

I. CALL TO ORDER

The special meeting of the Matanuska-Susitna Borough Assembly was held on August 9, 2011, at the Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6 p.m. by Presiding Officer Colver for the purpose of discussing Ordinance Serial Nos. 11-085, 11-085 (SUB), 11-081, and 11-084.

II. ROLL CALL

Assembly members present and establishing a quorum were:

Mr. Warren Keogh, Assembly District No. 1
Mr. Noel Woods, Assembly District No. 2
Mr. Ronald Arvin, Assembly District No. 3 (*Deputy Mayor*) (*attended telephonically*)
Mr. Mark Ewing, Assembly District No. 4
Ms. Cindy L. Bettine, Assembly District No. 5
Mr. Jim Colver, Assembly District No. 6 (*Presiding Officer*)
Mr. Vern Halter, Assembly District No. 7

Staff in attendance were:

Ms. Lonnie R. McKechnie, Borough Clerk
Mr. John Moosey, Borough Manager
Mr. Nicholas Spiropoulos, Borough Attorney
Ms. Brenda J. Henry, Executive Assistant to the Borough Clerk
Ms. Tammy Clayton, Finance Director (*attended telephonically*)
Mr. Brad Sworts, Transportation and Environmental Manager

III. APPROVAL OF AGENDA

Presiding Officer Colver:

- requested that the Manager and Attorney be able to provide a report to the Assembly directly after the pledge of allegiance;
- stated that he would like to hear from the School District regarding the school bond package, immediately following the pledge of allegiance; and
- queried if there was any objection.

There was no objection noted.

GENERAL CONSENT: The agenda was approved as amended without objection.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dr. Deena Paramo, School District Superintendent.

Mr. Moosey:

- spoke to the presentation that Mr. Lew Madden was to provide regarding the M/V Susitna;
- related that rather than have Mr. Madden speak for a few minutes under Manager comments that he would rather have a work session with the Assembly;
- noted that this is a priority project for the Assembly; and
- queried if the Assembly would like to schedule a work session.

Ms. McKechnie suggested that perhaps September 6 would be a good day for the Assembly.

Assemblymember Arvin queried the next available meeting date after September 6.

Ms. McKechnie responded that it would be September 20.

Discussion ensued regarding a scheduling a work session on the M/V Susitna.

(The Assembly decided to schedule a work session on August 30, 2011, at 6 p.m.)

Mr. Moosey:

- spoke to the action memorandum regarding the state lobbyist contract that was to be on the consent agenda on August 2;
- noted that he was asked to put the contract out for request for proposal; and
- queried how the Assembly would like to move forward on this issue.

Assemblymember Arvin:

- stated that he would like to see the action memorandum back on the consent agenda;
- spoke to the success of the current state lobbyist; and
- opined that he should be retained.

Assemblymember Keogh:

- noted his agreement; and
- requested that it be placed on the agenda for August 16.

Mr. Spiropoulos:

- noted that the Assembly had directed him to enjoin in the Cook Inlet Driftnetters Association litigation;
- related that the parties are looking at settling the suit administratively;
- advised the Assembly to not intervene at this time, as it may settle; and
- stated that he would like to schedule an executive session for September 20.

There was no objection noted.

Ms. McKechnie:

- stated that the Mayor had requested a joint meeting with the Municipality of Anchorage;
- noted that usually the bodies meet at the half-way point, which is Chugiak;
- related that she usually provides more than one date for the body to choose from; and
- queried how the body would like to proceed.

Assemblymember Bettine queried the topic of the joint meeting.

Ms. McKechnie stated that it would be the ferry and the bridge.

Presiding Officer Colver stated that the Assembly should first decide what month they would like to schedule the meeting.

Discussion ensued regarding:

- scheduling a joint meeting; and
- where to conduct it.

(The Assembly chose October for a joint meeting date.)

