

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
Steve Colligan, District 4
Darcie K. Salmon, District 5
Jim Colver, District 6
Vern Halter, District 7

ASSEMBLY AGENDA

**MAT-SU BOROUGH SCHOOL DISTRICT
ADMINISTRATION BUILDING
501 N. GULKANA STREET, PALMER**

REGULAR MEETING

6 P.M.

TUESDAY, JUNE 18, 2013

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 05/14/13
- B. Special Assembly Meeting: 05/16/13
- C. Special Assembly Meeting: 05/21/13
- D. Regular Assembly Meeting: 05/21/13
- E. Regular Assembly Meeting: 06/04/13

VI. 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. U.S. Fish and Wildlife Service - Mr. David Wigglesworth

D. ATTORNEY COMMENTS

1. State Redistricting and Potential Comments

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Caswell FSA Board of Supervisors: 02/06/13
 - b. Health and Social Services Board: 02/27/12, 04/23/12, 05/02/12, 06/20/12, 08/15/12, 10/17/12
 - c. Planning Commission: 03/04/13, 03/18/13, Resolution Nos. 13-07, 13-08 (SUB)
 - d. Talkeetna Sewer and Water Advisory Board: 05/01/13
 - e. Wasilla-Lakes FSA Board of Supervisors: 01/14/13
 - f. West Lakes FSA Board of Supervisors: 01/21/13
 - g. Wastewater and Septage Advisory Board: 01/08/13
2. Community Council Minutes:

G. INFORMATIONAL MEMORANDUMS

1. IM No. 13-141: SALE OF BOROUGH OWNED LAND TO THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES FOR PURPOSE OF EROSION PROTECTION (STATE PROJECT NO. 55912), IDENTIFIED AS MSB TAX PARCEL 17N02E02C003, LYING BETWEEN THE OLD GLENN HIGHWAY AND THE MATANUSKA RIVER (MSB006820).
2. IM No. 13-149: SALE OF BOROUGH OWNED REAL PROPERTY INCLUDING ANY IMPROVEMENTS THEREON, IDENTIFIED AS LOT 7 AND LOT 9, BLOCK 13, A.R.R.C. SUBDIVISION NO. 1 (MSB TAX PARCELS 55001B13L007 AND L009), LOCATED IN DOWNTOWN PALMER (MSB006349).

VII. UNFINISHED BUSINESS

VIII. VETO

IX. SPECIAL ORDERS

- 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. 13-073: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 13-115
 2. Ordinance Serial No. 13-074: AN ORDINANCE APPROVING THE BEST INTEREST FINDING AND FARM DEVELOPMENT/CONSERVATION PLAN AND AUTHORIZING THE MANAGER TO EXECUTE A LESS THAN FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO GREAT LAND CHRISTIAN CHURCH, FOR THE PURPOSE OF AN AGRICULTURAL EDUCATIONAL CAMP (MSB006744).
 - a. IM No. 13-127
 3. Ordinance Serial No. 13-075: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$40,950 FROM THE BUTTE FIRE SERVICE AREA FUND BALANCE, FUND 251, TO THE BUTTE FIRE SERVICE AREA FISCAL YEAR 2013 OPERATING BUDGET, FUND 251, TO PROVIDE ADDITIONAL FUNDING FOR NON-EMPLOYEE COMPENSATION WAGES AND BENEFITS.
 - a. IM No. 13-132
 4. Ordinance Serial No. 13-076: AN ORDINANCE ADOPTING THE FIVE-YEAR TIMBER HARVEST SCHEDULE (2013-2017) PER MSB 23.20.090.
 - a. IM No. 13-134
 5. Ordinance Serial No. 13-077: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,939 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION, TO FUND 440, PROJECT NO. 15015, FOR THE CONSTRUCTION OF ONE MILE OF NEW TRAILS IN THE CREVASSE MORAINÉ SYSTEM.

