

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Timothy L. Anderson

BOROUGH CLERK

Michelle M. McGehee, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Teresa S. Williams



BOROUGH ASSEMBLY

Lynne Woods, District 1

Bill Allen, District 2

Talis J. Colberg, District 3

Mary Kvalheim, District 4

Jody Simpson, District 5

Jim Colver, District 6

Betty Vehrs, District 7

ASSEMBLY AGENDA

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

REGULAR MEETING

6 P.M.

TUESDAY, AUGUST 2, 2005

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
 - A. Special Assembly Meeting: 07/12/05
 - B. Special Assembly Meeting: 07/19/05
 - C. Regular Assembly Meeting: 07/19/05
- VI. REPORTS/CORRESPONDENCE
 - A. AGENCY REPORTS
 1. Reports from cities
 2. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

1. Joint Assembly/School Board Committee on School Issues
2. Regional Transportation Planning Organization

C. MANAGER COMMENTS

1. State/Federal Legislation

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Enhanced 911 Advisory Board: 05/10/05, 05/24/05, 06/14/05
 - b. Knik Road Service Area No. 17: 06/09/05
 - c. Parks, Recreation, and Trails Advisory Board: Resolution Serial No. 05-08
 - d. Planning Commission: 07/05/05
 - e. Platting Board: 06/02/05, 06/16/05
 - f. Port Commission: 06/20/05, Resolution Serial No. 05-006
 - g. Talkeetna Sewer and Water Special Service Area No. 36: 04/28/05, 05/26/05
 - h. Transportation Advisory Board: 01/12/05, 02/13/05, 04/27/05, 05/25/05
2. Community Council Correspondence:
 - a. Willow Area Community Organization: 07/11/05

G. INFORMATIONAL MEMORANDUMS

VII. SPECIAL ORDERS (to begin at 7 p.m.)

A. PERSONS TO BE HEARD (Three minutes per person.)

B. PUBLIC HEARINGS (Three minutes per person.)

1. Ordinance Serial No. 05-114: AN ORDINANCE APPROVING THE MODIFICATION OF THE LEASE AGREEMENT WITH ALUTIIQ MANUFACTURING CONTRACTORS, LLC.,

EXPANDING ALLOWED USES, SUBLEASING, AND RELATED TERMS (MSB002946).

a. IM No. 05-180

2. Ordinance Serial No. 05-116: AN ORDINANCE ACCEPTING AND APPROPRIATING A \$66,200 ALASKA STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45158, FUND 425, FOR SURVEILLANCE, WARNING, ACCESS, AND INTRUSION CONTROL EQUIPMENT.

a. Resolution Serial No. 05-089: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT FOR THE WASILLA-LAKES FIRE SERVICE AREA, PROJECT NO. 45158, FUND 425, TO PURCHASE SURVEILLANCE, WARNING, ACCESS, AND INTRUSION CONTROL EQUIPMENT.

(1) IM No. 05-155

3. Ordinance Serial No. 05-117: AN ORDINANCE AMENDING MSB 2.12.090, AGENDA, ORDER OF BUSINESS, PARAGRAPHS C(7) AND C(9), BY MOVING THE CONSENT AGENDA TO SPECIAL ORDERS.

a. IM No. 05-179

4. Ordinance Serial No. 05-118: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,444 FROM THE ALASKA STATE OFFICE OF HISTORY AND ARCHAEOLOGY, TO FUND 480, PROJECT NO. 20358, TO RESEARCH THE FEASIBILITY OF NATIONAL HERITAGE AREA DESIGNATION FOR PROPERTIES WITHIN THE MATANUSKA-SUSITNA BOROUGH.

a. Resolution Serial No. 05-090: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO RESEARCH THE FEASIBILITY OF NATIONAL HERITAGE AREAS DESIGNATION FOR PROPERTIES WITHIN THE MATANUSKA-SUSITNA BOROUGH.

(1) IM No. 05-182

5. Ordinance Serial No. 05-119: AN ORDINANCE ACCEPTING AND APPROPRIATING \$15,444 FROM THE ALASKA STATE DEPARTMENT OF NATURAL RESOURCES, OFFICE OF HISTORY AND ARCHAEOLOGY TO FUND 480, PROJECT NO. 20354, TO CREATE A DOCUMENT OR DESIGN GUIDELINES AND ASSIST THE COMMUNITY IN IMPLEMENTING AN ORDINANCE TO PROTECT THE 1935 MATANUSKA COLONY HISTORIC DISTRICT LOCATED IN PALMER.
 - a. Resolution Serial No. 05-091: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONTINUE TO CREATE A DOCUMENT OR DESIGN GUIDELINES AND ASSIST THE COMMUNITY IN IMPLEMENTING AN ORDINANCE TO PROTECT THE 1935 MATANUSKA COLONY HISTORIC DISTRICT LOCATED IN PALMER.
 - (1) IM No. 05-183

