

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Curtis D. Menard

BOROUGH CLERK

Michelle M. McGehee, CMC

BOROUGH MANAGER

John Duffy

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Lynne Woods, District 1
Bill Allen, District 2
Michelle R. Church, District 3
Mary Kvalheim, District 4
Cindy L. Bettine, District 5
Robert F. Wells, District 6
Tom Kluberton, District 7

ASSEMBLY AGENDA

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

REGULAR MEETING

6 P.M.

TUESDAY, AUGUST 21, 2007

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

A. Regular Assembly Meeting: 07/17/07

B. Regular Assembly Meeting: 08/07/07

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. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Su Valley High School Update

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Caswell Lakes Road Service Area No. 15: 04/05/07
 - b. Historical Preservation Commission Resolution Serial No. 07-02
 - c. Real Property Asset Management Board: 05/09/07, 06/13/07; Resolution Serial No. 07-12
 - d. Wasilla-Lakes Fire Service Area Board of Supervisors: 05/14/07

G. INFORMATIONAL MEMORANDUMS

1. IM No. 07-216: AN INFORMATIONAL MEMORANDUM LISTING CONTRACT AWARDS AND AMENDMENTS IN THE AMOUNT OF \$100,000 OR LESS AND EMERGENCY PROCUREMENTS, FOR THE PERIOD OF JULY 1, 2007, TO JULY 31, 2007.

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. 07-040: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE RAVEN DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 412 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 07-041: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$38,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE RAVEN DRIVE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 412, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 07-088
2. Ordinance Serial No. 07-042: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE NORTH FLYING CIRCUS CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 413 AND

ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.

- a. Ordinance Serial No. 07-043: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$16,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE NORTH FLYING CIRCUS CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 413, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 07-089

3. Ordinance Serial No. 07-044: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE ASPEN STREET ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 414 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 07-045: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$36,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE ASPEN STREET ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 414, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 07-090

4. Ordinance Serial No. 07-046: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE OLD SQUAW LOOP AND COURT ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 415 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 07-047: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$68,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE OLD SQUAW LOOP AND COURT ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 415, AND FIXING DETAILS OF SAID BONDS.
 - (1) IM No. 07-091

5. Ordinance Serial No. 07-048: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE LINCOLN, SCHULZ AND ROSEHILL DRIVES ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 416 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 07-049: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$112,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE LINCOLN, SCHULZ AND ROSEHILL DRIVES ROAD

PAVING LOCAL IMPROVEMENT DISTRICT NO. 416, AND
FIXING DETAILS OF SAID BONDS.

(1) IM No. 07-092

6. Ordinance Serial No. 07-050: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE GERONDALE CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 417 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 07-051: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$44,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE GERONDALE CIRCLE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 417, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 07-093

7. Ordinance Serial No. 07-052: AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE ROSEMARY PLACE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 418 AND ESTABLISHING THE METHOD OF TERMINATING ASSESSMENTS AND MAKING REFUNDS TO PROPERTY OWNERS.
 - a. Ordinance Serial No. 07-053: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$26,000.00 PRINCIPAL AMOUNT OF SPECIAL ASSESSMENT BONDS FOR THE ROSEMARY PLACE ROAD PAVING LOCAL IMPROVEMENT DISTRICT NO. 418, AND FIXING DETAILS OF SAID BONDS.

(1) IM No. 07-094

8. Ordinance Serial No. 07-115: AN ORDINANCE AMENDING MSB 17.28, INTERIM MATERIALS DISTRICT, TO INCLUDE PROVISIONS FOR REGULATING EXCAVATION INTO THE SEASONAL HIGH WATER TABLE.
 - a. IM No. 07-100

9. Ordinance Serial No. 07-116: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE AND SELL NOT TO EXCEED \$5,750,000 ANIMAL CARE FACILITY LEASE CERTIFICATES OF PARTICIPATION, 2007; THE EXECUTION AND DELIVERY OF A LEASE AND A LEASE PURCHASE AGREEMENT AND TRUST INDENTURE TO SECURE THE CERTIFICATES; THE EXECUTION OF A CERTIFICATE PURCHASE AGREEMENT; AND PROVIDING FOR RELATED MATTERS.
 - a. Ordinance Serial No. 07-117: AN ORDINANCE AUTHORIZING THE MATANUSKA-SUSITNA BOROUGH TO ISSUE AND SELL