- a. Resolution Serial No. 13-075: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE TRAILS IN THE CREVASSE MORAINÉ SYSTEM.
(1) IM No. 13-135

- 6. Ordinance Serial No. 13-078: AN ORDINANCE APPROVING THE PORT DEPARTMENT TO EXECUTE DEVELOPMENT OF LAKE LORRAINE GRAVEL PIT AT LESS THAN FAIR MARKET ROYALTY FOR PORT TENANTS (MSB006565).
 - a. IM No. 13-138

- 7. Ordinance Serial No. 13-079: AN ORDINANCE REAPPROPRIATING A TOTAL OF \$335,000 FROM VARIOUS FISCAL YEAR 2013 OPERATING BUDGETS, ALL WITHIN FUND 100, TO FUND 435, PROJECT NO. 10063, FOR AUDIO VISUAL EQUIPMENT AND OTHER FIXTURES IN THE DOROTHY SWANDA JONES ANNEX.
 - a. IM No. 13-140
 - b. AM No. 13-086: AWARD OF PROPOSAL 13-114P TO PYRAMID AUDIO AND VISUAL, LTD. IN THE CONTRACT AMOUNT NOT TO EXCEED \$350,000 FOR THE AUDIO/VISUAL DESIGN, INSTALLATION, AND TRAINING FOR NEW ASSEMBLY CHAMBERS.

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 13-057: A RESOLUTION AMENDING THE SUBDIVISION CONSTRUCTION MANUAL TO ESTABLISH STANDARDS FOR THE DESIGN AND CONSTRUCTION OF ANADROMOUS WATERBODY CROSSINGS. *(Sponsored by Assemblymember Keogh)*
(1) IM No. 13-083

- b. Resolution Serial No. 13-077: A RESOLUTION ENDORSING THE CHEMICAL SAFETY IMPROVEMENT ACT OF 2013. *(Sponsored by Assemblymember Keogh)*
(1) IM No. 13-151

- c. Resolution Serial No. 13-078: A RESOLUTION IN SUPPORT OF THE NORTH AMERICAN OUTDOOR INSTITUTE'S STATEWIDE INSTRUCTIONAL

TRAINING COURSE FOR SNOWMOBILE SAFETY
AND GRANT APPLICATION. *(Sponsored by Assemblymember
Colligan)*

(1) IM No. 13-058

2. ACTION MEMORANDUMS

- a. AM No. 13-056: APPROVAL OF A CONTRACT AMENDMENT TO CONTRACT 13-001P WITH USKH, INC. IN THE AMOUNT OF \$218,469.96 FOR DESIGN SERVICES, SITE INVESTIGATION, AND CONSTRUCTION MANAGEMENT FOR THE BIG LAKE ELEMENTARY SCHOOL RENOVATION.
- b. AM No. 13-082: AUTHORIZING THE BOROUGH MANAGER TO AMEND THE EXISTING AGREEMENT WITH THE MAT-SU CONVENTION AND VISITORS BUREAU TO EXTEND TO JUNE 30, 2016, IN AN AMOUNT OF \$715,000 PER YEAR PLUS 65 PERCENT OF THE ACTUAL COLLECTIONS IN EXCESS OF \$1,100,000.
- c. AM No. 13-083: AWARD OF PROPOSAL 13-112P TO McCOOL CARLSON GREEN IN THE CONTRACT AMOUNT OF \$1,033,112 FOR THE MAT-SU CAREER AND TECHNICAL HIGH SCHOOL ADDITION DESIGN.
- d. AM No. 13-084: AWARD OF PROPOSAL 13-096P TO USKH, INC. IN AN AMOUNT NOT TO EXCEED \$200,000 FOR THE HATCHER PASS GOVERNMENT PEAK SOUTHERN SUB-UNIT MASTER DEVELOPMENT PLAN DESIGN TEAM.
- e. AM No. 13-087: AWARD OF PROPOSAL 13-140B TO G & S MANAGEMENT SERVICES, LLC IN THE CONTRACT AMOUNT OF \$197,363 FOR INTERIOR UPGRADES TO THE DOROTHY SWANDA JONES ADMINISTRATION BUILDING FOR THE INFORMATIONAL TECHNOLOGY DEPARTMENT.
- f. AM No. 13-088: APPROVAL FOR CHANGE ORDER AUTHORITY IN AN AMOUNT NOT TO EXCEED \$484,388 FOR CONTRACT 13-110B TO DAVIS CONSTRUCTORS AND ENGINEERING, INC. FOR THE MSB ATHLETIC COMPLEX UPGRADES CONSTRUCTION PROJECT.

