

# 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, JUNE 2, 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
    3. Transportation Advisory Board – Mr. Don Carney
  - 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

A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

2. Strategic Planning Issues

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:

- a. Fairview RSA Board of Supervisors: Resolution No. 15-02
- b. Gold Trail RSA Board of Supervisors: Resolution No. 15-01
- c. Planning Commission: 03/16/15, 04/06/15, 04/20/15, Resolution Nos. 15-13, 15-19 (AM), 15-21

2. Community Council Minutes:

G. INFORMATIONAL MEMORANDUMS

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. 15-033:** An Ordinance Amending MSB 17.19.045, Sheep Mountain Sub District, To Allow For Three Acre Lots In Cases Where A Waterbody, Easement, Or Roadway Splits An Existing Parcel. *(Sponsored By Assemblymember Sykes)*

- a. IM No. 15-055

2. **Ordinance Serial No. 15-076:** An Ordinance Reappropriating \$75,000 To A Sharepoint Development And Implementation Project Fund.

- a. **Resolution Serial No. 15-053:** A Resolution Approving The Scope Of Work And Budget For A Sharepoint Development And Implementation Project.  
 (1) IM No. 15-120

3. **Ordinance Serial No. 15-077:** An Ordinance Reappropriating \$60,000 To An Information Technology Security Project Fund.

pp. 39-79

pp. 80-101  
Sykes

pp. 102-106  
Arvin

pp. 107-109

pp. 110-114  
Arvin





A D O P T E D	A M E N D E D	P O S T P O N E D	D E F E A T E D

pp. 186-189  
Doty

- j. **AM No. 15-080:** Award Of Proposal No. 15-150P To Howdie, Inc. In The Contract Amount Of \$6,761,905 For The Design And Construction Of The New Fronteras Charter School.

VIII. UNFINISHED BUSINESS

IX. VETO

- 1. Motion To Override Any Possible Mayoral Veto On Fiscal Year 2016 Budget Items (Ordinance Serial No. 15-015).

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 06/16/15, Assembly Chambers)

pp. 190-199  
Arvin

- 1. **Ordinance Serial No. 15-063:** An Ordinance Amending MSB 15.24.031, Initiating And Amending Lake Management Plans, By Placing A Temporary Moratorium On Initiation And Amendments To Lake Management Plans.
  - a. IM No. 15-104

pp. 200-248  
Mayfield

- 2. **Ordinance Serial No. 15-083:** An Ordinance Authorizing A Fair Market Value Lease Of Borough-Owned Real Property To WestPac Logistics, LLC. For Marine And Surface Transportation, Logistics, And Terminal Operator Services (MSB006891).
  - a. IM No. 15-115

pp. 249-256  
Arvin

- 3. **Ordinance Serial No. 15-084:** An Ordinance Reappropriating \$194,800 From The Planning Division Fiscal Year 2015 Operating Budget, Fund 100, To Fund 480, For The Build-Out Analysis Project, The U-Med District Project, The Artifact Inventory And Relocation Project, The Planning Department Records Management Project, The Cab/Lab Relocation Project, The Planning Office Modification Project, And The Housing Analysis Project.

pp. 257-263

- a. **Resolution Serial No. 15-059:** A Resolution Amending The Budgets For Project Nos. 45005, 20384, 23087, 47036, And 47011, And Extending The Time Of Completion For Project Funding And Approving The Scope Of Work And Budget For The Build-Out Analysis Project, The U-Med District Project, The Artifact Inventory And Relocation Project, The Planning Department Records Management Project, The Cab/Lab Relocation Project, The Planning Office Modification Project, And The Housing Analysis Project.
  - (1) IM No. 15-131



There are no meeting minutes  
presented for approval

RECEIVED  
MAY 18 2015  
CLERKS OFFICE

Date Received:	<u>5/18/14</u>
Meeting Date Approved:	<u>6/2/15</u>
Clerk Approval:	<u>[Signature]</u>

MATANUSKA-SUSITNA BOROUGH  
AGENCY REPORTS

MEETING DATE REQUESTED: June 2, 2015

NAME OF SPEAKER: Don Carney, Chair

ORGANIZATION: Transportation Advisory Board (TAB)

PLEASE CHECK ONE OF THE FOLLOWING THAT APPLIES:

Governmental Agency \_\_\_\_\_ Have Received a Grant from the Borough \_\_\_\_\_ Borough Board

Borough Recognized Community Council \_\_\_\_\_ None Apply \_\_\_\_\_

DAYTIME TELEPHONE: 861-2003 <sup>TAB Secretary:</sup> FACSIMILE NO.: Debbie Passmore  
861-7716

SUBJECT: Recent TAB issues and resolutions

Resol 14-09 was revised and became 15-01; 14-10 Seldon Ext.;  
14-11 Jim Rowland; 14-12 postponed; 15-01 RTPD; 15-02 Pathways;

~~REQUESTED ACTION (if applicable):~~ 15-03 Future Road Bond Package;

15-04 Road Bond Package w/list and map; 15-05 Transportation  
System Bond Project with Tiered Packages;

- Documentation is attached for inclusion with assembly packet.
- Twenty-five (25) copies of a prepared statement or other pertinent document will be provided to the Clerk's Office by noon of the assembly meeting date.