NOT TO EXCEED \$3,750,000 PUBLIC SAFETY BUILDING LEASE CERTIFICATES OF PARTICIPATION, 2007; TO DEFEASE AND REFUND THE EXISTING CERTIFICATES OF PARTICIPATION FOR THE PUBLIC SAFETY BUILDING; THE EXECUTION AND DELIVERY OF A LEASE AND A LEASE PURCHASE AGREEMENT AND TRUST INDENTURE TO SECURE THE CERTIFICATES; THE EXECUTION OF A CERTIFICATE PURCHASE AGREEMENT; AND PROVIDING FOR RELATED MATTERS.

(1) IM No. 07-111

10. Ordinance Serial No. 07-118: AN ORDINANCE ACCEPTING AND APPROPRIATING \$16,500 FROM THE ALASKA STATE OFFICE OF HISTORY AND ARCHAEOLOGY, TO FUND 480, PROJECT NO. 20358, TO CONTINUE RESEARCHING THE FEASIBILITY OF A NATIONAL HERITAGE AREA DESIGNATION FOR THE MATANUSKA, KNIK AND SUSITNA RIVER VALLEYS LOCATED WITHIN THE MATANUSKA-SUSITNA BOROUGH.

a. Resolution Serial No. 07-087: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO CONTINUE RESEARCHING THE FEASIBILITY OF A NATIONAL HERITAGE AREA DESIGNATION FOR THE MATANUSKA, KNIK AND SUSITNA RIVER VALLEYS LOCATED WITHIN THE MATANUSKA-SUSITNA BOROUGH.

(1) IM No. 07-190

11. Ordinance Serial No. 07-119: AN ORDINANCE REAPPROPRIATING \$25,000 FROM THE DUST CONTROL PROGRAM, PROJECT NO. 35000, FUND 410, TO FUND 415, FOR THE TALKEETNA SEWER AND WATER REPAIRS, UPGRADE, AND EXPANSION PROJECT, PROJECT NO. 25037, TO ALLOW FOR THE REPAVING OF B STREET.

a. Resolution Serial No. 07-088: A RESOLUTION AMENDING THE SCOPE OF WORK AND BUDGET FOR THE TALKEETNA SEWER AND WATER REPAIRS, UPGRADE, AND EXPANSION, PROJECT NO. 25037.

(1) IM No. 07-193

12. Ordinance Serial No. 07-120: AN ORDINANCE ACCEPTING AND APPROPRIATING \$22,081 FROM THE U.S. FISH AND WILDLIFE SERVICE TO FUND 480, PROJECT NO. 20368 FOR THE STRATEGIC CONSERVATION PLANNING THROUGH GREEN INFRASTRUCTURE PROGRAM.

a. Resolution Serial No. 07-089: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET AND AUTHORIZING THE

MANAGER TO ENTER INTO THE NECESSARY AGREEMENTS FOR THE STRATEGIC CONSERVATION PLANNING THROUGH GREEN INFRASTRUCTURE PROGRAM.