- g. AM No. 13-089: AWARD OF BID NO. 13-132B TO WESTERN CONSTRUCTION AND EQUIPMENT, LLC. IN THE CONTRACT AMOUNT OF \$877,952 FOR WILLOW LAKE DRIVE UPGRADE.
- h. AM No. 13-090: AWARD OF BID NO. 13-121B TO WOLVERINE SUPPLY, INC. IN THE CONTRACT AMOUNT OF \$1,254,500 FOR BIG LAKE ELEMENTARY SCHOOL RENOVATIONS.
- i. AM No. 13-091: APPROVAL OF CHANGE ORDER 7 TO CONTRACT 07-196 WITH PERKINS CONSULTING IN AN AMOUNT NOT TO EXCEED \$110,000 FOR ASSISTANCE WITH THE SOUTH CENTRAL RAIL EXTENSION.
- j. AM No. 13-092: AWARD OF BID NO. 13-133B TO NORSE ALASKA, LLC IN THE CONTRACT AMOUNT OF \$137,376 FOR ALPINE ROAD SERVICE AREA NO. 31 ANNUAL ROAD MAINTENANCE.
- k. AM No. 13-093: AWARD OF BID NO. 13-134B TO D & S ROAD SERVICES IN THE CONTRACT AMOUNT OF \$532,736.50 FOR BOGARD ROAD SERVICE AREA NO. 25 ANNUAL ROAD MAINTENANCE.
- l. AM No. 13-094: AWARD OF BID NO. 13-135B TO NORSE ALASKA, LLC IN THE CONTRACT AMOUNT OF \$100,462.56 FOR NORTH COLONY ROAD SERVICE AREA NO. 13 ANNUAL ROAD MAINTENANCE.
- m. AM No. 13-095: AWARD OF BID NO. 13-137B TO NORSE ALASKA, LLC IN THE CONTRACT AMOUNT OF \$98,573.64 FOR LAZY MOUNTAIN ROAD SERVICE AREA NO. 19 ANNUAL ROAD MAINTENANCE.
- n. AM No. 13-096: AWARD OF BID NO. 13-138B TO NORSE ALASKA, LLC IN THE CONTRACT AMOUNT OF \$610,337.30 FOR SOUTH COLONY ROAD SERVICE AREA NO. 16 ANNUAL ROAD MAINTENANCE.
- o. AM No. 13-097: AWARD OF BID NO. 13-139B TO BIG DIPPER CONSTRUCTION, INC. IN THE

CONTRACT AMOUNT OF \$256,990.50 FOR FAIRVIEW ROAD SERVICE AREA NO. 14 ANNUAL ROAD MAINTENANCE.

- p. AM No. 13-098: VACATION OF A 60-FOOT WIDE RIGHT-OF-WAY OF N. SIOUX CIRCLE, LOCATED WITHIN INDIAN FOREST SUBDIVISION, BLOCK 3, LOCATED IN SECTION 4, TOWNSHIP 17 NORTH, RANGE 3 WEST, SEWARD MERIDIAN, ALASKA.
- q. AM No. 13-099: AWARD OF PROPOSAL 13-115P TO USKH, INC. IN THE CONTRACT AMOUNT OF \$1,124,183 FOR THE SELDON ROAD EXTENSION DESIGN.
- r. AM No. 13-100: VACATION OF A 10-FOOT BY 200-FOOT AND 1.5-FOOT BY 30-FOOT PORTION OF E. DEW AVENUE RIGHT-OF-WAY AND REPLACED WITH A 10-FOOT BY 200-FOOT AND 1.5-FOOT BY 30-FOOT SNOW STORAGE AND MAINTENANCE EASEMENT, LOCATED IN SECTION 6, TOWNSHIP 17 NORTH, RANGE 3 EAST, SEWARD MERIDIAN.

X. NEW BUSINESS

- A. INTRODUCTIONS (For public hearing – 07/16/13, Borough School District Administration Building)
 - 1. Ordinance Serial No. 13-080: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGH-WIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAX YEARS 2003 AND PRIOR, 2004 AND PRIOR, 2005 AND PRIOR, 2006 AND PRIOR, AND 2007 AND PRIOR, AND DELINQUENT SPECIAL ASSESSMENT FOR THE YEAR 2008 AND PRIOR AND NOT NEEDED FOR PUBLIC PURPOSE.
 - a. IM No. 13-139
 - 2. Ordinance Serial No. 13-081: AN ORDINANCE APPROVING AN APPROPRIATION OF \$150,000 FROM MIDWAY ROAD SERVICE AREA NO. 9 FUND BALANCE, FUND 270, TO FUND 410, PROJECT NO. 30036, FOR MIDWAY ROAD SERVICE AREA NO. 9 CAPITAL PROJECTS.
 - a. IM No. 13-142

