

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Talis J. Colberg

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Lynne Woods, District 1
Pete Houston, 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 15, 2010

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 05/06/10
- B. Special Assembly Meeting: 05/10/10
- C. Special Assembly Meeting: 05/11/10
- D. Special Assembly Meeting: 05/12/10
- E. Special Assembly Meeting: 05/18/10
- F. Regular Assembly Meeting: 05/18/10

VI. SPECIAL ORDERS OF THE DAY

- A. Presentation of the Borough Seal to John Duffy, Borough Manager

VII. REPORTS/CORRESPONDENCE

- A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)

1. Reports from cities
2. Matanuska-Susitna Borough School District
3. Mat-Su Convention and Visitors Bureau – Ms. Bonnie Quill

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

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Aviation Advisory Board: 03/11/10
 - b. Greater Butte RSA No. 26: 01/14/10
 - c. Library Board: 03/20/10
 - d. Platting Board: 12/03/09, 04/15/10
 - e. West Lakes FSA No. 136: 03/16/10
2. Community Council Correspondence:
 - a. Meadow Lakes Community Council: 02/10/10
 - b. South Knik River Community Council: 01/21/10, 02/18/10, 03/18/10

G. INFORMATIONAL MEMORANDUMS

1. IM No. 10-101: AN INFORMATIONAL MEMORANDUM PROVIDING THE MONTHLY REPORTING OF AMENDED CONTRACTS AND NEW AWARDS UNDER \$100,000, ALONG WITH SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF MARCH 1, 2010, TO MAY 31, 2010.

VIII. 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. 10-046: AN ORDINANCE APPROVING THE REAPPROPRIATION OF \$185,000 FROM THE PLANNING AND LAND USE DEPARTMENT, FUND 100, TO FUND 480, PROJECT NO. 47009, FOR A BUILD-OUT AND LAND SUSTAINABILITY ANALYSIS PROJECT EMPLOYEE. *(Sponsored by Assemblymember Bettine)*
 - a. IM No. 10-026
2. Ordinance Serial No. 10-047: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 10-087
3. Ordinance Serial No. 10-048: AN ORDINANCE ACCEPTING, APPROPRIATING AN ADDITIONAL \$108,500 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE BRYANT ROAD AT ANNA LAKE PROJECT FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30100, FUND 410.
 - a. Resolution Serial No. 10-041: A RESOLUTION APPROVING AN ADDITIONAL \$108,500 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE AND THE AMENDED BUDGET FOR THE BRYANT ROAD AT ANNA LAKE FISH PASSAGE IMPROVEMENT PROJECT, PROJECT NO. 30100.
 - (1) IM No. 10-088
 - (2) AM No. 10-042: AWARD OF BID NO. 10-083, TO AMAQ, CORPORATION FOR THE ANNA LAKE AT BRYANT ROAD CULVERT REPLACEMENT PROJECT IN THE CONTRACT AMOUNT OF \$169,500.
4. Ordinance Serial No. 10-049: AN ORDINANCE REAPPROPRIATING \$66,521 FROM PLANNING DIVISION'S FISCAL YEAR 2010 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 45052, FOR THE MAT-SU COMMUNITY SURVEY; PROJECT NO. 20381, FOR WATER QUALITY PROTECTION; \$4,650 FROM PLANNING ADMINISTRATION DIVISION'S FISCAL YEAR 2010 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 47021, FOR THE BOARD OF FISHERIES PROPOSALS; \$15,000 FROM CULTURAL RESOURCE DIVISION'S FISCAL YEAR 2010 OPERATING BUDGET, FUND 100, TO FUND 480,

PROJECT NO. 20376, FOR THE HISTORIC SURVEY CITY OF WASILLA SITES; AND \$17,000 FROM THE PUBLIC WORKS ADMINISTRATION DIVISION FISCAL YEAR 2010 OPERATING BUDGET, FUND 100, TO FUND 480, PROJECT NO. 20381, FOR WATER QUALITY PROTECTION.

a. Resolution Serial No. 10-042: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MAT-SU COMMUNITY SURVEY, THE WATER QUALITY PROTECTION, THE BOARD OF FISHERIES PROPOSALS, AND THE HISTORIC SURVEY CITY OF WASILLA SITES.

(1) IM No. 10-094

5. Ordinance Serial No. 10-050: AN ORDINANCE AMENDING MSB 5.25.059, TO ANNEX PROPERTY IN THE WILLOW-FISHHOOK ROAD AREA INTO THE WILLOW FIRE SERVICE AREA NO. 35, WITHOUT THE PLACEMENT OF THE QUESTION ON THE BALLOT, PER MSB 5.20.005(G).

a. Resolution Serial No. 10-043: A RESOLUTION FINDING THE ANNEXATION OF A PROPERTY IN THE WILLOW-FISHHOOK ROAD AREA INTO THE WILLOW FIRE SERVICE AREA NO. 35 SERVES THE PUBLIC INTEREST WITHOUT THE PLACEMENT OF THE QUESTION ON THE BALLOT, PER MSB 5.20.005(G) *(Sponsored by Assemblymember Halter)*