Ms. McKechnie:

- stated that she would check with the Mayor to see if October would work for him, as he is the one who requested the meeting;
- related that she would also speak to the Anchorage Clerk in order to see what dates are available for the Anchorage Assembly; and
- noted that she would report back to the body with potential meeting dates.

There was no objection noted.

V. UNFINISHED BUSINESS

- A. Ordinance Serial No. 11-085: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE AREAWIDE GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$214,195,000, TO FINANCE THE ACQUISITION, DESIGN, 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, 2011, BOROUGH REGULAR ELECTION.
- (1) Ordinance Serial No. 11-085 (SUB): AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE AREAWIDE GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$75,455,000, TO FINANCE THE ACQUISITION, DESIGN, 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, 2011, BOROUGH REGULAR ELECTION. *(Sponsored by Assemblymember Colver)*

- (a) IM No. 11-147
- (b) IM No. 11-165

MOTION PENDING: Assemblymember Woods moved to adopt Ordinance Serial Nos. 11-085 and 11-085(SUB).

Dr. Deena Paramo, School District Superintendent and Mr. Ken Forrest, Assistant Superintendent, provided a report regarding the District's revised proposed school bond package.

Assemblymember Bettine:

- noted that the Assembly has spent a lot of time working on the school bond;
- stated that it would be beneficial to know what kind of input has been provided regarding the new prioritized list; and
- related that it is hard for her to believe that sports facilities are a higher priority over classrooms.

Discussion ensued regarding:

- reasons why the field upgrades would be a priority on the bond package;
- sports field upgrades allowing the School District to host sanctioned sports events;
- the possibility of building a multi-use facility for use by all schools;
- why the School District prioritized the bond package;
- the desire of the School District to be responsive to what they perceived the Assembly wanted in the bond package;
- the surprise of the Assembly to get the new prioritized bond package;
- reasons that previous school bond packages failed at the polls;
- the need to be aware of the economic downturn;
- the difference in the five-year bond versus the new proposed two-year bond;
- the fact that each school having their own fields promotes community pride;
- the way the bond package has changed so dramatically since the beginning;
- the way the economy has affected the way the list has changed;
- the level of difficulty that one would have deciphering the needs of the School District, due to the numerous changes;
- which piece of legislation the Assembly would like to adopt;
- the fact that no projects can be bonded for without Assembly approval;
- the desire of the Assembly to address the life safety upgrades; and
- how the five-year bond could potentially affect the tax payers.

(The regular meeting recessed at 7:37 p.m. and reconvened at 7:50 p.m.)

Presiding Officer Colver queried if there was any objection to the Clerk providing direction on how the Assembly could dispense with the substitute ordinance.

There was no objection noted.

Ms. McKechnie provided direction on how the Assembly could dispense with the substitute ordinance.

Discussion ensued regarding how the Assembly would like to proceed regarding Ordinance Serial Nos. 11-085 and 11-085(SUB).

VOTE: The motion to amend by substitute Ordinance Serial No. 11-085(SUB) failed unanimously.

MOTION: Assemblymember Halter called for the question (to stop debate).

VOTE: The motion failed with Assemblymembers Halter and Ewing in support.

Assemblymember Bettine queried that if Assembly decides to put everything on the ballot, is there a way to only bond for the items that would be funded at 70 percent by the State.

Mr. Spiropoulos:

- advised that the body could strike items that are not subject to 70 percent reimbursement by the State;
- noted that all projects have to come back before the body in order for the bonds to be approved for issuance; and
- related that projects could be stricken at a later time.

Ms. Clayton:

- noted that at this time, none of the projects on the bond package have been submitted to the State for approval;
- stated that because of that, there is no way to know which projects will qualify for 70 percent reimbursement; and
- noted that language could be changed at the end of the ballot language that specifically states that bonds may not be issued unless a project is eligible for 70 percent debt reimbursement from the State.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-085 by striking the words “the percentage of” and inserting in its place “70 percent” in the second to last paragraph of the ballot language, to read: “Bonds may not be issued to pay costs of a project unless the project is eligible for the 70 percent debt service reimbursement from the state of Alaska specified in AS 14.11.100. Reimbursement is subject to legislative appropriation.”

