

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, SEPTEMBER 20, 2011

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 08/16/11
- B. Regular Assembly Meeting: 08/16/11

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. Space Issues

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Fairview RSA Board of Supervisors: 02/22/11
 - b. Greater Talkeetna RSA Board of Supervisors: 07/14/11
 - c. Mayor's Blue Ribbon Sportsmen's Committee: 02/17/11, 03/17/11, 04/21/11
 - d. Parks, Recreation, and Trails Advisory Board: 05/23/11, 06/27/11
 - e. Planning Commission: 06/20/11, 07/11/11, 07/18/11, Resolution Serial No. 11-14
 - f. Wasilla Lakes FSA Board of Supervisors: 01/24/11, 03/07/11
 - g. West Lakes FSA Board of Supervisors: 04/04/11
2. Community Council Correspondence:
 - a. Chickaloon Community Council: 05/11/11
 - b. Sutton Community Council: 01/13/11
 - c. Trapper Creek Community Council: 03/17/11, 05/19/11

G. INFORMATIONAL MEMORANDUMS

1. IM No. 11-219: MONTHLY REPORTING OF AMENDED CONTRACTS AND NEW AWARDS UNDER \$100,000, ALONG WITH SOLE SOURCE PROCUREMENTS, FOR THE PERIOD OF AUGUST 1, 2011, TO AUGUST 31, 2011.

VII. UNFINISHED BUSINESS

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

- B. Resolution Serial No. 11-062: A RESOLUTION AUTHORIZING EMINENT DOMAIN AND USE OF DECLARATION OF TAKING PROCEDURES TO ACQUIRE PROPERTY INTERESTS NEEDED FOR THE BOGARD ROAD EXTENSION EAST PROJECT.
 - 1. IM No. 11-099

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. 11-104: AN ORDINANCE CREATING CREEKSHORE ESTATES AND PORTION OF BROOKRIDGE ESTATES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 457, 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. 11-172
 - 2. Ordinance Serial No. 11-105: AN ORDINANCE AMENDING MSB 8.05, SOLID WASTE, TO ADD A SECTION MSB 8.05.085, DISTRIBUTION OF COMMERCIAL LITERATURE, AND TO AMEND MSB 8.05.10, DEFINITIONS.
(Sponsored by Assemblymember Bettine)
 - a. IM No. 11-178
 - 3. Ordinance Serial No. 11-115: AN ORDINANCE AUTHORIZING A FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO CENTRAL ALASKA ENERGY, LLC., FOR TANK FARM AND TRUCK RACK OPERATIONS (MSB00651).
 - a. IM No. 11-209
 - 4. Ordinance Serial No. 11-116: AN ORDINANCE AMENDING MSB 15.39, BOARD OF ADJUSTMENT AND APPEALS, BY ADDING AN APPELLATE PROCESS FOR PERSONAL WIRELESS SERVICES FACILITIES.
 - a. IM No. 11-163

5. Ordinance Serial No. 11-117: AN ORDINANCE AMENDING MSB 8.50, TRASH AND JUNK. *(Sponsored by Assemblymember Bettine)*
 - a. IM No. 11-183
6. Ordinance Serial No. 11-118: AN ORDINANCE ACCEPTING AND APPROPRIATING \$326,250 FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.
 - a. Resolution Serial No. 11-113: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.
 - (1) IM No. 11-185
7. Ordinance Serial No. 11-119: AN ORDINANCE AMENDING MSB 17.28, DESIGNATING THE ALSOP PIT AN INTERIM MATERIALS DISTRICT, LOCATED WITHIN TOWNSHIP 15 NORTH, RANGE 4 WEST, SECTIONS 28 AND 33 SEWARD MERIDIAN.
 - a. IM No. 11-186
8. Ordinance Serial No. 11-120: AN ORDINANCE TO APPROVE THE REQUEST BY AGRICULTURAL RIGHTS OWNERS OF THE 1987 SALE FARM UNIT, CURRENTLY DESCRIBED AS SOUTHWEST 1/4 NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, ALASKA, CONTAINING 40.00 ACRES, MORE OR LESS, NORTH 1/2 SOUTHEAST 1/4 NORTHEAST 1/4 AND THE SOUTHWEST 1/4 SOUTHEAST 1/4 NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 3 EAST, SEWARD MERIDIAN, ALASKA, CONTAINING 25.86 ACRES, MORE OR LESS, AS DELINEATED ON THE SOUTHERN BOUNDARY BY NORTH WOLVERINE ROAD, TO VACATE THE LOT LINE BETWEEN THE TWO PARCELS, SUBDIVIDE THE FIVE ACRE HOME/HEADQUARTERS SITE, AND SELL THE REMAINING 60.86 ACRES TO AN ADJACENT AGRICULTURAL RIGHTS PROPERTY OWNER. SAID PROPERTY IS LOCATED WITHIN THE PALMER RECORDING DISTRICT AND THE LAZY MOUNTAIN COMMUNITY COUNCIL AREA (MSB001230).
 - a. IM No. 11-187