**THERE IS (7) MINUTES ALLOTTED FOR YOUR PRESENTATION**

<b>FOR OFFICIAL USE</b>
Assembly Action/Comments:

**MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 14-10**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD IN SUPPORT OF SELECTION OF THE "FISHBACK" ALIGNMENT AS THE PREFERRED ALIGNMENT FOR PHASE II OF THE SELDON ROAD EXTENSION

---

WHEREAS, the purpose of the Seldon Road Extension project is to provide improved access to the local community and enhance east-west mobility through the Meadow Lakes area; and

WHEREAS, currently access to Meadow Lakes and mobility through the area is provided by major state roads such as the Parks Highway and Pittman Road; and

WHEREAS, the Meadow Lakes Comprehensive Plan lists the Seldon Road Extension as a top priority for traffic circulation; and

WHEREAS, Phase I of the Seldon Road Extension project is currently under construction and expected to open to public traffic in 2015; and

WHEREAS, the alignment alternatives for Seldon Road Extension Phase II have been evaluated by the Borough's engineering consultants as part of preliminary engineering and environmental analyses and is documented in the "Preliminary Engineering Report, Seldon Road Extension - Phase II"; and

WHEREAS, the "Fishback" alignment, as depicted in the "Preliminary Engineering Report, Seldon Road Extension - Phase II", minimizes the number of impacted private properties as well as the number of access points to private properties, thereby minimizing turning conflicts and associated safety concerns; and

WHEREAS, the "Fishback" alignment is expected to have relatively minor environmental effects, limited to private

property impacts and reasonable wetland impacts,

WHEREAS, the "Fishback" alignment minimizes utility conflicts and relocation requirements; and

WHEREAS, the estimated cost to construct the "Fishback" alignment is comparable to or less than the other alignments considered; and

WHEREAS, the design engineers recommend selection of the "Fishback" alignment as the preferred alignment, and Borough staff concurs; and

WHEREAS, the Preliminary Engineering Report was made available to the public on-line and a public meeting was held in Meadow Lakes on November 13, 2014; and

WHEREAS, the majority of the comments from private property owners who will be affected by the acquisition of right-of-way for the project favor the "Fishback" alignment.

NOW, THEREFORE, BE IT RESOLVED that the Transportation Advisory Board recommends that the "Fishback" alignment be selected as the preferred alignment for Phase II of the Seldon Road Extension.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 17<sup>th</sup> day of December, 2014.

  
Don Carney, Chair

ATTEST:

  
Debbie Passmore, Administrative Support

MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 14-11

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD IN APPRECIATION OF THE SERVICES OF MR. JIM ROWLAND.

---

WHEREAS, Mr. Rowland served on the Matanuska-Susitna Borough Transportation Advisory Board from January 1, 2012 to December 31, 2014; and

WHEREAS, Mr. Rowland was a reliable and committed member of the Board; and

WHEREAS, Mr. Rowland's vast knowledge of transportation issues contributed in many ways to discussions before the Transportation Advisory Board; and

WHEREAS, the Board members enjoyed serving with Mr. Rowland as a fellow board member and wish him well.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Transportation Advisory Board expresses its gratitude to Mr. Jim Rowland for having served as a member of the Transportation Advisory Board.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 17<sup>th</sup> day of December, 2014.

  
\_\_\_\_\_  
Don Carney, Chair

ATTEST:

  
\_\_\_\_\_  
Debbie Passmore, Administrative Support

MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 15-01

**A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH (MSB) TRANSPORTATION ADVISORY BOARD (TAB) TO THE MSB PLANNING COMMISSION AND ASSEMBLY REGARDING THE FORMATION AND FUNDING FOR AN MSB REGIONAL TRANSPORTATION PLANNING ORGANIZATION (RTPO).**

---

WHEREAS, the MSB has exceeded a population of 100,000 residents (up over 10,000 residents in less than five years); and

WHEREAS, the MSB encompasses 24,700 square miles (about the size of West Virginia) and currently has approximately 1,000 lineal miles of developed road system(s); and

WHEREAS, the MSB Planning Department *Build-Out Study* indicates that the Borough's secondary road network has not kept up with the growth over the last few years; and

WHEREAS, a population density of the *Build Out's* magnitude would increase traffic congestion to higher unacceptable levels; and

WHEREAS, planning and development to support transportation requirements of population increases of this nature will require a concentrated effort for expansion into unpopulated areas, or a compression of transportation and land use practices in the areas currently developed in the MSB, or a combination of these two solutions; and

WHEREAS, current federal law requires either the formation of a Metropolitan (Transportation) Planning Organization (MPO) when a municipal area reaches a population density of 50,000 within an urban core, based upon federal decennial census counts, or face incorporation into an existing MPO; and

WHEREAS, MAP 21 (the 2012-2014 federal transportation funding plan) allows for the formation of Regional

Transportation Planning Organizations (RTPO) in anticipation of reaching population density maximums and preparation for the implementation of an MPO; and

WHEREAS, both the Fairbanks and Anchorage municipal areas currently each have an MPO; and

WHEREAS, federal transportation practices allow for a newly qualified region being incorporated into an existing MPO; and

WHEREAS, the MSB has found incorporation into other regions for funding and support to be a less than satisfactory solution, e.g., Aging and Disability Resource Centers and the Anchorage/MSB Regional Transit Plan; and

WHEREAS, the various MSB regional citizenry representative bodies such as the Borough, cities, ADOT&PF, community and tribal councils, road service areas, transit providers and off-road locales should have formal inclusion in the MSB transportation planning process; and

WHEREAS, other transportation system providers such as the Alaska Rail Road Corporation, the Point MacKenzie Port Commission, the airports and the various transit services should have formal inclusion in the MSB transportation planning process; and

WHEREAS, the formation of an RTPO would allow for each of these regional transportation governing and transportation service provider bodies to formally participate in the MSB transportation planning process; and

WHEREAS, the formation of an RTPO is intended to assist the state in working with the region on local transportation planning and issues, giving the area a greater voice in the decision making process; and

WHEREAS, an RTPO is intended to be a pre-cursor to an MPO, Alaska Statute(s) defining and regulating the formation, duties,

policies, activities, funding, represented area and responsibilities of an Alaskan MPO can be adapted to define and regulate the activities of an MSB RTPO; and

WHEREAS, the existing MSB governmental transportation related bodies, i.e., the Transportation Advisory Board, Aviation Advisory Board, Local Road Service Area Advisory Board, Parks, Recreation and Trails Advisory Board, Port Commission, and Planning Commission are dedicated to considering, advising and/or taking action regarding existing plans; and

WHEREAS, an RTPO's primary purpose would be to participate in the planning process and provide input into both the MSB's Capital Long Range Transportation Plan and the State of Alaska Department of Transportation and Public Facilities Long Range Transportation Plan.

