

# MATANUSKA-SUSITNA BOROUGH

350 East Dahlia Avenue, Palmer, Alaska 99645 - 907-861-8683

## **BOROUGH MAYOR**

Larry DeVilbiss

## **BOROUGH CLERK**

Lonnie R. McKechnie, CMC

## **BOROUGH MANAGER**

John Moosey

## **BOROUGH ATTORNEY**

Nicholas Spiropoulos



## **BOROUGH ASSEMBLY**

Jim Sykes, District 1  
Matthew Beck, District 2  
Ronald Arvin, District 3  
Steve Colligan, District 4  
Dan Mayfield, District 5  
Barbara J. Doty, District 6  
Vern Halter, District 7

## **ASSEMBLY AGENDA** **ASSEMBLY CHAMBERS** **350 EAST DAHLIA AVENUE, PALMER**

**REGULAR MEETING**

**6 P.M.**

**TUESDAY, MAY 5, 2015**

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PLEDGE OF ALLEGIANCE
- V. MINUTES OF PRECEDING MEETINGS
- 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. Joint MSB Assembly/MOA Assembly Transportation Subcommittee
    3. 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. Animal Care and Regulation Board: 09/08/14
- b. Alpine RSA Board of Supervisors: 04/08/14, 07/08/14, 10/13/14
- c. Aviation Advisory Board: 12/11/14, Resolution Serial No. 15-01
- d. Big Lake RSA Board of Supervisors: 11/13/14, Resolution 15-01
- e. Circle View & Stampede Estates Flood & Water Control SSA Board of Supervisors: 10/08/14
- f. Enhanced 911 Advisory Board: 01/13/15
- g. Fairview RSA Board of Supervisors: 11/18/14
- h. Greater Palmer Consolidated FSA Board of Supervisors: 09/09/14, 12/17/14
- i. Knik RSA Board of Supervisors: Resolution 15-01
- j. Local Emergency Planning Committee: 12/17/14
- k. Local Road Service Area Advisory Board: 02/19/15, Resolution 15-02
- l. Planning Commission: Resolution No. 15-15
- m. Platting Board: 02/05/15
- n. Port Commission: Resolution Serial No. 15-001
- o. Transportation Advisory Board: 02/17/15, 02/25/15, Resolution Serial No. 15-05

2. Community Council Minutes:

- a. Big Lake Community Council: 02/10/15
- b. Chase Community Council: 10/16/14
- c. Lazy Mountain Community Council: 01/19/14, 08/14/14
- d. Meadow Lakes Community Council: 02/12/15
- e. South Knik River Community Council: 04/17/14, 05/10/14, 10/16/14, 11/20/14
- f. Talkeetna Community Council: 11/03/14, 12/01/14, 01/05/15, 02/02/15, 03/02/15
- g. Trapper Creek Community Council: 02/19/15

G. INFORMATIONAL MEMORANDUMS

1. **IM No. 15-052:** Reporting Of Conclusion Of Contract For Proposal No. 14-091P To Howdie, Inc. For The Final Contract

Amount Of \$8,000,000 For Station 5-1, Design-Build, Project No. 10181.

## VII. 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. 15-051:** An Ordinance To Enter Into A Management Agreement Greater Than Five Years In Length With The Mountain View Estates Homeowners Association For 81,913 Square Feet Of Borough-Owned Property Dedicated To Public Purpose As Open Space, To Serve As A Buffer To Reduce Natural And Manmade Erosion Hazards, And To Protect The Public's Health, Safety, And Welfare (MSB006950).
    - a. IM No. 15-039
  2. **Ordinance Serial No. 15-052:** An Ordinance Accepting And Appropriating \$26,060 From The Alaska State Department Of Natural Resources, Office Of History And Archaeology To Fund 480, Project No. 47011, For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.
    - a. **Resolution Serial No. 15-042:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into An Agreement For The Purpose Of Completing The Cottonwood Creek Archaeological Survey For Nominating Phase II Of An Archaeological District For Listing In The National Register Of Historic Places.
      - (1) IM No. 15-091
  3. **Ordinance Serial No. 15-053:** An Ordinance Extending The Time Limit For Completion Of Borough Capital Projects.
    - a. IM No. 15-092
  4. **Ordinance Serial No. 15-054:** An Ordinance Approving The Land Classification Of Borough Parcel Tax ID No. 2167B11L020, Within Township 27 North, Range 7 West, Section 31, Seward Meridian, Alaska, As Reserve Use Lands For The Purpose Of A Temporary Public Access Corridor To The Kenny Creek Subdivision (MSB007026).
    - a. IM No. 15-094