6. Ordinance Serial No. 05-120: AN ORDINANCE PROVIDING FOR THE SALE OF CERTAIN BOROUGHWIDE REAL PROPERTY ACQUIRED THROUGH TAX FORECLOSURE FOR DELINQUENT REAL PROPERTY TAXES YEARS 1997, 1998, AND 1999 AND PRIOR, AND FOR DELINQUENT SPECIAL ASSESSMENTS YEARS 2000 AND 2001 AND PRIOR, AND NOT NEEDED FOR PUBLIC PURPOSE.
 - a. IM No. 05-188

7. Ordinance Serial No. 05-121: AN ORDINANCE ACCEPTING AND APPROPRIATING \$240 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE TO FUND 480, PROJECT NO. 45131, FOR THE CONTINUATION OF THE SPRUCE BARK BEETLE WILDFIRE HAZARD MITIGATION PROJECT.
 - a. Resolution Serial No. 05-092: A RESOLUTION AMENDING THE BUDGET FOR PROJECT NO. 45131, FUND 480, FOR THE CONTINUATION OF THE SPRUCE BARK BEETLE WILDFIRE HAZARD MITIGATION PROJECT.
 - (1) IM No. 05-190

8. Ordinance Serial No. 05-122: AN ORDINANCE APPROVING REAPPROPRIATIONS FROM PROJECT NOS. 45030, 45055, 45071, 45090, 45115, 45154, AND 45155, TO THE GREATER PALMER FIRE SERVICE AREA FUND BALANCE, FUND 259,

IN THE AMOUNT OF \$348,015, TO CLEAR THE REMAINING BALANCES AND CLOSE THE PROJECTS.

a. Resolution Serial No. 05-093: A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 45030, 45055, 45071, 45090, 45115, 45154, AND 45155, FUND 405, TO CLEAR THE REMAINING BALANCES AND CLOSE THE PROJECTS.

(1) IM No. 05-191

9. Ordinance Serial No. 05-126: AN ORDINANCE ISSUING AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$12,700,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION, AND RENEWAL OF EDUCATIONAL CAPITAL IMPROVEMENT PROJECTS AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, BOROUGH ELECTION.

a. Ordinance Serial No. 05-127: AN ORDINANCE ISSUING AREAWIDE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$27,870,000 TO FINANCE THE CONSTRUCTION, MAJOR RENOVATION, AND RENEWAL OF EDUCATIONAL CAPITAL IMPROVEMENT PROJECTS AND RELATED CAPITAL IMPROVEMENTS IN THE BOROUGH, AND TO SUBMIT THE QUESTION OF THE ISSUANCE OF SUCH BONDS TO THE QUALIFIED VOTERS OF THE BOROUGH AT THE OCTOBER 4, 2005, BOROUGH ELECTION.

(1) IM No. 05-197

10. Ordinance Serial No. 05-128: AN ORDINANCE ACCEPTING AND APPROPRIATING \$200,384 FROM THE ALASKA STATE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO FUND 475, PROJECT NO. 20360, HUMAN SERVICES COMMUNITY MATCHING GRANT.

a. Resolution Serial No. 05-094: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR PARTICIPATION IN THE HUMAN SERVICES COMMUNITY MATCHING GRANT PROGRAM.

(1) IM No. 05-199

11. Ordinance Serial No. 05-129: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,500,000 GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE ACADEMY CHARTER GYM CONSTRUCTION, PROJECT NO. 40159.
 - a. Resolution Serial No. 05-095: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ACADEMY CHARTER SCHOOL GYM CONSTRUCTION, PROJECT NO. 40159.
 - (1) IM No. 05-200

12. Ordinance Serial No. 05-130: AN ORDINANCE ADOPTING MSB 3.04.075, TAX LEVY LIMITATION.
 (*Sponsor: Assemblymember Colver*)
 - a. IM No. 05-202

13. Ordinance Serial No. 05-131: AN ORDINANCE EXPANDING CURRENT NON-AREAWIDE HEALTH POWERS BY ADOPTING AREAWIDE HEALTH POWERS FOR THE LIMITED PURPOSE OF EDUCATING, REGULATING AND PROTECTING THE PUBLIC'S HEALTH, SAFETY, AND WELFARE AS AFFECTED BY METHAMPHETAMINES, AND REFERRING THE ISSUE TO THE VOTERS AT THE OCTOBER 4, 2005, GENERAL ELECTION.
 - a. Ordinance Serial No. 05-132: AN ORDINANCE ESTABLISHING REGULATIONS WITH REGARD TO THE SALE OF METHAMPHETAMINE PRECURSOR DRUGS WITHIN THE MATANUSKA-SUSITNA BOROUGH. (*Sponsor: Assemblymember Colver*)
 - (1) IM No. 05-203