NOW, THEREFORE BE IT RESOLVED that the MSB Transportation Advisory Board recommends the initial funding and formation of a Mat-Su Borough Regional Transportation Planning Organization Core Committee (MSB RTPO CC) to define and work on the formation of the RTPO; and

FURTHERMORE, the RTPO CC shall be comprised of two representatives from each of the above-identified Commissions, Boards, Cities, ADOT&PF, and Councils (or as defined by the MSB Mayor) the purpose of which will be the creation of statute(s) similar to those of an MPO regarding the formation, regulation, duties, policies, activities, represented area and responsibilities of an MSB Regional Transportation Planning Organization; and

FURTHERMORE, THEREFORE BE IT RESOLVED that the initial MSB RTPO CC be charged with meeting a minimum of twice each month for a maximum of six months and utilizing existing State of Alaska and/or Municipality of Anchorage and/or Municipality of

Fairbanks Metropolitan (Transportation) Planning Organization statutes and/or regulations as a guide for the fully identified, organized and formed provisional RTPO's consideration, modification and approval; and

FURTHERMORE, THEREFORE BE IT RESOLVED that the fully formed RTPO be comprised of the members of the Core Committee and as many members as identified by the Core Committee from the ADOT&PF, Cities, Community and Tribal Councils, Chambers of Commerce, Economic Development Councils, the Public Transit Coalition, Corporations and/or Committees and/or representatives from the off-road locales and other organizations/entities as identified by the Core Committee; and

FURTHERMORE, THEREFORE BE IT RESOLVED that a minimum three-day meeting be held of the full RTPO to consider, confirm, prepare and present their formative findings in writing to the MSB Assembly for acceptance and/or forwarding to the Alaska State Legislature for consideration and/or funding; and

FURTHERMORE, THEREFORE BE IT RESOLVED that the funding for the deliberation, writing and delivery of the statute(s) for the Regional Transportation Planning Organization be formed, allocated and appropriated as outlined in Attachments A and B.

Adopted by the MSB Transportation Advisory Board this 21<sup>ST</sup> day of January, 2015.



Don Carney, Chairman

  
Debbie Passmore, Admin. Support

MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 15-01 - ATTACHMENT A

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH (MSB) TRANSPORTATION ADVISORY BOARD (TAB) TO THE MSB PLANNING COMMISSION AND ASSEMBLY REGARDING THE FORMATION AND FUNDING FOR AN MSB REGIONAL TRANSPORTATION PLANNING ORGANIZATION:

ATTACHMENT A

---

The approximate costs associated with the Regional Transportation Planning Organization Core Committee (RTPO CC) and the Regional Transportation Planning Organization (RPO) includes the following:

RTPO CC - potential requirement for formation expertise consultant to assist the effort is estimated at \$30,000.

RTPO - potential requirement for 3-day meeting to review, revise and finalize formation plan (including potential housing [per diem] for remote participants) is estimated at \$70,000.

NOTE: The total cost estimate for this effort was based upon the \$76,400 expended on the 2014 National Training Institute Transportation and Land Use Workshop.

MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY BOARD  
RESOLUTION SERIAL NO. 15-01 ATTACHMENT B

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH (MSB) TRANSPORTATION ADVISORY BOARD (TAB) TO THE MSB PLANNING COMMISSION AND ASSEMBLY REGARDING THE FORMATION AND FUNDING FOR AN MSB REGIONAL TRANSPORTATION PLANNING ORGANIZATION:

ATTACHMENT B - Suggested Membership

RTPO CORE COMMITTEE REPRESENTATION RECOMMENDATION (19 members):

The purpose and duties of the RTPO Core Committee shall be the creation of statute(s) similar to those of an MPO to be used in the formation, regulation, definition of duties, policies, activities, represented area(s) and responsibilities of a MSB Regional Transportation Planning Organization.

The initial selection for the roles of Chairman and Vice Chairman of this committee shall be determined by the MSB Mayor.

Planning Commission (2 Members): a Core Area representative and a representative from outside the Greater Palmer & Wasilla areas.

Transportation Advisory Board (2 Members): the At-Large member and a Transportation/ Transit representative

Aviation Advisory Board (2 Members): Airport Owner representative and Air Taxi/Guide representative

Port Commission (2 Members): 1 representative who resides in the Core Area and 1 representative who resides outside the Greater Palmer & Wasilla areas.

Road Service Area Board (2 Members): a Core Area representative and a representative from outside the Greater Palmer & Wasilla areas.

Parks, Recreation and Trails Board (2 Members): 1 representative from the Core Area and 1 member from a District outside the Core Area.

Advisory Members (4 members): 1 Alaska DOT&PF Planner, 1 Alaska DOT&PF Engineer, 1 MSB Planner and 1 MSB Design/Engineer.

Support Staff (3 Staff): Administrative Assistant staff support from each of the Advisory Member departments.

**RTPO FULL REPRESENTATION RECOMMENDATION (41 Members):**

Members of the RTPO Core Committee: 21 members

Alaska Department of Transportation and Facilities (2 Members):  
1 Regional Planner and 1 Design/Engineer as full members.

MSB Capital Projects and Operational Divisions (2 Members): 1  
Planner and 1 Design/Engineer as full members.

Incorporated Cities (6 Members): 1 Planning staff or appointed  
representative and 1 Administrative or Elected Official each  
from Palmer, Wasilla and Houston.

Alaska Rail Road Corporation (2 Members): 1 representative from  
the maintenance and operations department/division/section and 1  
representative from passenger services.

Mat-Su Borough Transit Coalition (2 Members): 1 transit service  
provider and 1 consumer organization representative.

Community and/or Tribal Councils (6 Members): 1 off-road system  
representative and 3 representatives from non-Core Area  
Community and 2 Tribal council representatives.

MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY BOARD  
RESOLUTION NO. 15-02

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD RECOMMENDING THE ADOPTION OF A POLICY THAT THE MATANUSKA-SUSITNA BOROUGH AND THE STATE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES INCLUDE CONSTRUCTION OF, OR WHERE NOT PRACTICAL OR FEASIBLE PROVIDE FOR FUTURE CONSTRUCTION OF, SEPARATED PATHWAYS WHEN CONSTRUCTING OR RECONSTRUCTING ANY COLLECTOR OR ARTERIAL ROADS WITHIN THE MATANUSKA-SUSITNA BOROUGH.