5. **Ordinance Serial No. 15-055:** An Ordinance Accepting And Appropriating \$100,000 From The Willow Area Community Organization To Fund 435, Project No. 10060, For The Ground Source Heat Pump For The Willow Community Center Project.
  - a. **Resolution Serial No. 15-043:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Sign The Memorandum Of Agreement For The Design And Construction Of The Ground Source Heat Pump For The Willow Community Center Building Project, Project No. 10060.
    - (1) IM No. 15-095
  
6. **Ordinance Serial No. 15-056:** An Ordinance Reappropriating \$10,000 From The Planning Division Fiscal Year 2015 Operating Budget; \$10,000 From The Information Technology Department Fiscal Year 2015 Operating Budget; \$10,000 From The Capital Projects Department Fiscal Year 2015 Operating Budget; And \$10,000 From The Public Works Department Fiscal Year 2015 Operating Budget, Fund 100, To Fund 480, Project No. 47518, For The GIS/Cartograph Integration Project.
  - a. **Resolution Serial No. 15-044:** A Resolution Approving The Scope Of Work And Budget For The GIS/Cartograph Integration Project.
    - (1) IM No. 15-096
  
7. **Ordinance Serial No. 15-057:** An Ordinance Amending MSB 23.10.060, Considerations; MSB 23.10.180, Leases; And MSB 26.05.040(A)(6), Incentives; Relating To Less Than Fair Market Value Disposals.
  - a. **Resolution Serial No. 15-045:** A Resolution Amending Title 23, Land And Resource Management Policies And Procedures Manual, Real Property Disposals: Less Than Fair Market Value, Part 60. (*Sponsored By Assemblymember Mayfield*)
    - (1) IM No. 15-097
  
8. **Ordinance Serial No. 15-058:** An Ordinance Approving The Manager To Enter Into An Agreement With The University Of Alaska To Purchase The Fireweed Building, Located At 533 Fireweed Avenue, Palmer, Alaska, For The Purpose Of A Permanent Location For The Borough's Capital Projects Department (MSB006903).
  - a. IM No. 15-099
  
9. **Ordinance Serial No. 15-059:** An Ordinance Approving A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson, Located In The Area Of Trunk

Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project; And Authorizing The Manager To Execute The Documents Necessary To Complete The Land Exchange (MSB007034/DPW000085).

a. **Resolution Serial No. 15-046:** A Resolution Approving The Best Interest Finding In Support Of A Land Exchange Of .57 Acres Of Borough-Owned Land For .19 Acres Of Land Owned By Douglas L. Olson Located In The Area Of Trunk Road – Parks Highway Interchange For The Purpose Of The Trunk Road Extension South Road Project (MSB007034/DPW000085).

(1) IM No. 15-100

10. **Ordinance Serial No. 15-060:** An Ordinance Appropriating \$707,594 To Fund 495 For Issuance Costs From The Proceeds Of The Matanuska-Susitna Borough, State Of Alaska Lease Revenue Refunding Bonds, Series 2015 (Goose Creek Correctional Center Project).

