTION REVISING THE SCHEDULE OF FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE.
 - (1) IM No. 11-117
- b. Resolution Serial No. 11-074: A RESOLUTION ESTABLISHING FEES AT THE BRETT MEMORIAL ICE ARENA, THE PALMER AND WASILLA POOLS, THE BOROUGH LIBRARIES, BOROUGH GYM, PARK FACILITIES, AND THE COMMUNITY ENRICHMENT PROGRAM.
 - (1) IM No. 11-120
- c. Resolution Serial No. 11-075: A RESOLUTION SETTING THE SURCHARGE RATE FOR THE WIRELINE AND WIRELESS ENHANCED 911 SYSTEMS FOR THE PERIOD OF JULY 1, 2011, THROUGH JUNE 30, 2012.
 - (1) IM No. 11-124

2. ACTION MEMORANDUMS

- a. AM No. 11-038: APPROVAL OF CHANGE ORDER NO. 2 TO CONTRACT NO. 09-101 TO YVISAKER LAND SERVICES FOR REAL ESTATE ACQUISITION

SERVICES IN AN AMOUNT NOT TO EXCEED \$66,000,
FOR A ONE-YEAR EXTENSION FOR FISCAL YEAR
2012.

- b. AM No. 11-041: VACATION OF SOUTH HORSESHOE LAKE ROAD PUBLIC USE EASEMENT, TAX PARCEL A2, LOCATED IN SECTION 14, TOWNSHIP 17 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA.
- c. AM No. 11-042: AWARD OF BID NO. 11-096 TO WM CONTRACTING, INC., IN THE CONTRACT AMOUNT OF \$202,943.52 FOR FAIRVIEW ROAD SERVICE AREA NO. 14 ANNUAL ROAD MAINTENANCE.
- d. AM No. 11-043: AWARD OF BID NO. 11-097 TO TEW'S INC., IN THE CONTRACT AMOUNT OF \$475,005.09 FOR SOUTH COLONY ROAD SERVICE AREA NO. 16 ANNUAL ROAD MAINTENANCE.
- e. AM No. 11-044: AWARD OF BID NO. 11-098 TO J.A. SPAIN AND SONS, INC., IN THE CONTRACT AMOUNT OF \$292,149.91 FOR WILLOW ROAD SERVICE AREA NO. 20 ANNUAL ROAD MAINTENANCE.
- f. AM No. 11-045: AWARD OF BID NO. 11-099 TO MIDDLE FORK, INC., IN THE CONTRACT AMOUNT OF \$469,803.75 FOR GOLD TRAIL ROAD SERVICE AREA NO. 28 ANNUAL ROAD MAINTENANCE.
- g. AM No. 11-046: AWARD OF BID NO. 11-100 TO D & S ROAD SERVICES IN THE CONTRACT AMOUNT OF \$358,989.80 FOR TALKEETNA ROAD SERVICE AREA NO. 29 ANNUAL ROAD MAINTENANCE.
- h. AM No. 11-047: AWARD OF PROPOSAL NO. 11-066, TO USKH, INC. IN THE CONTRACT AMOUNT NOT TO EXCEED \$249,627.88 FOR THE STORMWATER MANAGEMENT PLAN.
- i. AM No. 11-048: AUTHORIZATION TO EXERCISE OPTION YEAR ONE AND TWO TO ANNUAL ROAD SERVICE AREA MAINTENANCE AGREEMENT NO. 10-099, FOR NORTH COLONY ROAD SERVICE AREA NO. 23.

- j. AM No. 11-049: AUTHORIZING THE MANAGER TO AMEND THE EXISTING MATANUSKA-SUSITNA CONVENTION AND VISITORS BUREAU GRANT AGREEMENT FOR FISCAL YEAR 2012 IN AN AMOUNT OF \$585,000.
- k. AM No. 11-053: AWARD OF PROPOSAL NO. 11-084 TO USKH, INC., IN THE CONTRACT AMOUNT NOT TO EXCEED \$350,000 FOR PALMER JUNIOR MIDDLE SCHOOL ROOF REPAIR/REPLACEMENT.
- l. AM No. 11-054: AWARD OF BID NO. 11-101 TO PRUHS CONSTRUCTION COMPANY, LLC, IN THE CONTRACT AMOUNT OF \$1,333,350, FOR 2011 ROADS PAVING.
- m. AM No. 11-055: AWARD OF PROPOSAL NO. 11-088 TO AMC ENGINEERS, INC., IN THE CONTRACT AMOUNT NOT TO EXCEED \$332,500 FOR THE MSB DESIGN UPGRADE OF FIRE ALARMS AT TEN SCHOOL SITES.