C. AUDIENCE PARTICIPATION (Three minutes per person.)

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 05-026: AN ORDINANCE AUTHORIZING THE SALE OF TIMBER WITHIN APPROXIMATELY 900 ACRES OF BOROUGH-OWNED LAND DESCRIBED AS THE NORTH SHEEP CREEK FOREST MANAGEMENT UNIT TO APPLICANT NPI, LLC. (MSB004323) WITH A VALUE GREATER THAN \$25,000. (*Postponed from 04/19/05 - motion pending from 02/01/05*) (*Proposed substitute included in packet pocket- Ordinance Serial No. 05-026(SUB-1), IM No. 05-102.*)
 1. IM No. 05-038

2. IM No. 05-058

B. Resolution Serial No. 05-078: A RESOLUTION CREATING A PROCESS TO HAVE THE INTEREST OF THE BOROUGH REPORTED TO THE ALASKA STATE LEGISLATURE IN A TIMELY FASHION.

(Sponsor: Assemblymember Colver) (Motion pending 06/07/05)

(1) IM No. 05-154

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 08/16/05, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 05-133: AN ORDINANCE ACCEPTING AND APPROPRIATING \$4,000 FROM THE ALASKA HUMANITIES FORUM TO FUND 480, PROJECT NO. 20342, TO RESEARCH THE PREHISTORIC COLONIZATION OF SOUTH CENTRAL ALASKA.

a. Resolution Serial No. 05-102: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONTINUE RESEARCHING THE PREHISTORIC COLONIZATION OF SOUTH CENTRAL ALASKA BY EXAMINING ARTIFACTS AND SOIL PROFILES TAKEN FROM TWO PREHISTORIC SITES IN THE TRAPPER CREEK AND TALKEETNA AREAS.

(1) IM No. 05-201

2. Ordinance Serial No. 05-134: AN ORDINANCE ACCEPTING AND APPROPRIATING \$14,825 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT PROGRAM, TO FUND 480, PROJECT NO. 45188, FOR PARTICIPATION AND EXECUTION OF THE ALASKA SHIELD/NORTHERN EDGE EXERCISE.

a. Resolution Serial No. 05-103: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, PROJECT NO. 45188, FUND 480, FOR THE PREPARATION AND EXECUTION OF THE ALASKA SHIELD/NORTHERN EDGE EXERCISE.

(1) IM No. 05-205

3. Ordinance Serial No. 05-135: AN ORDINANCE ACCEPTING AND APPROPRIATING \$22,125 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT FOR THE BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE, FUND 480, PROJECT NO. 20259, FOR FISCAL YEAR 2006 OPERATIONS.
 - a. Resolution Serial No. 05-104: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT GRANT, PROJECT NO. 20259, FUND 480, FOR THE LOCAL EMERGENCY PLANNING COMMITTEE.
 - (1) IM No. 05-207

4. Ordinance Serial No. 05-137: AN ORDINANCE ACCEPTING AND APPROPRIATING \$3,884.93 FROM MATANUSKA TELEPHONE ASSOCIATION TO A NON-LAPSING CAPITAL FUND 480, PROJECT NO. 20312, FOR UPGRADING AND ENHANCING THE TELECOMMUNICATIONS AND INFORMATION SERVICES IN THE BOROUGH LIBRARIES.
 - a. IM No. 05-209

5. Ordinance Serial No. 05-138: AN ORDINANCE ACCEPTING AND APPROPRIATING \$5,000 FROM KNIK INDUSTRIES TO FISCAL YEAR 2006, AREAWIDE FUND, FUND 100, CULTURAL RESOURCES OPERATING BUDGET FOR THE PURPOSE OF HIRING AN ARCHAEOLOGICAL SITE SUPERVISOR FOR THE KNIK TOWNSITE ARCHAEOLOGICAL EXCAVATION.
 - a. IM No. 05-211

6. Ordinance Serial No. 05-139: AN ORDINANCE ADDING DEFINITIONS RELATED TO THE TAX LIMITATION BALLOT INITIATIVE TO SUBSECTION 3.15.010 (A) OF THE BOROUGH CODE.
 - a. IM No. 05-215

7. Ordinance Serial No. 05-140: AN ORDINANCE ADOPTING MSB 3.15.045, HARDSHIP TAX EXEMPTION CRITERIA FOR CONSIDERATION OF APPLICATIONS.
 - a. IM No. 05-129

B. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 05-105: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR TOURISM INFRASTRUCTURE (BED TAX) PROJECT NOS. 15006 AND 15030, FUND 480.
(1) IM No. 05-137

