

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 21, 2011

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
- 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. State Redistricting

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Caswell FSA Board of Supervisors: 01/12/11
 - b. Historical Preservation Commission: 01/07/10, 02/04/10, 03/04/10, 04/01/10, 05/06/10, 06/03/10, 08/05/10, 09/02/10, 10/07/10, 11/18/10
2. Community Council Correspondence:
 - a. Chickaloon Community Council: 01/12/11, 02/09/11
 - b. Meadow Lakes Community Council: 01/12/11, 02/09/11, 03/09/11

G. INFORMATIONAL MEMORANDUMS

1. IM No. 11-131: AN INFORMATIONAL MEMORANDUM PROVIDING FOR THE MONTHLY REPORTING OF AMENDED CONTRACTS AND NEW AWARDS UNDER \$100,000, ALONG WITH SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF MAY 1, 2011, TO MAY 31, 2011.

VII. UNFINISHED BUSINESS

- A. AM No. 11-033: AWARD OF BID NO. 11-083, TO HOWDIE INC., FOR THE DOROTHY SWANDA JONES BUILDING DOOR HARDWARE AND SECURITY UPGRADES IN THE CONTRACT AMOUNT OF \$213,428.

VIII. VETO

IX. 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. 11-065: AN ORDINANCE EXTENDING THE TIME LIMIT FOR COMPLETION OF BOROUGH CAPITAL PROJECTS.
 - a. IM No. 11-106
 - b. Resolution Serial No. 11-080: A RESOLUTION AMENDING THE BUDGETS FOR THE FISCAL YEAR 2008 CAPITAL PROJECT: LOCKER ROOM LIGHTING FOR WASILLA POOL, FISCAL YEAR 2009 CAPITAL PROJECT: LOCKER ROOM LIGHTING UPGRADE AND OUTDOOR POOL ENTRANCE SIGN LIGHTING FOR PALMER POOL, MAIN SHOWER REPLACEMENT, OUTDOOR SIGNAGE, AND NEW DIVING BOARD AND BASE FOR WASILLA POOL, FISCAL YEAR 2010 CAPITAL PROJECT: LOCKER ROOM LIGHTING UPGRADE AND NEW DIVING BOARD AND BASE FOR WASILLA POOL AND APPROVE THE SCOPE OF WORK AND BUDGET FOR HOT TUB REPLACEMENT, AMERICAN DISABILITIES ACT (ADA) HANDICAP LIFTS, AND INSTALLATION OF WATER SOFTENER, PROJECT NO. 15007.
 - (1) IM No. 11-136
 - c. Resolution Serial No. 11-081: A RESOLUTION AMENDING THE BRETT MEMORIAL ICE ARENA BUDGETS FOR THE FISCAL YEAR 2009 CAPITAL PROJECT, DOOR AND HARDWARE REPLACEMENT, ARENA LIGHTING UPGRADES, PATHWAY REPLACEMENT, AND WATER CONDITIONER, AND THE FISCAL YEAR 2010 CAPITAL PROJECT, WATER CONDITIONER, COMPRESSOR AND CONDENSING COIL ISOLATION VALVE RENOVATION, AND ROOF REPLACEMENT AND APPROVING THE SCOPE OF WORK AND BUDGET FOR AMERICAN DISABILITIES ACT (ADA) DOOR AND HARDWARE REPLACEMENT, ADA COMPLIANT PATHWAY, AND LIGHTING UPGRADES, PROJECT NO. 10157.
 - (1) IM No. 11-138
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. 11-068: 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

- 4. 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

- 5. 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

- 6. 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

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 11-082: A RESOLUTION COMMEMORATING THE CORDOVA COAL PARTY OF MAY 4, 1911, FOCUSING ATTENTION ON THE FEDERAL GOVERNMENT'S CURRENT STRANGLEHOLD ON ALASKA, AND CALLING ON THE PRESIDENT OF THE UNITED STATES, UNITED STATES SECRETARY OF THE INTERIOR, UNITED STATES SENATE AND CONGRESS TO DEVELOP COMMON SENSE POLICIES THAT ALLOW ALASKA AND THE REST OF THE NATION TO UTILIZE THE NATION'S ABUNDANT RESOURCES IN A SAFE, ENVIRONMENTALLY SOUND MANNER THAT SERVES THE BEST INTERESTS OF AMERICANS.

(Sponsored by Mayor DeVilbiss)

(1) IM No. 11-132

b. Resolution Serial No. 11-090: A RESOLUTION MODIFYING FEES FOR MSB 17.29, FLOOD DAMAGE PREVENTION.