---

WHEREAS, the State of Alaska and the Matanuska-Susitna Borough construct and reconstruct collector and arterial roads throughout the Borough on a regular basis; and

WHEREAS, numerous collector and arterial roads within the Borough, lacking shoulders or separated pathways, are being utilized by the rapidly increasing population of bicyclists and pedestrians; and

WHEREAS, the increased number of vehicles on these roads, caused by a rapidly growing population in the Borough, is increasing the number of incidents of near-misses or accidents involving vehicles and bicyclists/pedestrians attempting to use the same space inside the white fog lines; and

WHEREAS, separated pathways along collectors and arterials will improve the safety of pedestrians and bicyclists; and

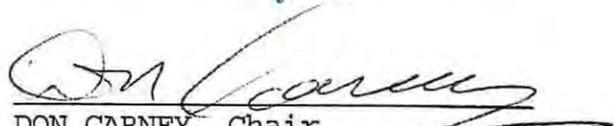
WHEREAS, the Matanuska-Susitna Borough's Long Range Transportation Plan recommends trails along major collectors and arterials within the borough; and

WHEREAS, the Transportation Advisory Board feels where separated pathways are not currently present they should be included during the construction or reconstruction of any collector or arterial within the Matanuska-Susitna Borough;

WHEREAS, the Board recognizes that funding, schedule or other constraints may make pathway construction not practical or feasible.

NOW, THEREFORE BE IT RESOLVED that the Matanuska-Susitna Borough Transportation Advisory Board recommends that the Assembly adopt a policy that the Matanuska-Susitna Borough and the state Department of Transportation and Public Facilities include construction of, or where not practical or feasible provide for future construction of, separated pathways when constructing or reconstructing any collector or arterial roads within the Matanuska-Susitna Borough.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 25<sup>th</sup> day of February, 2015.

  
DON CARNEY, Chair

  
DEBBIE PASSMORE, Admin. Support

**MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY  
RESOLUTION SERIAL NO. 15-03**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD IN SUPPORT OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING A BOROUGH ROAD BOND PACKAGE TO GO BEFORE THE VOTERS.

---

WHEREAS, the Matanuska-Susitna Borough's (Borough) Long Range Transportation Plan (LRTP) identifies \$1.2 Billion of needed road improvements between 2007 and 2025; and

WHEREAS, during this same time period the Borough's population is expected to more than double to 160,000 residents; and

WHEREAS, the transportation improvements identified in the LRTP must be programmed and funded for construction as early as possible in order to prevent congestion and unsafe conditions; and

WHEREAS, the Mayor's Blue Ribbon Task identified a lack of adequate federal and state funding for upgrading, extending and expanding the road network in the Borough; and

WHEREAS, this lack of funding will likely become more prevalent in 2015 as the Federal Highway Trust Fund was projected to be in deficit by \$1.1 Billion by December of 2014; and

WHEREAS, this pronounced deficit in the Federal Highway Trust Fund will cause on average, states to see a 28 percent drop in federal transportation dollars which projects out to an average \$17 Billion annual deficit from 2015-23; and

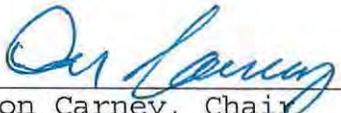
WHEREAS, the State of Alaska does not have a State Transportation Improvements Fund, but instead relies on the availability of oil funds to annually support projects chosen by the state legislature; and

WHEREAS, it is anticipated that a majority of state funds available for transportation will be needed to take the place of federal funds on the National Highway System, the State Highway System and roads owned by the state within the Community Transportation Program system; and

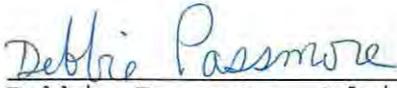
WHEREAS, it is therefore in the best interest of the citizens and property owners in the Borough to supplement the available state funds with the proceeds of Borough road bonds to build key elements of the Borough's transportation system.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Transportation Advisory Board supports the efforts of the Borough Assembly to issue general obligation bonds to finance the construction, additions, improvements, repairs and reconstruction of public roads and facilities to be put before the citizens of the Borough for a vote.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 21st day of January, 2015.

  
\_\_\_\_\_  
Don Carney, Chair

ATTEST:

  
\_\_\_\_\_  
Debbie Passmore, Administrative Secretary

**MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY  
RESOLUTION SERIAL NO. 15-04**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD IN SUPPORT OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING A BOROUGH ROAD BOND PACKAGE TO GO BEFORE THE VOTERS.

---

WHEREAS, the Matanuska-Susitna Borough's (Borough) Long Range Transportation Plan (LRTP) identifies \$1.2 Billion of needed road improvements between 2007 and 2025; and

WHEREAS, during this same time period the Borough's population is expected to more than double to 160,000 residents; and

WHEREAS, the transportation improvements identified in the LRTP must be programmed and funded for construction as early as possible in order to prevent congestion and unsafe conditions; and

WHEREAS, the Mayor's Blue Ribbon Task identified a lack of adequate federal and state funding for upgrading, extending and expanding the road network in the Borough; and

WHEREAS, this lack of funding will likely become more prevalent in 2015 as the Federal Highway Trust Fund was projected to be in deficit by \$1.1 Billion by December of 2014; and

WHEREAS, this pronounced deficit in the Federal Highway Trust Fund will cause on average, states to see a 28 percent drop in federal transportation dollars which projects out to an average \$17 Billion annual deficit from 2015-23; and

WHEREAS, the State of Alaska does not have a State Transportation Improvements Fund, but instead relies on the availability of oil funds to annually support projects chosen by the state legislature; and

WHEREAS, it is anticipated that a majority of state funds available for transportation will be needed to take the place of federal funds on the National Highway System, the State Highway System and roads owned by the state within the Community Transportation Program system; and

WHEREAS, it is therefore in the best interest of the citizens and property owners in the Borough to supplement the available state funds with the proceeds of Borough road bonds to build key elements of the Borough's transportation system.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Transportation Advisory Board supports the efforts of the Borough Assembly to issue general obligation bonds to finance the construction, additions, improvements, repairs and reconstruction of public roads and facilities as identified on Attachment A, Version 7 dated 3/18/2015, with the following recommended changes:

1. Revise the title of the last entry on the spreadsheet to "Park N Ride Lot (Meadow Lakes area)," and
2. Add "#34" to the spreadsheet at this project's entry, and
3. Add this project to the map's legend (not shown on map).