(1) IM No. 10-095

6. Ordinance Serial No. 10-051: AN ORDINANCE AMENDING MSB 5.25.142, TO ANNEX PROPERTIES IN AND AROUND THE AURORA LANE AREA INTO THE GREATER PALMER FIRE SERVICE AREA NO. 132, WITHOUT THE PLACEMENT OF THE QUESTION ON THE BALLOT, PER MSB 5.20.005(G).

a. Resolution Serial No. 10-044: A RESOLUTION FINDING THE ANNEXATION OF PROPERTIES LOCATED IN THE AURORA LANE AREA INTO THE GREATER PALMER FIRE SERVICE AREA NO. 132 SERVES THE PUBLIC INTEREST WITHOUT THE PLACEMENT OF THE QUESTION ON THE BALLOT *(Sponsored by Assemblymember Woods)*

(1) IM No. 10-096

7. Ordinance Serial No. 10-052: AN ORDINANCE ADOPTING MSB 2.70.140(E), PLACING RESTRICTIONS UPON CERTAIN EMPLOYEES WHO TERMINATE EMPLOYMENT WITH

THE BOROUGH FROM PROVIDING FUTURE SERVICE TO THE BOROUGH. *(Sponsored by Assemblymember Colver)*

a. IM No. 10-099

8. Ordinance Serial No. 10-053: AN ORDINANCE AMENDING MSB 5.25.059, TO ANNEX PROPERTY IN THE WILLOW CREST SUBDIVISION AREA (6336000L007, 6336000L008, 636000L009) INTO THE WILLOW FIRE SERVICE AREA NO. 35 WITHOUT PLACING THE QUESTION ON THE BALLOT AND FINDING THAT THE ANNEXATION SERVES THE PUBLIC INTEREST WITHOUT THE CIRCULATION OF A PETITION. *(Sponsored by Assemblymember Halter)*

a. IM No. 10-100

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 10-045: A RESOLUTION SETTING THE SURCHARGE FOR THE WIRELINE AND WIRELESS ENHANCED 911 SYSTEMS FOR THE PERIOD OF JULY 1, 2010, THROUGH JUNE 30, 2011.

(1) IM No. 10-093

b. Resolution Serial No. 10-046: A RESOLUTION FOR THE SELECTION OF A SITE FOR THE BIRCHTREE CHARTER SCHOOL.

(1) IM No. 10-098

c. Resolution Serial No. 10-047: A RESOLUTION APPROVING THE AMENDED BUDGET FOR THE PORT MACKENZIE BARGE DOCK EXPANSION, PROJECT NO. 70008 IN THE AMOUNT OF \$95,160.

(1) IM No. 10-108

d. Resolution Serial No. 10-049: A RESOLUTION SUPPORTING THE NORTH AMERICAN INSTITUTE'S EFFORTS WITH THEIR SAFETY AND ENVIRONMENTAL EDUCATION PROGRAMS. *(Sponsored by Assemblymember Bettine)*

(1) IM No. 10-112

2. ASSEMBLY MEMORANDUMS

- a. AM No. 10-043: AUTHORIZATION FOR THE BOROUGH MANAGER TO EXTEND THE EXISTING AGREEMENT WITH THE MATANUSKA-SUSITNA CONVENTION AND VISITORS BUREAU TO JUNE 30, 2011, IN AN AMOUNT OF \$585,000.
- b. AM No. 10-047: AWARD OF PROPOSAL NO. 10-060 TO THE CITY OF PALMER FOR 911 DISPATCH SERVICES FOR AN AMOUNT NOT TO EXCEED \$768,018 FOR FISCAL YEAR 2011.
- c. AM No. 10-048: APPROVAL OF CHANGE ORDER NO. 1 TO CONTRACT NO. 10-037 IN THE CONTRACT AMOUNT NOT TO EXCEED \$85,000 FOR THE EXTENSION OF THE DEPARTMENT OF EMERGENCY SERVICES MEDICAL DIRECTOR FOR FISCAL YEAR 2011.
- d. AM No. 10-049: APPROVAL OF CHANGE ORDER NO. 1 TO YLVISAKER LAND SERVICES IN THE AMOUNT NOT TO EXCEED \$66,000 FOR A ONE-YEAR EXTENSION OF REAL ESTATE ACQUISITION SERVICES.
- e. AM No. 10-051: ACCEPTANCE OF LATE FILED AND RETROACTIVE SENIOR CITIZEN AND DISABLED VETERAN EXEMPTION APPLICATIONS.
- f. AM No. 10-053: AWARD OF BID NO. 10-099 TO KOPPERUD TRANSPORTATION INC., IN THE ANNUAL AMOUNT NOT TO EXCEED \$61,719.28, FOR THE NORTH COLONY ROAD SERVICE AREA NO. 23 ANNUAL ROAD MAINTENANCE.
- g. AM No. 10-054: AWARD OF BID NO. 10-097 TO TEW'S INC., IN THE ANNUAL AMOUNT NOT TO EXCEED \$410,270.08 FOR THE MEADOW LAKES ROAD SERVICE AREA NO. 27 ANNUAL ROAD MAINTENANCE.
- h. AM No. 10-055: AWARD OF BID NO. 10-098 TO TEW'S INC., IN THE ANNUAL AMOUNT NOT TO EXCEED \$342,867.96 FOR THE BOGARD ROAD