(1) IM No. 11-090

2. ACTION MEMORANDUMS

a. AM No. 11-039: AWARD OF BID NO. 11-076 TO REBERLAND EQUIPMENT, INC., IN THE AMOUNT OF \$435,263 FOR A VACUUM PUMPER TANKER FOR THE BUTTE FIRE SERVICE AREA.

b. AM No. 11-057: AWARD OF PROPOSAL NO. 11-085 TO GDM, INC., IN THE CONTRACT AMOUNT NOT TO EXCEED \$200,000 FOR THE HOUSTON MIDDLE SCHOOL ROOF REPAIR/REPLACEMENT.

- c. AM No. 11-058: AUTHORIZING THE MANAGER TO ENTER INTO AN AGREEMENT FOR RESCUE SERVICES WITH THE CITY OF PALMER IN THE AMOUNT OF \$36,000 FOR A CONTRACT PERIOD OF JULY 1, 2011, TO JUNE 30, 2012.
- d. AM No. 11-059: AUTHORIZING THE MANAGER TO ENTER INTO A COOPERATIVE SERVICES AGREEMENT WITH THE CITY OF PALMER FOR EMERGENCY 911 DISPATCH SERVICES IN THE AMOUNT OF \$787,218 FOR THE PERIOD OF JULY 1, 2011, TO JUNE 30, 2012.
- e. AM No. 11-060: AWARD OF BID NO. 11-108 TO SWALLING CONSTRUCTION COMPANY IN THE CONTRACT AMOUNT NOT TO EXCEED \$878,475 FOR THE PORT MACKENZIE BARGE DOCK EXPANSION – PHASE II.
- f. AM No. 11-061: AWARD OF BID NO. 11-119 TO KOPPERUD TRANSPORTATION INC., IN THE CONTRACT AMOUNT OF \$197,967 FOR THE WINDING BROOK LOOP RECONSTRUCTION.
- g. AM No. 11-062: AWARD OF BID NO. 11-095 TO CROWLEY PETROLEUM DISTRIBUTION, INC., FISHER’S FUEL, INC., AND VALLEY FUEL FOR THE AMOUNT NOT TO EXCEED \$100,000 PER VENDOR PER FISCAL YEAR, FOR THE PURCHASE AND DELIVERY OF HEATING OIL AND FUELS TO BOROUGH FACILITIES.
- h. AM No. 11-063: AWARD OF BID NO. 11-104 TO ALASKA SURE SEAL IN THE CONTRACT AMOUNT OF \$133,200 FOR CRACK SEALING.
- i. AM No. 11-065: APPROVAL OF CHANGE ORDER TO SHAMROCK SEPTIC IN THE AMOUNT OF \$93,000 FOR A ONE-YEAR EXTENSION FOR CENTRAL LANDFILL LEACHATE HAULING AND DISPOSAL.
- j. AM No. 11-066: AUTHORIZATION TO EXERCISE FINAL OPTION YEARS FOR ROAD MAINTENANCE CONTRACTS: 09-131 TO D & S ROAD SERVICES FOR TRAPPER CREEK ROAD SERVICE AREA IN THE AMOUNT OF \$96,730.57; 09-132 TO TEWS INC., FOR

ALPINE ROAD SERVICE AREA IN THE AMOUNT OF \$92,599.84; AND 09-126 TO TEWS INC., FOR LAZY MOUNTAIN ROAD SERVICE AREA IN THE AMOUNT OF \$71,111.89