Assemblymember Arvin queried if the bond package is passed by the voters, if the State has to provide the debt reimbursement.

Mr. Spiropoulos stated that reimbursement is always subject to annual legislative appropriation.

Discussion ensued regarding:

- how previous bond packages for schools have been received by the voters;
- how the State determines the percentage of debt service reimbursement;
- how boundary adjustments become necessary in order to ensure the 70 percent debt service reimbursement;
- whether or not any projects would drop off the bond package due to the primary amendment; and
- the impacts to the tax payers if growth does not support the five-year bond.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 11-085, to change the title of the proposition, by inserting at the beginning of the title the words “five year” to read: “Five-year educational and related capital improvement bonds.”

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 11-085, to strike the amount of “\$18,161,000”, for Finger Lake, Glacier View, Iditarod, Larson, Machentanz and Snowshoe Elementary Schools, Houston, Palmer, Su Valley and Wasilla High School Athletic Field Improvements, and insert in its place “\$18,461,000.”

Assemblymember Keogh opined that the body is going in the wrong direction by increasing the bond package.

Assemblymember Bettine stated that she does not support the amendment, as she believes the bond package needs to be under \$200,000,000.

Assemblymember Woods:

- noted that he is against the amendment; and
- opined that the bond language needs to be more clear as to what the voters are getting.

Presiding Officer Colver noted that some of the projects have been vetted and are shovel ready.

VOTE: The primary amendment passed with Assemblymembers Halter, Bettine, and Woods opposed.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-085, by striking:

- Finger Lake, Glacier View, Iditarod, Larson, Machentanz and Snowshoe Elementary Schools, Houston, Palmer, Su Valley and Wasilla High School Athletic Field Improvements - \$18,461,000; and
- Charter School Projects, Playground, Technology and Safety Improvements - \$450,000.

Assemblymember Ewing:

- stated that he is against the amendment; and
- opined that the projects should be spread across all Assembly districts as evenly as possible.

Assemblymember Halter:

- stated that sports safety is an important issue for the kids; and
- noted that he does not support the amendment.

MOTION: Assemblymember Arvin called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The primary amendment failed unanimously.

MOTION: Assemblymember Woods moved a primary amendment to Ordinance Serial No. 11-085, on page two, at the end of section two, to insert the following language: "If a series of bonds is to be issued to finance less than all of the projects, the Assembly must approve the specific projects to be financed before such series of bonds may be issued."

Assemblymember Arvin noted that Ms. Clayton had already advised that projects would require Assembly approval prior to issuance of bonds, per Borough Code.

Presiding Officer Colver queried if this amendment would be redundant.

Mr. Spiropoulos:

- noted that the language proposed by Assemblymember Woods is contained within the road bond legislation as well; and
- related that bond counsel had stated that it would be okay to include that language.

Assemblymember Woods opined that it is appropriate to ensure all bases are covered by including the language.

Assemblymember Keogh noted his support of the primary amendment.

VOTE: The primary amendment passed without objection.

Assemblymember Halter noted that he would like to amend the language under the title of the bond that would include language that would state that the bonds require a 70 percent match from the State and a 30 percent match by the Borough.

Mr. Spiropoulos:

- advised that if the voters are told that they only have to match by 30 percent, and then the State does not make full payments each year, that the voters have not authorized making up the difference; and
- noted that bond language is written a specific way for a reason.

Discussion ensued regarding how to ensure that voters understand the match required and that the 70 percent reimbursement is determined by legislative appropriation.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 11-085, at the end of the first paragraph in the ballot language, by inserting the following language “subject to eligibility for 70 percent of debt service reimbursement from the state of Alaska specified in AS 14.11.100.”

Discussion ensued regarding the best way to educate the voters on the debt reimbursement ratio.

VOTE: The primary amendment passed without objection.