This is a non-prioritized list of needed projects, all or a portion thereof to be put before the citizens of the Borough for a vote.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 25th day of March, 2015.

  
Don Carney, Chair

ATTEST:

  
Debbie Passmore, Administrative Secretary

**This list is a compilation of transportation projects for consideration for potential bonding.**

Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
1	Smith Road & Smith Road Extension Upgrade and Pathway	The road currently has serious structural damage, no shoulders, and lacks guardrails in one area. Improvements to the road and construction of a pathway would benefit public safety for both drivers and pedestrians, and reduce wear and tear on vehicles. The pathway would also provide a link between the Old Glenn Highway pedestrian path and the Matanuska Peak trailhead, completing a link to the popular recreation area between the Butte and the City of Palmer.	1	\$2,750,000	Borough CIP	1.5
2	N Showers Street to Norman Avenue Connector	This project would construct a connector road for access improvement between N Showers Street and Norman Avenue.	1	\$850,000	RSA CIP	1.2
3	Stayton Avenue and Granite View Drive	This project would upgrade Stayton Avenue and Granite View Drive.	1	\$500,000	RSA CIP	0.8
4	Old Glenn Pathway (Our Road to Knik River) (project is currently at 35% design completed)	This project was part of the 2011 Matanuska-Susitna Borough bond package which is expected to build the pathway from Plumley Road to Our Road as part of Phase 1. The proposed project would complete pathway construction to the Knik River.	1	\$750,000	Previous Road Bond	0.8
5	Katherine Drive Connector (project is currently at 75% design completed)	The Katherine Drive Project is a component of the Trunk Road Connector project. Katherine Drive is the name of the proposed eastern leg of the project, connecting Trunk Road to Midtown Estates at the northern terminus of Manhattan Way. The purpose of this project is to provide secondary access to the subdivision via a local road and relieve pressure on the current Palmer-Wasilla Highway (PWH) intersections. As part of the AKDOT&PF PWH improvements a median will be constructed that will limit access to and from Westside Drive which is the current western Access for the subdivision.	1	\$800,000	Adjacent to a current road bond project	0.2
6	Walling Road Upgrade	This project would improve and pave Walling Road.	1	\$500,000	RSA CIP	0.7
7	Clark-Wolverine Road Erosion and Embankment Stabilization and Upgrade	This project would correct erosion and embankment stabilization issues along Clark-Wolverine Road near Wolverine Creek Canyon.	1	\$2,700,000	DOT Nomination	0.8
8	49th State Street Pathway	This project would construct a connecting pathway along 49th State Street between the Palmer-Wasilla Highway and Colony Schools Drive / Bogard Road, both of which have pathways.	1, 2	\$700,000	Safe Routes to School Program	0.8

Road Bond Project Nominations  
**DRAFT / PRE-DECISIONAL**

As of: 3/18/2015  
 Version 7

**This list is a compilation of transportation projects for consideration for potential bonding.**

Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
9	Settlement Avenue Extension East	This project would extend Settlement Ave east to Trunk Road providing alternate access for residents that typically travel Enstrom Rd and access Bogard Rd. In addition to providing for a secondary access route, this would help to alleviate congestion which occurs at the intersection of Engstrom and Bogard Roads.	1	\$5,500,000		1.0
<b>Assembly District 1 Total</b>				<b>\$15,050,000</b>		
10	Hemmer Road Extension (Valley Pathways School Access Improvement Project)	This project will improve access to the Valley Pathways School and a large residential subdivision by extending a road to the Palmer-Wasilla Highway/Hemmer Road intersection where there is a protected access via the traffic signal. Current access is by way of France Road which intersects with the Palmer-Wasilla Highway with no turn lanes or a traffic signal. Additionally a connection north to the new segment of Bogard Rd will be constructed to include potential upgrades to the existing segment of Hemmer between the Palmer-Wasilla Hwy and Arctic Ave.	2	\$6,000,000	Borough CIP	1.6
<b>Assembly District 2 Total</b>				<b>\$6,000,000</b>		
11	Nelson Road Extension North	This project would provide major collector road access for three large subdivisions to Fairview Loop. The proposed extension of Nelson Road would extend from the current end of the pavement north to Fairview Loop and would include realignment of Fairview Loop at the new intersection with Nelson Road to accommodate vehicular traffic queuing at the railroad crossing.	3	\$2,600,000	Borough CIP	0.6
12	Fern Street & Edlund Road Upgrades from Knik-Goose Bay Road to Fairview Loop and Pathway	This project would upgrade and add a pathway along Fern Street and Edlund Road from Knik-Goose Bay Road to Fairview Loop.	3, 4	\$4,000,000		1.6
13	N Green Forest Drive	This project will add shoulders and repave Green Forest Drive which provides connectivity between Bogard Road and the Palmer-Wasilla Highway. This project scope does <u>not</u> currently include realigning the intersection of Engstrom and Bogard with Green Forest and Bogard.	3	\$800,000	RSA CIP	1.2
14	Well Site Road Upgrade	This road upgrade would include improvements to address underground springs, wetland crossings, glaciating ice on the road bed, deteriorating pavement, and drainage problems.	3	\$250,000	RSA CIP	0.7
<b>Assembly District 3 Total</b>				<b>\$7,650,000</b>		
15	Hermon Rd Connection to Palmer-Wasilla Highway	This project would provide a connector between the Parks Highway and the Palmer-Wasilla Highway via Hermon Road.	4	\$4,000,000	Borough CIP (2013-2018)	0.4