3. Ordinance Serial No. 13-082: AN ORDINANCE APPROVING AN APPROPRIATION OF \$150,000 FROM SOUTH COLONY ROAD SERVICE AREA NO. 16 FUND BALANCE, FUND 273, TO FUND 410, PROJECT NO. 30039, FOR SOUTH COLONY ROAD SERVICE AREA NO. 16 CAPITAL PROJECTS.
 - a. IM No. 13-143
4. Ordinance Serial No. 13-083: AN ORDINANCE APPROVING AN APPROPRIATION OF \$40,000 FROM ALPINE ROAD SERVICE AREA NO. 31 FUND BALANCE, FUND 285, TO FUND 410, PROJECT NO. 30051, FOR ALPINE ROAD SERVICE AREA NO. 31 CAPITAL PROJECTS.
 - a. IM No. 13-146
5. Ordinance Serial No. 13-084: AN ORDINANCE APPROVING AN APPROPRIATION OF \$150,000 FROM BUTTE ROAD SERVICE AREA NO. 26 FUND BALANCE, FUND 280, TO FUND 410, PROJECT NO. 30046, FOR BUTTE ROAD SERVICE AREA NO. 26 CAPITAL PROJECTS.
 - a. IM No. 13-147
6. Ordinance Serial No. 13-085: AN ORDINANCE ACCEPTING AND APPROPRIATING SEPTEMBER 2012 SOUTH-CENTRAL FLOOD DISASTER RELIEF MONIES IN THE AMOUNT OF \$691,691 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY, TO FUND 445, PROJECT NO. 55017.
 - a. Resolution Serial No. 13-076: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SEPTEMBER 2012 SOUTH-CENTRAL FLOOD DISASTER RELIEF MONIES, PROJECT NO. 55017.
 - (1) IM No. 13-148
7. Ordinance Serial No. 13-086: AN ORDINANCE AUTHORIZING THE MANAGER TO ENTER INTO A MATERIAL SALE CONTRACT FOR THE POINT MACKENZIE RAIL EXTENSION PROJECT (MSB006317).
 - a. IM No. 13-150
8. Ordinance Serial No. 13-087: AN ORDINANCE AMENDING PROVISIONS UNDER MSB TITLE 2, ADMINISTRATION AND PERSONNEL; AND MSB 3.08.010, PURCHASING PROCEDURES, TO PLACE PURCHASING AND HUMAN

RESOURCES UNDER THE DIRECT SUPERVISION OF THE
MANAGER'S OFFICE.

a. IM No. 13-152

9. Ordinance Serial No. 13-088: AN ORDINANCE ALTERING THE BOUNDARIES OF LAZY MOUNTAIN ROAD SERVICE AREA NO. 19 AND GREATER BUTTE ROAD SERVICE AREA NO. 26 WITHOUT PLACING THE QUESTION ON THE BALLOT AND FINDING THAT THE ALTERATION OF THESE BOUNDARIES SERVES THE PUBLIC INTEREST WITHOUT THE CIRCULATION OF A PETITION. *(Sponsored by Mayor DeVilbiss)*

a. IM No. 13-153

10. Ordinance Serial No. 13-089: AN ORDINANCE ADOPTING MSB 1.10.180, AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ENACT AN AREAWIDE ALCOHOLIC BEVERAGE TAX; ADOPTING MSB 3.35, ALCOHOLIC BEVERAGE TAX; AND SUBMITTING THE QUESTION TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 1, 2013, REGULAR BOROUGH ELECTION. *(Sponsored by Assemblymember Colligan)*

a. IM No. 13-154

11. Ordinance Serial No. 13-090: AN ORDINANCE TO SUBMIT AN ADVISORY QUESTION TO THE QUALIFIED NON-AREAWIDE VOTERS OF THE BOROUGH AT THE OCTOBER 1, 2013, REGULAR BOROUGH ELECTION TO DETERMINE WHETHER THE PUBLIC SUPPORTS THE BOROUGH ASSEMBLY AMENDING THE CODE SO THAT TOWERS SHALL BE SETBACK AT LEAST A DISTANCE EQUAL TO THE HEIGHT OF THE TOWER FROM ALL PROPERTY LINES AND ANY PUBLIC RIGHT-OF-WAY. *(Sponsored by Assemblymember Keogh)*

a. IM No. 13-155

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. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XIII. EXECUTIVE SESSION

XIV. 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.