9. Ordinance Serial No. 11-121: AN ORDINANCE AMENDING MSB 5.20.005, REGARDING ALTERATION OF ROAD SERVICE AREAS. *(Sponsored by Assemblymember Halter)*
 - a. IM No. 11-193
10. Ordinance Serial No. 11-122: AN ORDINANCE AMENDING MSB 3.15.030, REQUIRED EXEMPTIONS CONCERNING UNTIMELY APPLICATIONS FOR TAX EXEMPTIONS FOR SENIOR CITIZENS AND DISABLED VETERANS. *(Sponsored by Assemblymember Bettine)*
 - a. IM No. 11-194
11. Ordinance Serial No. 11-123: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$1,568,478 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE PORT MACKENZIE PORT DEVELOPMENT AND ASSOCIATED RAIL LINE IMPROVEMENTS, TO FUND 450, PROJECT NO. 70001.
 - a. Resolution Serial No. 11-114: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE PORT MACKENZIE PORT DEVELOPMENT AND ASSOCIATED RAIL LINE IMPROVEMENTS.
 - (1) IM No. 11-197
12. Ordinance Serial No. 11-124: AN ORDINANCE AMENDING MSB 2.12.112, TO REQUIRE THAT WHEN A RECONSIDERATION IS DONE IN WRITING THAT A REASON FOR THE RECONSIDERATION BE PROVIDED. *(Sponsored by Assemblymember Halter)*
 - a. IM No. 11-198
13. Ordinance Serial No. 11-125: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$30,000,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE SOUTH CENTRAL RAIL EXTENSION FROM PORT MACKENZIE TO THE MAINLINE, TO FUND 490, PROJECT NO. 75001.

- a. Resolution Serial No. 11-115: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE SOUTH CENTRAL RAIL EXTENSION FROM PORT MACKENZIE TO THE MAINLINE PROJECT.
(1) IM No. 11-201
- 14. Ordinance Serial No. 11-126: AN ORDINANCE ACCEPTING AND APPROPRIATING \$20,000 FROM THE STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES, TO FUND 480, PROJECT NO. 20325 FOR INTERPRETIVE SIGNS.
 - a. Resolution Serial No. 11-116: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR INTERPRETIVE SIGNS.
(1) IM No. 11-202
- 15. Ordinance Serial No. 11-127: AN ORDINANCE ACCEPTING AND APPROPRIATING \$28,000 FROM THE STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, TO FUND 480, PROJECT NO. 47006, FOR TRANSIT PLANNING.
 - a. Resolution Serial No. 11-117: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SHORT RANGE TRANSIT PLAN.
(1) IM No. 11-203
- 16. Ordinance Serial No. 11-128: AN ORDINANCE ACCEPTING AND APPROPRIATING \$70,000 FOR A PORTION OF GRANT FUNDS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE DEPARTMENT OF EMERGENCY SERVICES FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS.
 - a. Resolution Serial No. 11-118: A RESOLUTION APPROVING THE SCOPES OF WORK AND BUDGETS FOR A PORTION OF THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT GRANTS FOR THE DEPARTMENT OF EMERGENCY SERVICES PROJECTS.
(1) IM No. 11-204

17. Ordinance Serial No. 11-129: AN ORDINANCE ACCEPTING AND APPROPRIATING \$13,565,000 FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.
 - a. Resolution Serial No. 11-119: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT.
 - (1) IM No. 11-205
18. Ordinance Serial No. 11-130: AN ORDINANCE ACCEPTING AND APPROPRIATING A 2011 HAZARDOUS FUELS WOODY BIOMASS UTILIZATION GRANT IN THE AMOUNT OF \$80,000 FROM THE UNITED STATES FOREST SERVICE FOR THE SUSITNA VALLEY HIGH SCHOOL WOOD BOILER SYSTEM, TO FUND 400, PROJECT NO. 40169.
 - a. IM No. 11-207
19. Ordinance Serial No. 11-131: AN ORDINANCE AMENDING MSB 2.12.090(D), AGENDA; NOTICE OF MEETING; ORDER OF BUSINESS. *(Sponsored by Mayor DeVilbiss)*
 - a. IM No. 11-211

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

- a. Resolution Serial No. 11-120: A RESOLUTION ALLOCATING HUMAN SERVICES COMMUNITY MATCHING GRANT FUNDS TO NON-PROFIT HUMAN SERVICE AGENCIES WITHIN THE COMMUNITY AND AUTHORIZING THE MANAGER TO ENTER INTO GRANT AGREEMENTS WITH THE SUB-GRANTEE AGENCIES.
 - (1) IM No. 11-215
- b. Resolution Serial No. 11-121: A RESOLUTION AMENDING THE SCOPE OF WORK FOR PROJECT NO. 35187, HATCHER PASS SKI DEVELOPMENT ROAD.
 - (1) IM No. 216

2. ACTION MEMORANDUMS

- a. AM No. 11-092: AWARD OF PROPOSAL NO. 12-005 TO USKH, INC. IN THE CONTRACT AMOUNT NOT TO EXCEED \$200,000 FOR THE MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT ADMINISTRATION BUILDING ROOF REPLACEMENT.