**DRAFT / PRE-DECISIONAL**

**This list is a compilation of transportation projects for consideration for potential bonding.**

Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
16	Foothills Blvd to Paddy Place Upgrade	This project would upgrade Foothills Blvd to collector standards providing a connection between the Parks Highway and Knik-Goose Bay Road. This project also includes a fish passage culvert.	4, 5	\$1,700,000	RSA CIP	1.4
17	Museum Drive (project is at 95% design completed and ADOT&PF will construct the first segment as part of Parks Hwy project)	The Parks Highway from Wasilla to Big Lake is being upgraded to a four-lane highway due to high accident rates and traffic congestion. A frontage road system is required to pull local traffic off the Parks Highway. The Borough owns collector roads that run parallel with the Parks Highway corridor and could be used as frontage roads, but the collector roads are not connected. Museum Drive is one of four identified collector roads that could be used as frontage roads to relieve the Parks Highway of a significant amount of local traffic. The project would extend Museum Drive west from Parks Highway MP 47 to intersect with Vine Road and then link up with Marigold Drive at Sylvan Road.	4, 7	\$4,000,000	Borough CIP	2.0
Assembly District 4 Total				\$9,700,000		

18	Point MacKenzie Road Upgrade	This project would involve adding shoulders and resurfacing the existing road from Knik-Goose Bay Road to the intersection of Ayshire Road.	5	\$13,000,000	Borough CIP	7.5
19	S Big Lake Road and Hollywood Road Intersection Improvements	Two intersections in the downtown Big Lake area were a part of the 2011 Matanuska-Susitna Borough Road Bond package. Previous funding was only adequate to address one intersection. The remaining intersection at Hollywood Road requires improvements.	5	\$2,000,000	Borough CIP / Previous Road Bond	0.2
20	Horseshoe Lake Road, Big Lake, Phase 1	This project will upgrade an existing road around Horseshoe Lake. The first phase of the project consists of design for approximately five miles of road which will be widened and straightened with drainage ditches constructed to address water runoff. Funding for the project to date has been from the State of Alaska at \$700,000 which has funded ROW acquisition, Geo-technical data acquisition, and design. The design is currently at the 35% phase. There are a number of full and part time residences around the lake. Total cost to complete the project is \$5.2M.	5	\$2,000,000	Borough CIP RSA CIP	1.8
21	Johnsons Rd Upgrade (Hollywood to Garten)	This project would upgrade Johnsons Road between Hollywood Road and Garten Road.	5, 7	\$2,000,000	Pavement Preservation	1.8
22	Sylvan Ext (Sylvan Rd to Sylvan Ln)	This project would extend Sylvan Road south to Sylvan Lane to provide a north-south connection between the Parks Highway and Hollywood Road. This project will likely include a fish passage culvert.	5, 7	\$2,500,000	Borough CIP	1.4
Assembly District 5 Total				\$21,500,000		

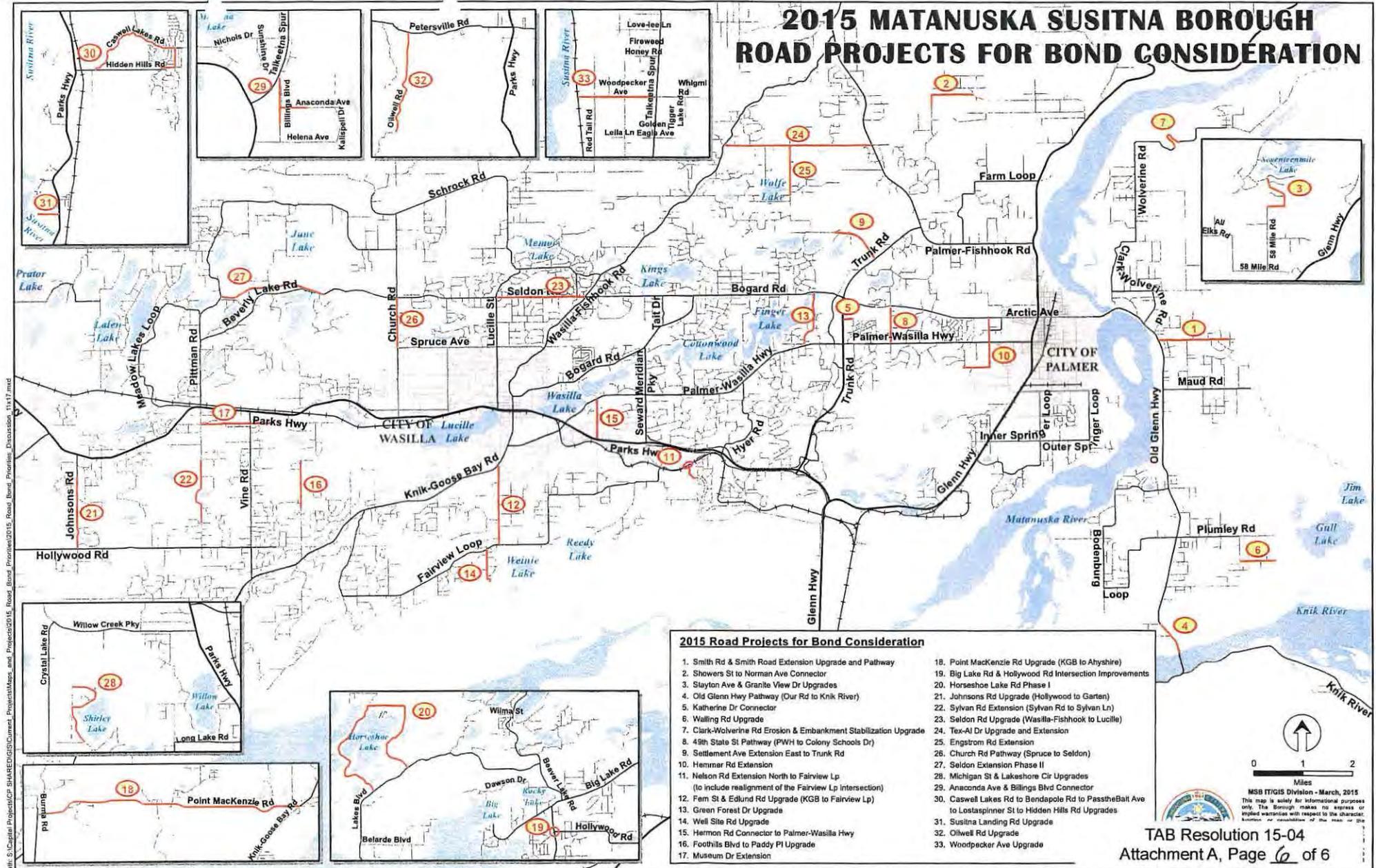
**This list is a compilation of transportation projects for consideration for potential bonding.**

Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
23	Seldon Road Upgrade and Pathway from Wasilla-Fishhook to Lucille Street (project could be broken into two phases: Wasilla Fishhook to Snow Goose and Snow Goose to Lucille)	The project calls for the upgrade of Seldon Road from Wasilla-Fishhook to Lucille Street, approximately 1.8 miles. This segment of Seldon currently consists of two 11-ft. travel lanes with no shoulders and minimal ditching. The proposed upgrade will increase the road width to two 12-ft. travel lanes with 8 foot shoulders with a separated paved pathway.	6	\$16,000,000	Borough CIP	1.8
24	Tex-Al Dr. Upgrade and Extension to Palmer Fishhook	Extend and upgrade East Tex Al Drive 1.6 miles to Palmer-Fishhook Road and upgrade the intersection with Wasilla-Fishhook as required to meet design criteria. This project had preliminary engineering with a profile survey, initial right-of-way research and soils testing in the early 1980s. The current (2007) Borough Long Range Transportation Plan lists this connection as an emergency access for residents in areas with only one ingress and egress.	6	\$5,500,000	Borough CIP	3.0
25	Engstrom Road Extension	This project would extend Engstrom Road to the north to connect to Tex-Al Dr. providing a collector road for access for residents on the north end of Engstrom who currently use residential subdivision roads as well as a more complete secondary road network for accessing arterials such as Palmer-Fishhook, Wasilla-Fishhook, and Bogard Roads.	6, 1	\$2,400,000	Borough CIP	1.0
26	Church Rd. Pathway (Spruce to Seldon)	The project will construct a pathway along Church Road. The trail will connect pathways between Spruce Avenue and Seldon Road. The project will provide safe pedestrian/bike access along this heavily-travelled route.	6, 4, 7	\$1,000,000	Borough CIP	1.0
<b>Assembly District 6 Total</b>				<b>\$24,900,000</b>		
27	Seldon Rd Ext Ph 2 (project is at 35% design completed)	The Seldon Road Extension project will extend Seldon Road past Church Road to a proposed new intersection with Pittman Road. The Seldon Road Extension – Phase 1 is currently under construction from Seldon Road to Beverly Lake Road, with a scheduled completion in summer 2015. Seldon Road Extension – Phase 2 begins at Beverly Lake Road near Windy Bottom Drive and ends at Pittman Road providing access for Pittman Road area residents travelling to Wasilla, as well as providing alternative access from Pittman Road to Church Road.	7	\$8,000,000	Borough CIP	1.8
28	N Michigan Street and Lakeshore Circle Upgrades	This project would upgrade existing roads and construct unbuilt portions	7	\$600,000	RSA CIP	1.3
29	E Anaconda Avenue and S Billings Blvd Connector	This project would upgrade the existing roads and construct a connector to the Talkeetna Spur Road providing for emergency access, secondary egress for residents, and commercial business access.	7	\$600,000	RSA CIP	0.8

**This list is a compilation of transportation projects for consideration for potential bonding.**

Label	Projects	Description	Assembly District	Cost Estimate	Nominating Source	Length (miles)
30	Caswell Lakes Road to South Bendapole Road to E. Passthebaite Avenue to Hidden Hills including South Caswell Lake Loop to Lot 15 Upgrades (project has a completed design)	This project is part of the 2011 Road Bond Projects. Due to lack of funding, the paving will not be completed and upgrades beyond Bendapole Road were not accomplished as part of the 2011 road bond. This includes Caswell Lakes Road to South Bendapole Road to E. Passthebaite Avenue to Hidden Hills including South Caswell Lake Loop to Lot 15 upgrades.	7	\$3,250,000	Borough CIP / Previous Road Bond	4.0
31	Susitna Landing Upgrades	This project would upgrade and pave Susitna Landing Road which leads to a State campground and boat launch, one of only two public access points for the Susitna River.	7	\$650,000	RSA CIP	0.8
32	Oilwell Road	This project would upgrade this road to Borough collector standards.	7	\$6,000,000	Borough CIP RSA CIP	6.0
33	Woodpecker Avenue, Talkeetna	This project would upgrade and pave this road to provide safer access and dust control for local residents and tourists accessing the Alaska Railroad.	7	\$600,000	RSA CIP	0.8
	Park N Ride Lot (Meadow Lakes near Pittman Road)	This project would construct a park-n-ride parking lot near Pittman Road and the Parks Highway similar to the one located at the Parks Highway and Seward Meridian Parkway to allow for car pooling. This project would help provide for congestion relief on the Parks Highway.	7	\$1,000,000		N/A
<b>Assembly District 7 Total</b>				<b>\$20,700,000</b>		
					<b>Total of Cost Estimates</b>	
<b>Borough Total</b>				<b>\$105,500,000</b>		