Assemblymember Bettine queried whether anyone else feels that the bond package should be under \$200,000,000.

Presiding Officer Colver affirmed the query.

Assemblymember Bettine:

- noted that she incorrectly calculated her previous amendment; and
- opined that projects totaling \$20,000,000 need to be removed from the bond package in order to bring it down to \$200,000,000.

Presiding Officer Colver stated that he would like to see Mat-Su Day School for \$12,426,000 and Valley Pathways for \$22,515,000, stricken from the bond package.

Assemblymember Woods:

- stated that he constructed his amendment in such a way that if funding is not available, that the Assembly can amend the projects on the applications for reimbursement; and
- opined that it is not necessary to go through each item line by line.

Presiding Officer Colver:

- spoke to bonds that were approved by the voters and that the schools were never built; and
- stated that he is unsure why it happened but that it does.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-085, by striking “Valley Pathways School - \$22,515,000.’

Assemblymember Keogh requested to hear how the amendment might affect the School District.

Superintendent Dr. Paramo spoke to the different reasons alternative education is beneficial to students.

Assemblymember Ewing:

- noted his support of the amendment; and
- opined that kids choose to attend alternative schools when they could have attended a mainstream school.

Assemblymember Arvin:

- opined that it is not a fair assessment of an adolescent to make a proper choice;
- noted that alternative schools bring at-risk youth back into the school system, which ensures that they receive an education;
- related that he would like to see the bond package remain whole;
- stated that he understands the benefits of having an alternative delivery method for education; and
- opined that it is irresponsible for the body as policy makers to expect students to attend school in substandard facilities, whether they are excelling or not.

VOTE: The primary amendment failed with Assemblymembers Colver and Bettine in support.

MOTION: Assemblymember Halter called for the question (to stop debate).

VOTE: The motion passed without objection.

VOTE: The main motion passed as amended with Assemblymembers Bettine and Colver opposed.

(The meeting recessed 8:42 p.m. and reconvened at 8:51 p.m.)

Presiding Officer Colver queried if there was any objection to taking up the veto at this time.

There was no objection noted.

VII. VETO

A. MOTION TO OVERRIDE MAYORAL VETO OF ORDINANCE SERIAL NO. 11-081

1. 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

MOTION: Assemblymember Keogh moved to override the mayoral veto of Ordinance Serial No. 11-081.

Assemblymember Keogh:

- spoke to the vote when the legislation was first adopted;
- noted that he was surprised that there was a veto filed;
- related that the question is not a binding proposition, but an advisory vote;
- opined that it is important to hear from the public, as it is not a complex issue;
- related that the general policy around the country is that there is a setback equal to or greater than the height of the tower;
- spoke to the city of Palmer's setback requirement for towers being one and a half times the tower height; and
- stated that he will not be dissuaded of the fact that the voters can understand the subject.

Assemblymember Bettine:

- opined that the ballot language does clearly articulate to the voters what they would like to see happen so far as set-back requirements;
- noted that most property owners value their life safety issues more than anything;
- opined that the fall radius of towers is one of those issues;
- stated that she does think that it is a good idea to put it before the voters; and
- noted her support of overriding the veto.

Assemblymember Halter:

- opined that the Towers Committee that worked hard on this issue did the right thing;
- noted that their suggestions would provide staff and the Planning Commission options; and
- stated that he believes that it is a good idea to go with recommendations of the Towers Committee.

Assemblymember Arvin:

- noted that it has been reiterated that this is simply an advisory vote;
- spoke to a conversation he had with a member of the public, who opined to him that what is decided by the voters will be what is followed in the future; and
- opined that it will be forgotten that this was put out as an advisory vote only.

Assemblymember Ewing stated that he does not support the override.

Discussion ensued regarding:

- the fact that the city of Palmer recently improved their setback requirements to one and half times the fall radius;
- that the recommendation of Planning Commission was to have a fall radius equal to the height of the tower;
- how future growth could impact the ability to locate towers; and
- the desire of some of the members to follow the recommendations of the Towers Committee.