X. NEW BUSINESS

A. INTRODUCTION (For public hearing - 07/19/11, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 11-074: AN ORDINANCE AMENDING MSB 17.60.010; REPEALING SECTION 17.60.140, TALL STRUCTURES, INCLUDING BUT NOT LIMITED TO, TOWERS, TOWER FARMS, TOWER ROUTES, AND TOWER SERVICE AREA GRIDS; AMENDING 17.125, DEFINITIONS; AND ADOPTING MSB 17.66, TALL STRUCTURES, INCLUDING TELECOMMUNICATION FACILITIES, WIND ENERGY CONVERSION SYSTEMS, AND OTHER TALL STRUCTURES.
 - a. Resolution Serial No. 11-083: A RESOLUTION ESTABLISHING FEES FOR MSB 17.66, TALL STRUCTURES, INCLUDING TELECOMMUNICATION FACILITIES, WIND ENERGY CONVERSION SYSTEMS, AND OTHER TALL STRUCTURES.
 - (1) IM No. 11-074
2. Ordinance Serial No. 11-075: AN ORDINANCE APPROVING AN APPROPRIATION OF \$16,400 FROM CHASE TRAIL SERVICE AREA FUND BALANCE, FUND 296, TO FUND 430, CHASE TRAIL UPGRADE PROJECT, PROJECT NO. 35379.
 - a. Resolution Serial No. 11-084: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE CHASE TRAIL UPGRADE PROJECT, PROJECT NO. 35379.
 - (1) IM No. 11-118
3. Ordinance Serial No. 11-076: AN ORDINANCE APPROVING AN APPROPRIATION OF \$176,000 FROM THE BIG LAKE ROAD SERVICE AREA NO. 21 FUND BALANCE, FUND 277, TO FUND 410, PROJECT NO. 30043, FOR BIG LAKE ROAD SERVICE AREA NO. 21 CAPITAL PROJECTS.
 - a. IM No. 11-129
4. Ordinance Serial No. 11-077: AN ORDINANCE ACCEPTING AND APPROPRIATING \$4,000 FROM THE ALASKA STATE DEPARTMENT OF EDUCATION TO FUND 480, PROJECT NO. 20364, FOR CONTINUING EDUCATION GRANTS AT THE

BIG LAKE, SUTTON, TALKEETNA, AND WILLOW PUBLIC LIBRARIES.

a. Resolution Serial No. 11-085: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR CONTINUING EDUCATION GRANTS FOR THE BIG LAKE, SUTTON, TALKEETNA, AND WILLOW PUBLIC LIBRARIES.

(1) IM No. 11-130

5. Ordinance Serial No. 11-078: AN ORDINANCE AMENDING THE “OPERATING RULES, RATES, AND PROCEDURES FOR THE SUPPLY OF PUBLIC SEWER AND WATER SYSTEMS IN TALKEETNA, ALASKA,” BY INCREASING THE RATES FOR MONTHLY WATER AND SEWER CHARGES AND INTERRUPTED SERVICE FEES.

a. IM No. 11-133

6. Ordinance Serial No. 11-079: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGH-WIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAXES YEARS 1989 AND PRIOR, AND 1990 THROUGH 2011 AND NOT NEEDED FOR PUBLIC PURPOSE.

a. IM No. 11-134

7. Ordinance Serial No. 11-080: AN ORDINANCE AUTHORIZING A FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO PACARCTIC LOGISTICS, LLC, FOR MARINE AND SURFACE TRANSPORTATION, LOGISTICS, AND TERMINAL OPERATOR SERVICES (MSB006489).

a. IM No. 11-137

8. Ordinance Serial No. 11-081: AN ORDINANCE TO SUBMIT AN ADVISORY QUESTION TO THE QUALIFIED NON-AREAWIDE VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2011, REGULAR BOROUGH ELECTION TO DETERMINE WHETHER THE PUBLIC SUPPORTS THE 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. 11-140

B. INTRODUCTION (For public hearing – 08/02/11, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 11-061: AN ORDINANCE CREATING WAXWING STREET AND HALLIE DRIVE NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 449, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 11-125

2. Ordinance Serial No. 11-063: AN ORDINANCE CREATING FAIRVIEW ACRES AND LUPINE LANE ACRES ADDITION NO. 1 AREA NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 453, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 11-127

3. Ordinance Serial No. 11-064: AN ORDINANCE CREATING AURORA LANE AREA NO. 2 NATURAL GAS LOCAL IMPROVEMENT DISTRICT NO. 454, APPROVING THE IMPROVEMENT PLAN FOR THE DISTRICT, AUTHORIZING THE MANAGER TO PROCEED WITH THE IMPROVEMENT, AND ASSESSING EQUALLY AMONG THE PROPERTIES WITHIN THE DISTRICT THE COSTS OF THE IMPROVEMENT.
 - a. IM No. 11-128

4. Resolution Serial No. 11-086: A RESOLUTION NAMING THE POINT MACKENZIE PUBLIC SAFETY BUILDING THE “ART AND BOOTS SCATES PUBLIC SAFETY BUILDING.”
 - a. IM No. 11-141

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT (*Motion pending from 06/07/11*)

D. OTHER NEW BUSINESS

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

XI. RECONSIDERATION

- XII. EXECUTIVE SESSION *(for matters, the immediate public knowledge of which would clearly have an adverse effect upon the finances of the borough and matters which by law, municipal charter, or ordinance are required to be confidential and matters involving consideration of government records that by law are not subject to public disclosure.)*
- A. STATE REDISTRICTING PLAN *(Possible litigation and discussion of attorney work product)*
- XIII. MAYOR, ASSEMBLY, AND STAFF COMMENTS
- 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.