

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

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

REGULAR MEETING

6 P.M.

TUESDAY, JULY 16, 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: 05/22/13
- B. Special Assembly Meeting: 06/18/13
- C. Regular Assembly Meeting: 06/18/13

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

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Emergency Medical Services Board: 02/06/13
- b. Enhanced 911 Advisory Board: 02/12/13
- c. Local Emergency Planning Committee: 04/17/13
- d. Parks, Recreation, and Trails Advisory Committee: 03/26/13, 04/22/13, Resolution Serial No. 13-03
- e. Platting Board: 04/18/13, 05/02/13
- f. Port Commission: 04/15/13, Resolution Serial No. 13-003
- g. South Colony RSA Board of Supervisors: 10/17/12
- h. Talkeetna Sewer and Water Advisory Board: 05/22/13
- i. Transportation Advisory Board: 04/24/13
- j. Wastewater and Septage Advisory Board: 03/12/13
- k. Willow FSA Board of Supervisors: 04/11/13

2. Community Council Minutes:

- a. Meadow Lakes Community Council: 02/13/13
- b. Point MacKenzie Community Council: 02/14/13
- c. Talkeetna Community Council: 02/04/13

G. INFORMATIONAL MEMORANDUMS

1. IM No. 13-179: An Informational Memorandum (Revisor Of Ordinance) Regarding A Revision To MSB 17.73.250, Definitions, To Make A Change To The Definition Of "Substandard Dwelling."

VII. UNFINISHED BUSINESS

- A. AM No. 13-099: Award of Proposal No. 13-115P To USKH, Inc. In The Contract Amount of \$1,124,183 For The Seldon Road Extension Design.

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. 13-072: An Ordinance Creating Field Of View Park Subdivision Water Local Improvement District No. 476, 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. 13-133
 2. 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
 3. 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
 4. 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
 5. 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
 6. Ordinance Serial No. 13-084: An Ordinance Approving An Appropriation Of \$150,000 From Greater Butte Road Service Area No. 26 Fund Balance, Fund 280, To Fund 410, Project No. 30046, For Greater Butte Road Service Area No. 26 Capital Projects.
 - a. IM No. 13-147

7. 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
8. 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
9. 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
10. 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
11. 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
12. 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

13. Ordinance Serial No. 13-095: An Ordinance Appropriating \$65,000 From The Areawide School Site Acquisition Reserve Fund 100, To Fund 400, Project No. 40188 And Approving The Land Acquisition Of Lot 19, Block 1, Palmer West For The Purpose Of Expanding The City Of Palmer Water Line Utility From Helen Drive To Valley Pathways School (DPW 000105).

a. IM No. 13-170

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 13-080: A Resolution Approving The Financial Responsibility For The M/V Susitna For July 2013.

(1) IM No. 13-163

- b. Resolution Serial No. 13-081: 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. 13-172

- c. Resolution Serial No. 13-082: A Resolution Approving The Start Up Of An Update To The Lake Louise Comprehensive Plan.

(1) IM No. 13-174

- d. Resolution Serial No. 13-083: A Resolution Endorsing The Nexus To Terrorism Act And Commending Alaska Senators Begich And Murkowski For Co-Sponsoring The Senate Bill. *(Sponsored By Assemblymember Keogh)*

(1) IM No. 13-177

2. ACTION MEMORANDUMS

- a. AM No. 13-102: Approval Of Change Order No. 3 To Lounsbury And Associates In The Amount Of \$500,000 For Engineering And Survey Services For Fiscal Year 2014.

- b. AM No. 13-103: Approval Of Change Order No. 3 To USKH, Inc. In The Amount Of \$500,000 For Engineering And Survey Services For Fiscal Year 2014.
- c. AM No. 13-104: Approval Of Change Order No. 3 To Hattenburg, Dilley, And Linnell, LLC. In The Amount Of \$500,000 For Engineering And Survey Services For Fiscal Year 2014.
- d. AM No. 13-105: Approval Of Change Order No. 2 To Hattenburg, Dilley, And Linnell, LLC. In The Amount Of \$100,000 For Geotechnical Services For Fiscal Year 2014.
- e. AM No. 13-106: Award Of Proposal No. 13-132P To Shannon And Wilson, Inc. In The Annual Contract Amount Of \$111,765 Per Year For A Contract Period Of Up To Five Years For The Borough Landfill Monitoring Wells Sampling And Analysis.
- f. AM No. 13-107: Approval Of Contract Amendment To Wolf Architecture In The Amount Of \$29,127 For The Government Peak Chalet Design.
- g. AM No. 13-108: Award Of Bid No. 14-004B To Pruhs Construction Company In The Contract Amount Of \$2,447,700 For 2013 Roads Paving.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 08/06/13, Palmer Community Center Depot, 610 South Valley Way, Palmer)

- 1. Ordinance Serial No. 13-096: An Ordinance Amending MSB 3.04.110, Regarding School District Lapse Of Appropriations. (*Sponsored By Mayor DeVilbiss*)
 - a. IM No. 13-162
- 2. Ordinance Serial No. 13-097: An Ordinance Amending The Subdivision Construction Manual To Establish Standards For The Design And Construction Of Anadromous Waterbody Crossings.
 - 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. 13-164
 - (2) IM No. 13-083