(1) IM No. 07-195

13. Ordinance Serial No. 07-121: AN ORDINANCE AMENDING MSB 17.02.010, INTENT AND APPLICABILITY, TO EXCLUDE THE CITY OF HOUSTON FROM THE REQUIREMENTS OF MSB 17.02, MANDATORY LAND USE PERMIT.
 - a. IM No. 07-196
14. Ordinance Serial No. 07-122: AN ORDINANCE REAPPROPRIATING \$119,991 FROM THE FISCAL YEAR 2008 AREAWIDE DUST CONTROL PROGRAM, PROJECT NO. 35000, FUND 410, TO FUND 830, FOR A FISCAL YEAR 2006 ROAD LOCAL IMPROVEMENT DISTRICT PROGRAM SHORTFALL.
 - a. IM No. 07-197
15. Ordinance Serial No. 07-123: AN ORDINANCE ACCEPTING AND APPROPRIATING \$17,800 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 2008 OPERATIONS.
 - a. Resolution Serial No. 07-090: 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 BOROUGH LOCAL EMERGENCY PLANNING COMMITTEE.
 - (1) IM No. 07-199
16. Ordinance Serial No. 07-124: AN ORDINANCE ACCEPTING AND APPROPRIATING AN ADDITIONAL \$5,287 FROM THE ALASKA STATE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT, TO FUND 480, PROJECT NO. 45126, TO ALLOW FOR THE CONTINUATION OF THE CITIZEN CORPS PROGRAM.
 - a. Resolution Serial No. 07-091: A RESOLUTION AMENDING THE BUDGET FOR THE CITIZEN CORPS PROGRAM, PROJECT NO. 45126, FUND 480, TO ALLOW FOR THE CONTINUATION OF THE CITIZEN CORPS PROGRAM.
 - (1) IM No. 07-202
17. Ordinance Serial No. 07-125: AN ORDINANCE AMENDING MSB 25.05.090, PROHIBITION ON USE OF PUBLIC MONEYS, TO

PROMOTE PASSAGE OF BALLOT PROPOSITIONS. (*Sponsored by:
Assemblymember Church*)

a. IM No. 07-205

C. AUDIENCE PARTICIPATION (Three minutes per person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. Resolution Serial No. 07-092: A RESOLUTION AMENDING THE BUDGETS OF PROJECT NO. 25029, CENTRAL LANDFILL MONITORING WELLS, PROJECT NO. 25030, SKWENTNA SOLID WASTE FACILITY DEVELOPMENT, PROJECT NO. 25034, HAZARDOUS WASTE FACILITY IMPROVEMENTS, PROJECT NO. 25041, ASPHALT PADS, AND PROJECT NO. 25046, LANDFILL (CENTRAL) IMPROVEMENTS TO THE SCALEHOUSE, AND AMEND THE SCOPE OF WORK AND BUDGET OF PROJECT NO. 25048, LANDFILL (CENTRAL AND TRANSFER SITES) EQUIPMENT, TO ALLOW THE PURCHASE OF LANDFILL EQUIPMENT.

(1) IM No. 07-201

b. Resolution Serial No. 07-093: 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. 07-206

c. Resolution Serial No. 07-094: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE FISCAL YEAR 2007 DESIGNATED LEGISLATIVE GRANT FROM THE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT KNIK ROAD SERVICE AREA NO. 17, FOR ROBERTS ROAD, CARMEL ROAD, PROJECT NO. 30040.

(1) IM No. 07-213

d. Resolution Serial No. 07-095: A RESOLUTION AMENDING THE SCOPE OF WORK FOR THE FISCAL YEAR 2007 DESIGNATED LEGISLATIVE GRANT FROM THE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT FOR GREATER WILLOW ROAD SERVICE AREA NO. 21, STORMYBROOK DRIVE, LAKESHORE DRIVE, PROJECT NO. 30042.

(1) IM No. 07-214

2. ASSEMBLY MEMORANDUMS

- a. AM No. 07-110: AN ACTION MEMORANDUM APPROVING A VACATION OF A 15' X 164.60' EASEMENT SHOWN ORIGINALLY ON SETTLERS BAY UNIT NO. 1, PLAT NO. 75-61 AND ON THE RECENT RECORDED SETTLERS BAY SUBDIVISION UNIT NO. 6, PLAT NO. 2007-71 LOCATED WITHIN A RIGHT-OF-WAY, LOCATED IN SECTION 3, TOWNSHIP 16 NORTH, RANGE 2 WEST, SEWARD MERIDIAN, ALASKA. LOCATED IN THE KNIK-FAIRVIEW COMMUNITY COUNCIL AREA.
- b. AM No. 07-111: AN ACTION MEMORANDUM APPROVING A CHANGE ORDER TO VALLEY GENERAL CONSTRUCTION IN THE AMOUNT OF \$27,700 FOR ADDITIONAL WORK FOR THE SURREY ROAD CULVERT REPLACEMENT PROJECTS, PROJECT NO. 30037.
- c. AM No. 07-112: AN ACTION MEMORANDUM AUTHORIZING THE PURCHASE OF SODIUM CHLORIDE FROM BERING MARINE CORPORATION FOR THE AMOUNT OF \$110,075 FOR WINTER ROAD MAINTENANCE.