VOTE: The motion to override the mayoral veto of Ordinance Serial No. 11-081, failed with Assemblymembers Keogh, Halter, and Bettine in support (required five votes).

VI. RECONSIDERATION

- A. Ordinance Serial No. 11-084: AN ORDINANCE RELATING TO THE CONSTRUCTION, ADDITIONS, IMPROVEMENTS, BETTERMENTS, REPAIR, RECONSTRUCTION, OR ACQUISITION OF PUBLIC ROADS AND FACILITIES 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 ~~THIRTY-TWO MILLION DOLLARS (\$32,000,000)~~ \$25,250,000 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 4, 2011, REGULAR BOROUGH ELECTION.

(1) IM No. 11-146

Mr. Moosey provided a staff report.

RECONSIDERATION: Assemblymember Woods moved for reconsideration of Ordinance Serial No. 11-084.

VOTE: The motion for reconsideration passed without objection.

Assemblymember Keogh:

- related that he will be making an amendment to include Sullivan Road and Caudill Road due to comments Mayor DeVilbiss;
- stated that he does agree that there is parity between the Assembly Districts and the projects proposed for them;
- opined that the Borough does not need to take ownership of State owned collector roads when it is unknown if jurisdiction may or may not transfer to the Borough; and
- spoke to other projects that he had considered adding, but that the feedback from constituents was not positive.

MOTION: Assemblymember Keogh moved primary amendment or Ordinance Serial No. 11-084, by inserting a project as follows: "Sullivan and Caudill Road Upgrade from Old Glenn to Maud Road - \$2,500,000."

Assemblymember Keogh related that this is a collector road and owned and maintained by the Borough, which means that it meets the bond requirements.

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Halter moved primary amendment to Ordinance Serial No. 11-084, Seldon and Lucille Street intersection Safety Improvements - \$2,500,000, to strike the amount of "\$2,500,000," and to insert in its place "\$5,000,000" and to reinstate the previously deleted language to read: "Seldon and Lucille Street Intersection Safety Improvements, Lucille Street Upgrade North of Spruce, and Seldon improvements from Lucille to Wards Road."

VOTE: The motion passed without objection.

Assemblymember Bettine:

- stated that she had a discussion with Mr. Sworts regarding Vine Road Upgrade and Pathway Project;
- related that she had asked him if this could include a bike path all the way from the Parks Highway to Vine Road; and
- noted that he had advised her that the current project funds would be insufficient to include that.

Mr. Sworts related that the project should be increased to \$5,000,000 in order to accommodate that project.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-084, Vine Road Upgrade and Pathway, to strike the amount of "\$3,625,000" and insert in its place the amount of "\$5,000,000."

VOTE: The primary amendment passed without objection.

Assemblymember Woods spoke to concerns with paved pathways limiting the use of motorized vehicles.

Mr. Sworts advised that the use of paved pathways is governed by the size of the right-of-way.

MOTION: Assemblymember Woods moved a primary amendment to Ordinance Serial No. 11-084, to strike "Paved pathway adjacent to Old Glenn Highway in Butte, from Plumley Road to Knik River Bridge - \$1,250,000."

Discussion ensued regarding:

- Mayor DeVilbiss's suggestion to remove paved pathways from the bond package;
- how paved pathways assist in dust control;
- the fact that pathways are used by a large number of the population; and
- the possibility of a veto on the road bond package.

VOTE: The primary amendment failed with Assemblymembers Ewing and Woods in support.

Assemblymember Ewing:

- spoke to concerns with Fern Road to Edlund Road in District Four; and
- opined that it should be included in the road bond package.

Presiding Officer Colver queried the total of the bond package as amended.

Ms. Clayton stated that the total of the bond package would be \$31,625,000.

Assemblymember Ewing:

- opined that the Mayor's veto statement was confusing to the body, which has led to projects being stricken and re-inserted; and
- stated that he would like to see the 50-feet of road from Fern to Edlund be completed.