- b. Resolution Serial No. 05-106: A RESOLUTION PROVIDING FOR THE CONTINUANCE OF CERTAIN BOROUGH BOARDS AND COMMISSIONS ACCORDING TO ORDINANCE SERIAL NO. 04-080, WHICH IN PART ESTABLISHED THE PERMANENT CONTINUANCE OF BOARDS AND COMMISSIONS UNTIL FINAL DISPOSITION BY THE ASSEMBLY, AND CONTINUANCE OF COMMITTEES UNTIL SUCH TIME AS A FINAL REPORT HAS BEEN COMPLETED.
(1) IM No. 05-214

2. ACTION MEMORANDUMS

- a. AM No. 05-132: APPROVAL OF CHANGE ORDER TO WILDER CONSTRUCTION IN THE AMOUNT OF \$158,000 FOR THE 2005 ROADS PAVING PROJECT.

- b. AM No. 05-133: APPROVAL OF A VACATION OF THAT PORTION OF ADL 32386 CROSSING LOT 6, SECTION 4, TOWNSHIP 15 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, LOCATED WITHIN THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 15 NORTH, RANGE 4 WEST, IN THE POINT MACKENZIE COMMUNITY COUNCIL AREA.

- c. AM No. 05-134: AWARD OF BID NO. 05-179 TO L & N VENTURES FOR THE CONTRACT AMOUNT OF \$50,770 FOR THE UPGRADE OF KING ARTHUR DRIVE.

- d. AM No. 05-135: AWARD OF BID NO. 05-180 TO D & S ROAD SERVICES FOR THE CONTRACT AMOUNT OF \$52,810 TO CUT THE OVERGROWTH AND REPAIR

THE RUTS AND WASH OUTS BETWEEN SOUTHFORK ROAD AND MONTANA CREEK ROAD.

- e. AM No. 05-136: AWARD OF BID NO. 05-182 TO TEW'S EXCAVATION FOR THE CONTRACT AMOUNT OF \$38,520 FOR THE HAWK LANE AND KIOWA STREET PROJECT.
- f. AM No. 05-137: AWARD OF BID NO. 05-183 TO L & N VENTURES FOR THE CONTRACT AMOUNT OF \$44,670 FOR THE BURMA ROAD UPGRADE PROJECT.
- g. AM No. 05-138: AWARD OF BID NO. 05-185 TO RL TRUCKING FOR THE CONTRACT AMOUNT OF \$47,875 FOR THE UPGRADE OF PINNELL CIRCLE.
- h. AM No. 05-139: AWARD OF BID NO. 05-113 TO LITTLE SUSITNA CONSTRUCTION COMPANY FOR THE CONTRACT AMOUNT NOT TO EXCEED \$149,868 FOR THE COLONY HIGH SCHOOL VENTILATION IMPROVEMENTS.
- i. AM No. 05-140: AWARD OF BID NO. 05-121 TO CAPITAL OFFICE SYSTEMS FOR THE AMOUNT NOT TO EXCEED \$38,852.94 FOR THE PURCHASE OF READY ROOM FURNITURE FOR THE CENTRAL PUBLIC SAFETY BUILDING.
- j. AM No. 05-141: APPROVAL OF CHANGE ORDER TO COLLINS CONSTRUCTION FOR THE AMOUNT OF \$58,859 FOR THE COMPLETION OF VALUE ENGINEERED ITEMS IN THE WASILLA AREA ELEMENTARY SCHOOL CONSTRUCTION PROJECT.
- k. AM No. 05-142: APPROVAL OF CHANGE ORDER TO STEPPERS CONSTRUCTION FOR THE AMOUNT OF \$27,945.70 FOR THE CENTRAL LANDFILL CELL 2B CONSTRUCTION AS PART OF THE CENTRAL LANDFILL EXPANSION CELL DEVELOPMENT.

- l. AM No. 05-144: AWARD OF BID NO. 06-001 TO JANSSEN CONTRACTING COMPANY, INC. FOR THE CONTRACT AMOUNT OF \$10,602,777 FOR THE CONSTRUCTION OF THE NUTRITION SERVICES FACILITY.
- m. AM No. 05-145: APPROVAL OF EMPLOYEE TITLE CHANGE FROM PROGRAMMER/ANALYST TO INFORMATIONAL TECHNOLOGY (IT) SPECIALIST SYSTEMS ADMINISTRATOR.
- n. AM No. 05-147: AWARD OF PROPOSAL NO. 06-011 TO WILDER CONSTRUCTION IN THE CONTRACT AMOUNT NOT TO EXCEED \$584,325 FOR THE MATANUSKA RIVER SPUR DIKE NO. 5 DESIGN AND CONSTRUCTION.

C. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

D. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

XIV. ADJOURNMENT