VIII. UNFINISHED BUSINESS

- A. Ordinance Serial No. 07-089: AN ORDINANCE AMENDING MSB 19.08, SCHOOL BUILDING DESIGN AND CONSTRUCTION.
 - 1. IM No. 07-146
- B. Ordinance Serial. No. 07-110: AN ORDINANCE APPROVING AN APPROPRIATION OF \$440,000 FROM THE E-911 FUND BALANCE, FUND 202, TO FUND 480, PROJECT NO. 45184, TO PURCHASE AND INSTALL NECESSARY HARDWARE, SOFTWARE AND RELATED EXPENSES TO IMPLEMENT THE PHASE II WIRELESS CAPABILITIES IN THE E-911 SYSTEM.
 - 1. Resolution Serial No. 07-080: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE PHASE II WIRELESS CAPABILITIES IN THE E-911 SYSTEM PROJECT.
 - a. IM No. 07-182
- C. Ordinance Serial. No. 07-111: AN ORDINANCE APPROVING AN APPROPRIATION OF \$220,000 FROM THE E-911 FUND BALANCE, FUND 202, TO FUND PROJECT NO. 45184, FUND 480, TO PURCHASE AND INSTALL THE NECESSARY HARDWARE, SOFTWARE AND RELATED

EXPENSES TO IMPLEMENT THE DISPATCH BACK-UP AND OVERFLOW CAPABILITY IN THE E-911 SYSTEM.

1. Resolution Serial No. 07-081: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE DISPATCH BACK-UP AND OVERFLOW PROJECT.
 - a. IM No. 07-183

IX. NEW BUSINESS

A. INTRODUCTION (For public hearing - 09/04/2007, 7 p.m., Borough Assembly Chambers)

1. Ordinance Serial No. 07-126: AN ORDINANCE ACCEPTING AND APPROPRIATING \$63,188 FROM THE UNITED STATES FISH AND WILDLIFE SERVICE FOR THE FISH PASSAGE CONSTRUCTION PROJECT ON GOVERNMENT CREEK AT EDGERTON PARK ROAD, PROJECT NO. 30084, FUND 410.
 - a. Resolution Serial No. 07-096: A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE FISH PASSAGE CONSTRUCTION PROJECT ON GOVERNMENT CREEK AT EDGERTON PARK ROAD, PROJECT NO. 30084.
 - (1) IM No. 07-209
2. Ordinance Serial No. 07-127: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$70,000 FROM THE WASILLA-LAKES FIRE SERVICE AREA FUND BALANCE, FUND 250, TO THE FISCAL YEAR 2008 WASILLA-LAKES FIRE SERVICE AREA OPERATING BUDGET, FUND 250.
 - a. IM No. 07-210
3. Ordinance Serial No. 07-128: AN ORDINANCE APPROVING A SUPPLEMENTAL APPROPRIATION OF \$35,000 FROM THE BIG LAKE FIRE SERVICE AREA FUND BALANCE, FUND 256, TO THE FISCAL YEAR 2008 BIG LAKE FIRE SERVICE AREA OPERATING BUDGET, FUND 256.
 - a. IM No. 07-211
4. Ordinance Serial No. 07-129: AN ORDINANCE AMENDING MSB 4.60, HUMAN SERVICES CITIZENS ADVISORY COMMITTEE.
 - a. IM No. 07-212
5. Ordinance Serial No. 07-130: AN ORDINANCE AMENDING MSB 17.30, CONDITIONAL USE PERMIT FOR EARTH MATERIAL EXTRACTION ACTIVITIES, FOR CLARIFICATION OF APPLICABILITY.
 - a. IM No. 07-215

6. Ordinance Serial No. 07-131: AN ORDINANCE AMENDING MSB TITLE 15 – PLANNING, TO ADOPT THE 2007 CORE AREA COMPREHENSIVE PLAN UPDATE.
 - a. IM No. 07-217

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

X. RECONSIDERATION

XI. VETO

XII. EXECUTIVE SESSION

XIII. MAYOR AND ASSEMBLY COMMENTS

XIV. ADJOURNMENT