Assemblymember Bettine:

- noted that the Alaska State Department of Transportation will not give a permit to Edlund until a turn lane is built and a light installed on Knik Goose Bay Road;
- related that the city of Wasilla also has this on their project list; and
- opined that it has not been vetted and it should wait until the next bond package.

MOTION: Assemblymember Keogh moved primary amendment to Ordinance Serial No. 11-084, to move the two paved pathway projects to the end of the project list.

VOTE: The motion passed without objection.

Assemblymember Halter:

- stated that he would like to amend the title; and
- queried if there could be any negative impacts to how the Borough would receive the funds as a result

Ms. Clayton stated that with this type of bond, that it would be in the form of a grant.

Mr. Spiropoulos advised that it would not cause an issue to amend the title.

MOTION: Assemblymember Halter moved a primary amendment to Ordinance Serial No. 11-084, to amend the ballot proposition title, by:

- inserting the words "50 Percent State Match Borough," at the beginning of the title to read: "Fifty percent state match Borough Transportation Systems Bonds;" and
- by inserting into the beginning of the paragraph that immediately follows the total of the bond package, the following sentence: "The is the amount of the Borough's contribution for the above projects."

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-084, Big Lake and South Big Lake road Intersection Improvements, by striking the amount of "\$500,000," and inserting in its place "\$1,000,000."

VOTE: The primary amendment passed without objection.

MOTION: Assemblymember Bettine moved a primary amendment to Ordinance Serial No. 11-084, cost of issuance, to strike "325,000," and insert in its place "\$365,000."

Presiding Officer Colver noted that the cost of the bond would be \$32,165,000.

Assemblymember Halter noted that he was never looking at districts, but considering the best way to move traffic within the Borough.

VOTE: The motion passed without objection.

(Assemblymember Arvin exited the meeting at 9:44 p.m.)

VOTE: The main motion was adopted as amended without objection.

B. MOTION TO OVERRIDE ANY POSSIBLE MAYORAL VETO ON PROPOSITION LEGISLATION FOR THE OCTOBER 2011 ELECTION(*Ordinance Serial No. 11-083, Resolution Serial No. 11-087, Ordinance SerialNo.11-084, Ordinance Serial Nos. 11-085 and 11-085(SUB), Ordinance Serial No. 11-097, and Ordinance Serial No. 11-099*)

(There were no vetoes presented.)

VIII. AUDIENCE PARTICIPATION

(There was no one present who wished to testify.)

IX. MAYOR, ASSEMBLY, AND STAFF COMMENTS

Assemblymember Halter stated that he would like to make an ordinance change that would allow the Assembly to lobby on behalf of bond packages.

Mr. Spiropoulos:

- noted that State law allows the Borough to comment on ballot propositions, but not on candidates;
- related that it must be a specific appropriation and there would be Alaska Public Offices Commission reporting involved;
- stated that the Borough has said that they will not lobby with public funds; and
- noted that code could be changed to mirror state law, which says it can be done if funds are appropriated directly for a specific purpose.

Assemblymember Halter queried if the School District could lobby for the school bond package.

Mr. Spiropoulos stated that they cannot due to the way code is currently written.

Assemblymember Bettine:

- related that she was called by Lori Tipton, who is a local news reporter;
- stated that she was sad to hear that Ms. Tipton will be leaving her position with the television station; and
- related that the station is short staffed and that the valley station will not be opened.

(Assemblymember Ewing exited the meeting at 9:48 p.m.)

Assemblymember Woods noted that within the revised ethics code proposed by the Ethics Board, that there is some language that should be addressed by the Assembly so far as the ability to lobby.

X. ADJOURNMENT

The special meeting adjourned at 9:51 p.m.


LARRY DeVILBISS, Borough Mayor

ATTEST:


LONNIE R. McKECHNIE, CMC, Borough Clerk

Minutes approved: 09/06/11