SERVICE AREA NO. 25 ANNUAL ROAD MAINTENANCE

- i. AM No. 10-056: AWARD OF BID NO. 10-100 TO WM CONTRACTING, INC., IN THE ANNUAL AMOUNT NOT TO EXCEED \$181,179 FOR THE MIDWAY ROAD SERVICE AREA NO. 9 ANNUAL ROAD MAINTENANCE,
- j. AM No. 10-057: AWARD OF BID NO. 10-095 TO SWALLING CONSTRUCTION COMPANY, INC., IN THE CONTRACT AMOUNT OF \$992,800 FOR PROJECT NO. 35014, BRIDGE REPLACEMENTS.
- k. AM No. 10-059: AWARD OF BID NO. 10-101 TO ATS ALASKA, INC., IN THE CONTRACT AMOUNT OF \$5,813,100 FOR THE SCHOOL DISTRICT'S SAFETY AND SECURITY UPGRADES TECHNOLOGY SECURITY PACKAGE, WITH A CONTRACT AMENDMENT LIMIT OF FIVE PERCENT OF ORIGINAL AWARD.
- l. AM No. 10-060: AWARD OF BID NO. 10-096 TO GRANITE CONSTRUCTION COMPANY IN THE CONTRACT AMOUNT OF \$1,180,000 FOR THE COTTONWOOD CREEK ELEMENTARY SCHOOL SITE CIRCULATION AND SECURITY IMPROVEMENTS.

IX. UNFINISHED BUSINESS

- A. Ordinance Serial No. 10-017: AN ORDINANCE ESTABLISHING A WASILLA DEVELOPMENT STANDARDS DISTRICT, AND AMENDING MSB 27.10.065, MSB 27.15.020, AND MSB 27.15.130 TO APPLY THE DESIGN AND CONSTRUCTION STANDARDS ADOPTED IN THE DEVELOPMENT STANDARDS DISTRICT TO PRELIMINARY AND FINAL PLATS OF PROPERTY LOCATED IN THE DEVELOPMENT STANDARDS DISTRICT.
 - 1. IM No. 10-029
 - 2. IM No. 10-040
- B. Ordinance Serial No. 10-042: AN ORDINANCE AUTHORIZING A FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO PROVIDE LEGAL ACCESS TO USIBELLI COAL MINE, INC., FOR CONSTRUCTION OF AN ACCESS/COAL HAUL ROAD AND

RELATED SAFETY STRUCTURES FOR FUTURE COAL EXTRACTION
FROM THE WISHBONE HILL COAL MINE.

1. IM No. 10-075

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 07/20/10, 7 p.m., Borough Assembly
Chambers)

1. Ordinance Serial No. 10-054: AN ORDINANCE AMENDING
MSB 3.08, PURCHASING PROCEDURES; TO REQUIRE
ASSEMBLY APPROVAL OF ALL CONTRACTS OVER \$25,000.

(Sponsored by Assemblymember Arvin)

- a. IM No. 10-102

2. Ordinance Serial No. 10-055: AN ORDINANCE PROVIDING FOR
THE SALE OF CERTAIN BOROUGHWIDE REAL PROPERTY
ACQUIRED THROUGH TAX FORECLOSURE FOR
DELINQUENT REAL PROPERTY TAXES, YEARS 2003 AND
2004 AND PRIOR, AND NOT NEEDED FOR PUBLIC PURPOSE.

- a. IM No. 10-109

3. Ordinance Serial No. 10-056: AN ORDINANCE ACCEPTING,
APPROPRIATING, AND APPROVING THE SCOPE OF WORK
AND BUDGET FOR A \$40,630 UNITED STATES DEPARTMENT
OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS
GRANT AND REQUESTING A REAPPROPRIATION FOR THE
REQUIRED MATCHING FUNDS IN THE AMOUNT OF \$2,138
FROM THE CASWELL LAKES FIRE SERVICE AREA FISCAL
YEAR 2011 OPERATING BUDGET, FUND 248, TO PROJECT
NO. 45252, FUND 405, TO PURCHASE PERSONAL
PROTECTIVE EQUIPMENT AND SELF CONTAINED
BREATHING APPARATUS.

- a. Resolution Serial No. 10-048: A RESOLUTION
APPROVING THE SCOPE OF WORK AND BUDGET
FOR THE UNITED STATES DEPARTMENT OF
HOMELAND SECURITY ASSISTANCE TO
FIREFIGHTERS GRANT FOR THE CASWELL LAKES
FIRE SERVICE AREA, PROJECT NO. 45252, FUND 405,
TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT
AND SELF CONTAINED BREATHING APPARATUS.

- (1) IM No. 10-110

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

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

- XI. RECONSIDERATION
- XII. VETO
- XIII. EXECUTIVE SESSION
- XIV. MAYOR AND ASSEMBLY 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.