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 10/18/11, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 11-132: AN ORDINANCE AMENDING MSB 4.50.030(A), LOCAL EMERGENCY PLANNING COMPOSITION; MSB 4.50.040(A), LOCAL EMERGENCY PLANNING ORGANIZATION; AND MSB 4.50.060, LOCAL EMERGENCY PLANNING TERM OF MEMBERS.
 - a. IM No. 11-098
2. Ordinance Serial No. 11-133: AN ORDINANCE AMENDING MSB 17.23, THE POINT MACKENZIE PORT SPECIAL USE DISTRICT.
 - a. IM No. 11-188
3. Ordinance Serial No. 11-134: AN ORDINANCE AMENDING MSB 3.04.095 (B) AND (C), GENERAL FUND BALANCE POLICY AND RESERVATIONS. *(Sponsored by Assemblymembers Halter and Keogh)*
 - a. IM No. 11-192
4. Ordinance Serial No. 11-135: AN ORDINANCE ADOPTING THE CITY OF WASILLA 2011 COMPREHENSIVE PLAN UPDATE.
 - a. IM No. 11-195
5. Ordinance Serial No. 11-136: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$500,000 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE POINT MACKENZIE SHOAL STUDY COST SHARE, FUND 450, PROJECT NO. 70009.

- a. Resolution Serial No. 11-122: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE POINT MACKENZIE SHOAL STUDY COST SHARE.
 - (1) IM No. 11-196
- 6. Ordinance Serial No. 11-137: AN ORDINANCE APPROVING THE REQUEST BY THE AGRICULTURAL RIGHTS OWNER OF THE 1982 SALE FARM UNIT, CURRENTLY DESCRIBED AS SOUTH 1/2 SOUTH 1/2 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 4 WEST, SEWARD MERIDIAN, ALASKA, CONTAINING 160 ACRES, MORE OR LESS, TO SUBDIVIDE INTO FOUR 40-ACRE AGRICULTURAL RIGHTS PARCELS, SAID PROPERTY IS LOCATED WITHIN THE TALKEETNA RECORDING DISTRICT AND THE SUTTON COMMUNITY COUNCIL AREA (MSB002230).
 - a. IM No. 11-210
- 7. Ordinance Serial No. 11-138: AN ORDINANCE ACCEPTING AND APPROPRIATING \$2,000,000 FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT TO FUND 430, PROJECT NO. 35007, FOR THE PARKS HIGHWAY FRONTAGE ROAD AND INTERSECTION IMPROVEMENTS AT TRUNK ROAD PROJECT.
 - a. Resolution Serial No. 11-123: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR A PORTION OF THE FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT PROJECTS FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE PARKS HIGHWAY FRONTAGE ROAD AND INTERSECTION IMPROVEMENTS AT TRUNK ROAD, PROJECT NO. 35007, FUND 430.
 - (1) IM No. 11-213
- 8. Ordinance Serial No. 11-139: AN ORDINANCE ACCEPTING AND APPROPRIATING A GRANT IN THE AMOUNT OF \$750,000 FROM THE ALASKA STATE ENERGY AUTHORITY FOR THE SUSITNA VALLEY HIGH SCHOOL WOOD BOILER SYSTEM, TO FUND 400, PROJECT NO. 40169.

- a. Resolution Serial No. 11-124: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SUSITNA VALLEY HIGH SCHOOL WOOD BOILER SYSTEM.

(1) IM No. 11-214

- 9. Ordinance Serial No. 11-140: AN ORDINANCE ACCEPTING AND APPROPRIATING A FISCAL YEAR 2012 DESIGNATED LEGISLATIVE GRANT IN THE AMOUNT OF \$56,523.50 FROM THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE CONSTRUCTION OF THE HATCHER PASS SKI AREA, TO FUND 490, PROJECT NO. 75002.

- a. Resolution Serial No. 11-125: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS WITH THE ALASKA STATE DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT FOR THE CONSTRUCTION OF THE HATCHER PASS SKI AREA, FUND 490, PROJECT NO. 75002.

(1) IM No. 11-217

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. 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.)*

A. COOK INLET DRIFTNETTERS ASSOCIATION LITIGATION

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.