3. Ordinance Serial No. 13-098: An Ordinance Accepting, Appropriating, And Approving The Scope Of Work And Budget For A \$49,400 United States Department Of Homeland Security Assistance To Firefighters Grant And Requesting A Reappropriation For The Required Matching Funds In The Amount Of \$2,600 From The Caswell Lakes Fire Service Area Fiscal Year 2014 Operating Budget, Fund 248, To Project No. 45252, Fund 405, To Purchase A Breathing Air Compressor And Related Equipment, And High Pressure Hoses.
 - a. Resolution Serial No. 13-084: 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 A Breathing Air Compressor And Related Equipment, And High Pressure Hoses.
 - (1) IM No. 13-165
4. Ordinance Serial No. 13-099: An Ordinance Reappropriating \$151,945 From Fund 480, Project No. 47507, Project Management System, To The Fiscal Year 2014 Administration Operating Budget, Fund 100, For A Capital Projects Director.
 - a. IM No. 13-166
5. Ordinance Serial No. 13-100: An Ordinance Amending MSB 5.25.141 And Placing On The Ballot Of October 1, 2013, Regular Election, The Annexation Of Certain Properties South Of The Palmer Bridge Along The Matanuska-Susitna River, Into The Circle View And Stampede Estates Flood And Water Erosion Control Service Area To Be Renamed As The Lower Matanuska River Flood And Erosion Service Area.
 - a. Resolution Serial No. 13-085: A Resolution Finding The Annexation Of Riverside Properties From The Palmer Bridge To Stampede Estates Into The Circle View And Stampede Estates Flood And Water Erosion Control Service Area Serves The Public Interest Without Circulation Of Petition Among Residents In Said Area, As Allowed By MSB 5.10.015, Initiation By The Assembly.
 - (1) IM No. 13-167
6. Ordinance Serial No. 13-101: An Ordinance Accepting And Appropriating A \$18,268 Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Requesting A Reappropriation Of \$2,030 From The Sutton Fire Service Area Fiscal Year 2014 Operating Budget, Fund 253, To Project No. 20255, Fund 405, For Wildland/Fire Equipment.

- a. Resolution Serial No. 13-086: A Resolution Approving The Scope Of Work And Budget For The Alaska State Division Of Forestry Volunteer Fire Assistance Grant And Matching Funds For Sutton Fire Service Area, Project No. 20255, Fund 405.
(1) IM No. 13-168
7. Ordinance Serial No. 13-102: An Ordinance Amending MSB 17.59.060, Lake Management Plan Implementation To Address Ice Houses. *(Sponsored By Assemblymember Colver)*
 - a. IM No. 13-169
8. Ordinance Serial No. 13-103: An Ordinance Amending MSB 1.10.122, Delegation Of Parks And Recreational Powers To The City Of Wasilla (MSB006279).
 - a. IM No. 13-171
9. Ordinance Serial No. 13-104: An Ordinance Adopting MSB 3.15.035(H) And (I), Authorizing The Borough To Enact A Fifty Percent Tax Exemption For Farm Structures Used Exclusively For Farming Activity And Submitting The Question To The Qualified Voters Of The Borough At The October 1, 2013, Regular Borough Election. *(Sponsored By Assemblymember Keogh)*
 - a. IM No. 13-173
10. Ordinance Serial No. 13-105: An Ordinance Amending MSB 3.24.030(C), Distribution Of Motor Vehicle Registration Tax Revenues, To Prioritize Any Remaining Funds. *(Sponsored By Assemblymember Colver)*
 - a. IM No. 13-175
11. Ordinance Serial No. 13-106: An Ordinance Authorizing The Borough To Cause To Be Executed And Delivered And To Sell Not To Exceed \$9,250,000 Public Safety Building Lease Certificates Of Participation, 2013; Authorizing The Execution And Delivery Of A Lease, A Lease Purchase Agreement And Trust Indenture, And A Deed Of Trust To Secure The Certificates; Authorizing The Execution Of A Certificate Purchase Agreement; And Providing For Related Matters.
 - a. IM No. 13-176
12. Ordinance Serial No. 13-107: An Ordinance Relating To The Construction, Additions, Improvements, Betterments, Repair, Reconstruction, Or Acquisition Of Public Roads And Facilities Including Improving School Access Related Thereto In The Matanuska-Susitna Borough, Together With All Necessary Equipment And Transportation Facilities, And The Acquisition Of

Lands Or Rights In Lands In Connection Therewith, And A Debt Of The Borough, Authorizing The Issuance Of Areawide General Obligation Bonds Of The Borough In An Amount Not To Exceed The Sum Of Fifteen Million Seven Hundred Thousand Dollars (\$15,700,000) To Finance The Cost, In Whole Or In Part, Of Such Public Roads, Facilities And Lands, And Providing For The Submission To The Voters Of The Borough Of A Proposition Ratifying The Authorization Of Such Bonds At The October 1, 2013, Regular Borough Election. *(Sponsored by Assemblymembers Arvin, Colver, and Halter)*

a. IM No. 13-178

B. INTRODUCTIONS (For Public Hearing – 08/20/13, Assembly Chambers)

1. Ordinance Serial No. 13-091: An Ordinance Creating Circle View Area Natural Gas Local Improvement District No. 497, 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. 13-156

2. Ordinance Serial No. 13-092: An Ordinance Creating West Klutina Natural Gas Local Improvement District No. 511, 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. 13-157

3. Ordinance Serial No. 13-093: An Ordinance Creating East Coles Road And East Schwald Road Natural Gas Local Improvement District No. 500, 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. 13-160

4. Ordinance Serial No. 13-094: An Ordinance Creating Portion Of Greensward Subdivision Natural Gas Local Improvement District No. 514, 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. 13-161

- C. MAYORAL NOMINATIONS AND APPOINTMENTS
 - 1. VACANCY REPORT
 - D. OTHER NEW BUSINESS
 - E. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)
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- 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.**