XI. NEW BUSINESS

- A. INTRODUCTIONS (For public hearing – 06/21/11 7 p.m., Borough Assembly Chambers)
 - 1. Ordinance Serial No. 11-065: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 11-106
 - 2. Ordinance Serial No. 11-066: AN ORDINANCE REAPPROPRIATING \$200,840 FROM TRANSPORTATION DIVISION'S FISCAL YEAR 2011 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 20280, FOR AN UPDATE OF THE LONG RANGE TRANSPORTATION PLAN AND OFFICIAL STREETS AND HIGHWAY PLAN.
 - a. Resolution Serial No. 11-076: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE UPDATE OF THE LONG RANGE TRANSPORTATION PLAN AND OFFICIAL STREETS AND HIGHWAY PLAN.
 - (1) IM No. 11-112
 - 3. Ordinance Serial No. 11-067: AN ORDINANCE ACCEPTING AND APPROPRIATING \$175,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR CULVERT

REPLACEMENT IN THE CASWELL LAKES AREA, PROJECT NO. 30110, FUND 410.

- a. Resolution Serial No. 11-077: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CULVERT REPLACEMENTS IN THE CASWELL LAKES AREA, PROJECT NO. 30110
(1) IM No. 11-114

- 4. Ordinance Serial No. 11-068: AN ORDINANCE ACCEPTING AND APPROPRIATING \$70,000 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR CULVERT REPLACEMENTS IN THE MEADOW LAKES AREA AND SETTLER'S BAY ROAD, PROJECT NO. 30112, FUND 410.

- a. Resolution Serial No. 11-078: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CULVERT REPLACEMENTS IN THE MEADOW LAKES AREA AND SETTLER'S BAY ROAD, PROJECT NO. 30112.
(1) IM No. 11-115

- 5. Ordinance Serial No. 11-069: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$2,772 OF REVENUES FROM PUBLIC DONATIONS TO THE FISCAL YEAR 2011 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET (200.100.606) AND REAPPROPRIATING \$2,772 FROM THE FISCAL YEAR 2011 ANIMAL CARE AND REGULATION DIVISION OPERATING BUDGET, FUND 200, TO FUND 480, PROJECT NO. 45168, FOR TRAILERING EQUIPMENT.

- a. IM No. 11-116

- 6. Ordinance Serial No. 11-070: AN ORDINANCE REAPPROPRIATING \$438,000 FROM PLANNING AND LAND USE DEPARTMENT'S FISCAL YEAR 2011 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45005, FOR PORT MASTER PLAN IMPLEMENTATION, INCLUDING SURVEYING AND PLATTING.

- a. Resolution Serial No. 11-079: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PORT MASTER PLAN IMPLEMENTATION, INCLUDING SURVEYING AND PLATTING.
(1) IM No. 11-119

- 7. Ordinance Serial No. 11-071: AN ORDINANCE AMENDING MSB 3.04.095 (A), TO SPECIFY THE PURPOSE OF THE MINIMUM FUND BALANCE RESERVE AND MSB 3.04.110 (C),

TO DEFINE THE CALCULATION OF THE AMOUNT THAT WILL BE LAPSED BACK TO THE BOROUGH BY THE SCHOOL DISTRICT IN ORDER TO ALIGN MSB CODE WITH GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54, FUND BALANCE REPORTING AND GOVERNMENTAL FUND TYPE DEFINITIONS.

a. IM No. 11-121

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

1. RESCIND

a. Resolution Serial No. 11-049: A RESOLUTION URGING THE ALASKA STATE FAIR TO APPROVE THE EXTENSION OF THE MAT-SU MINER'S LEASE OF HERMON BROTHERS FIELD. *(Requested by Assemblymember Halter)*

(1) IM No. 11-075

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

1. Ordinance Serial No. 11-072: AN ORDINANCE REPEALING MSB TITLE 27, SUBDIVISIONS AND ADOPTING MSB TITLE 16, SUBDIVISIONS. *(Sponsored by Assemblymember Colver)*

a. IM No. 11-122

2. Ordinance Serial No. 11-073: AN ORDINANCE AMENDING MSB 17.02, MANDATORY LAND USE PERMIT; AND MSB 17.29.160, GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION. *(Sponsored by Assemblymember Colver)*

a. IM No. 11-123

XII. RECONSIDERATION

XIII. EXECUTIVE SESSION

XIV. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XV. ADJOURNMENT

Disabled persons needing reasonable accommodation in order to participate at an Assembly meeting should contact the Borough ADA Coordinator at 746-7432 at least one week in advance of the meeting.