a. IM No. 15-101

11. **Ordinance Serial No. 15-061:** An Ordinance Repealing Permanent Registration Of Motor Vehicles Over Eight Years Old And Permanent Registration Of Non-Commercial Trailers And Repealing Changes To The Motor Vehicle Tax Distribution To Restore The Distribution To The Original Amounts. (*Sponsored By Assemblymember Sykes*)

a. IM No. 15-103

12. **Ordinance Serial No. 15-062:** An Ordinance Amending MSB 3.04.075, Tax Levy Limitation, To Provide That The Tax Cap Does Not Apply To Taxes To Fund Service Areas. (*Sponsored By Assemblymember Halter*)

a. IM No. 15-105

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 15-047:** A Resolution Approving The Amended Scope Of Work And Budgets For Project No. 25035, Transfer Site Electrical Upgrades; Project No. 25048, Heavy Equipment Fueling System; And Project No. 25020, Shop Lights Upgrade, To Allow For The Installation Of Security Systems At The Central Landfill And Transfer Sites.

(1) IM No. 15-081

- b. **Resolution Serial No. 15-048:** A Resolution To Request The Removal Of State And Federal Legislation From The Manager Comments In The Agenda At Regular Meetings. *(Sponsored by Mayor DeVilbiss)*  
(1) IM No. 15-106
- c. **Resolution Serial No. 15-049:** A Resolution Supporting The Re-Write Of Title 17, Zoning, To Improve Its Functionality, Ease Of Understanding, Interpretation, And Enforcement; To Add Necessary Sections And Definitions Which Are Not Currently Present, And To Eliminate Redundant And Conflicting Processes.  
(1) IM No. 15-108
- d. **Resolution Serial No. 15-050:** A Resolution Amending The Scopes Of Work And Budgets For The Fiscal Year 2010 - 2012 Capital Project, Locker Room Improvements And Refrigeration System Repairs, Project No. 10157; And Fiscal Year 2015 Capital Project, Vented Skate Sharpener, Project No. 10157, For The Brett Memorial Ice Arena; And Amend The Scope Of Work For The Fiscal Year 2015 Capital Project Trapper Creek Community Center Parking Lot And Double Vaulted Public Restrooms, Project No. 47032.  
(1) IM No. 15-109
- e. **Resolution Serial No. 15-051:** A Resolution Amending The Scope Of Work For The Alaska State Division Of Homeland Security And Emergency Management Grant, Project No. 45158, Fund 425, For Emergency Operations Center Software And Incident Command System Training For Staffing An Emergency Operations Center.  
(1) IM No. 15-113

## 2. ACTION MEMORANDUMS

- a. **AM No. 15-051:** Approval To Enter Into A Utility Agreement With General Communication Inc. In The Amount Of \$148,926 For Utility Relocation Within The Bogard Road Extension East Project, Phase II, Project No. 35299.
- b. **AM No. 15-053:** Approval Of Contract Amendment For Purchase Order 2015-2786 To Matanuska Electric Association In The Amount Of \$190,347 For The Big Lake Intersection Improvement, Project No. 35404.

- c. **AM No. 15-054:** Award Of Bid No. 15-121B To Western Construction & Equipment, LLC In The Contract Amount Of \$2,308,970 For Clay Chapman/Knik Knack Mud Shack Road Construction.
- d. **AM No. 15-055:** Award Of Bid No. 15-128B To Ahtna Construction Inc. In The Contract Amount Of \$7,571,950.20 For Bogard Road Extension East Phase II Construction
- e. **AM No. 15-056:** Award Of Bid No. 15-123B To Ahtna Construction & Primary Products Corporation In The Contract Amount Of \$553,951.60 For Crystal Lake Road And Willow Creek Parkway Fish Passage Improvement Project.
- f. **AM No. 15-057:** Award Of Bid No. 15-132B To Valley General Construction, LLC In The Contract Amount Of \$145,625 To Reconstruct Portions Of Wildwood Drive And Highwood Drive.
- g. **AM No. 15-058:** Award Of Bid No. 15-115B To Western Construction & Equipment, LLC In The Contract Amount Of \$229,270 For Buddy Creek at Sawyer's Shady Street Fish Passage Improvement Project.
- h. **AM No. 15-059:** Award Of Bid No. 15-130B To Valley General Construction, LLC In The Contract Amount Of \$434,344 For Twilight Drive, New Moon Road, And Ogard Street Improvements.
- i. **AM No. 15-060:** Award Of Bid No. 15-122B To Western Construction & Equipment, LLC In The Contract Amount Of \$429,530.70 For Meadow Creek At Big Beaver Lake Road Fish Passage Improvement Project.
- j. **AM No. 15-061:** Vacate Any Public Interest In The Triangular Shaped Public Use Easement Over The Northwest Corner Of Tax Parcel C4 (Tract C MSB Waiver 2000-94-PWM). Easement Was Recorded As 2015-001282-0 And Is Located Within Section 2, Township 16 North, Range 2 West, Seward Meridian, Alaska.

## VIII. UNFINISHED BUSINESS

- A. **Ordinance Serial No. 15-039:** An Ordinance Placing A Moratorium On The Acceptance And Processing Of Applications To Dispose Of Fee Simple Interests Of Previously Disposed Borough Agricultural Property. *(Sponsored by Assemblymember Sykes)*
  - 1. IM No. 15-073
  
- B. **Ordinance Serial No. 15-040:** An Ordinance Confirming The Assessment Roll For The Field Of View Park Subdivision Community Water Local Improvement District No. 476 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - 1. **Ordinance Serial No. 15-041:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$332,000 Principal Amount Of Special Assessment Bonds For The Field Of View Park Subdivision Community Water Local Improvement District No. 476, And Fixing Details Of Said Bonds.
    - a. IM No. 15-077
  
- C. **Ordinance Serial No. 15-042:** An Ordinance Confirming The Assessment Roll For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508 And Establishing The Method Of Terminating Assessments And Making Refunds To Property Owners.
  - 1. **Ordinance Serial No. 15-043:** An Ordinance Providing For The Issuance And Sale Of Not To Exceed \$867,000 Principal Amount Of Special Assessment Bonds For The South Big Lake Road And West Susitna Parkway Natural Gas Local Improvement District No. 508, And Fixing Details Of Said Bonds.
    - a. IM No. 15-078

IX. VETO

X. NEW BUSINESS

- A. INTRODUCTIONS (For public hearing – 05/26/15, Assembly Chambers)
  - 1. **Ordinance Serial No. 15-066:** An Ordinance Approving An Appropriation Of \$82,000 From Meadow Lakes Road Service Area No. 27 Fund Balance, Fund 281, To Fund 410, Project No. 30047, For Meadow Lakes Road Service Area No. 27 Capital Projects.
    - a. IM No. 15-098
  
  - 2. **Ordinance Serial No. 15-067:** 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. 15-110

3. **Ordinance Serial No. 15-068:** An Ordinance Approving An Appropriation Of \$50,000 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. 15-111
  
4. **Ordinance Serial No. 15-069:** An Ordinance Amending Title 25, Elections, By Repealing Provisions For A Runoff Election For The Office Of Mayor To Mirror The Way Assembly Members Are Elected. *(Sponsored by Assemblymember Mayfield)*
  - a. IM No. 15-116
  
5. **Ordinance Serial No. 15-070:** An Ordinance Adopting MSB 3.04.083 Whereby A Mayoral Veto Of Expenditures Results In A Corresponding Reduction In The Real Property Tax Mill Rate.
  - a. IM No. 15-118
  
6. **Ordinance Serial No. 15-071:** An Ordinance Amending MSB 3.15.035(C), Optional Exemptions, Changing Business Inventory Tax. *(Sponsored by Assemblymember Sykes)*
  - a. IM No. 15-119

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)

1. **Ordinance Serial No. 15-072:** An Ordinance Amending MSB 1.45.100, Schedule Of Fines For Infractions; Standardizing Fines And Adding Fines For Code Infractions Where None Are Listed.
  - a. IM No. 15-080

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 861-8432 At Least One Week In Advance Of The Meeting.**