# 2015 MATANUSKA SUSITNA BOROUGH ROAD PROJECTS FOR BOND CONSIDERATION



## 2015 Road Projects for Bond Consideration

- |  |  |
|--|--|
| 1. Smith Rd & Smith Road Extension Upgrade and Pathway   | 18. Point MacKenzie Rd Upgrade (KGB to Ahysshire)  |
| 2. Showers St to Norman Ave Connector  | 19. Big Lake Rd & Hollywood Rd Intersection Improvements   |
| 3. Slayton Ave & Granite View Dr Upgrades  | 20. Horseshoe Lake Rd Phase I  |
| 4. Old Glenn Hwy Pathway (Our Rd to Knik River)  | 21. Johnsons Rd Upgrade (Hollywood to Garten)  |
| 5. Katherine Dr Connector  | 22. Sylvan Rd Extension (Sylvan Rd to Sylvan Ln)   |
| 6. Walling Rd Upgrade  | 23. Seldon Rd Upgrade (Wasilla-Fishhook to Lucille)  |
| 7. Clark-Wolverine Rd Erosion & Embankment Stabilization Upgrade   | 24. Tex-AI Dr Upgrade and Extension  |
| 8. 49th State St Pathway (PWH to Colony Schools Dr)  | 25. Engstrom Rd Extension  |
| 9. Settlement Ave Extension East to Trunk Rd   | 26. Church Rd Pathway (Spruce to Seldon)   |
| 10. Hemmar Rd Extension  | 27. Seldon Extension Phase II  |
| 11. Nelson Rd Extension North to Fairview Lp<br>(to include realignment of the Fairview Lp intersection) | 28. Michigan St & Lakeshore Cir Upgrades   |
| 12. Fem St & Edlund Rd Upgrade (KGB to Fairview Lp)  | 29. Anaconda Ave & Billings Blvd Connector   |
| 13. Green Forest Dr Upgrade  | 30. Caswell Lakes Rd to Bendepole Rd to PassheBart Ave<br>to Lostaspinner St to Hidden Hills Rd Upgrades |
| 14. Well Site Rd Upgrade   | 31. Susitna Landing Rd Upgrade   |
| 15. Hermon Rd Connector to Palmer-Wasilla Hwy  | 32. Oilwell Rd Upgrade   |
| 16. Foothills Blvd to Paddy Pl Upgrade   | 33. Woodpecker Ave Upgrade   |
| 17. Museum Dr Extension  |  |

  
 0 1 2  
 Miles

  
 MSB ITGIS Division - March, 2015  
This map is solely for informational purposes only. The Borough makes no express or implied warranty with respect to the accuracy, timeliness or completeness of the data or the information contained on this map or the information.

Path: S:\Capital Projects\CP - BUREAU\GIS\Current Projects\Map\_2015\_Road\_Bond\_Proposal\_Discussion\_15-17.mxd

**MATANUSKA-SUSITNA BOROUGH  
TRANSPORTATION ADVISORY  
RESOLUTION SERIAL NO. 15-05**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH TRANSPORTATION ADVISORY BOARD IN SUPPORT OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY CREATING A MATANUSKA-SUSITNA BOROUGH TRANSPORTATION SYSTEMS BOND PACKAGE TO GO BEFORE THE VOTERS IN OCTOBER 2015.

---

WHEREAS, the Matanuska-Susitna Borough's (Borough) Long Range Transportation Plan (LRTP) identifies \$1.2 Billion of needed transportation system improvements between 2007 and 2025; and

WHEREAS, during this same time period the Borough's population is expected to more than double to 160,000 residents; and

WHEREAS, the transportation system improvements identified in the LRTP must be programmed and funded for construction as early as possible in order to prevent congestion and unsafe conditions; and

WHEREAS, on March 6, 2007, the Mayor's Blue Ribbon Task Force on Road Service Areas identified a lack of adequate federal and state funding for upgrading, extending and expanding the transportation system network in the Borough; and

WHEREAS, this lack of funding will likely become more prevalent in 2015 as the Federal Highway Trust Fund was projected to be in deficit by \$1.1 Billion by December of 2014; and

WHEREAS, this pronounced deficit in the Federal Highway Trust Fund will cause on average, states to see a 28 percent drop in federal transportation dollars which projects out to an average \$17 Billion annual deficit from 2015-23; and

WHEREAS, the State of Alaska does not have a State Transportation Improvements Fund, but instead relies on the availability of oil funds to annually support projects chosen by the state legislature; and

WHEREAS, it is anticipated that a majority of state funds available for transportation will be needed to take the place of

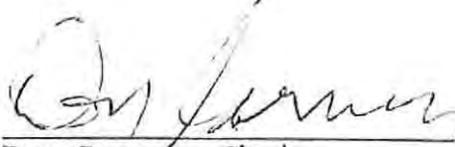
federal funds on the National Highway System, the State Highway System and roads owned by the state within the Community Transportation Program system; and

WHEREAS, it is therefore in the best interest of the citizens and property owners in the Borough to supplement the available state funds with the proceeds of Borough transportation system bonds to build key elements of the Borough's transportation system.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Transportation Advisory Board supports the efforts of the Borough Assembly to issue general obligation bonds to finance the construction, additions, improvements, repairs and reconstruction of public transportation systems and facilities as identified on Attachment A, TAB Transportation Systems Bond Project Tiered Packages, Final Version dated 4/15/2015.

This is a TAB recommended list of needed projects, all or a portion thereof, to be put before the citizens of the Borough for a vote.

ADOPTED by the Matanuska-Susitna Borough Transportation Advisory Board this 15<sup>th</sup> day of April, 2015.

  
Don Carney, Chair

ATTEST:

  
Debbie Passmore, Admin. Board Support

This is a Transportation Advisory Board (TAB) listing of tiered transportation packages for bond consideration							
Label	Projects	Description	Assembly District	Project Cost Estimates	Tier 1 (\$35M Package)	Tier 2 (\$50M Package)	Tier 3 (\$80M Package)
1	Smith Road & Smith Road Extension Upgrade and Pathway	The road currently has serious structural damage, no shoulders, and lacks guardrails in one area. Improvements to the road and construction of a pathway would benefit public safety for both drivers and pedestrians, and reduce wear and tear on vehicles. The pathway would also provide a link between the Old Glenn Highway pedestrian path and the Matanuska Peak trailhead, completing a link to the popular recreation area between the Butte and the City of Palmer.	1	\$2,750,000			\$2,750,000
2	N Showers Street to Norman Avenue Connector	This project would construct a connector road for access improvement between N Showers Street and Norman Avenue.	1	\$850,000		\$850,000	\$850,000
3	Stayton Avenue and Granite View Drive	This project would upgrade Stayton Avenue and Granite View Drive.	1	\$500,000			\$500,000
4	Old Glenn Pathway (Our Road to Knik River) (project is currently at 35% design completed)	This project was part of the 2011 Matanuska-Susitna Borough bond package which is expected to build the pathway from Plumley Road to Our Road as part of Phase 1. The proposed project would complete pathway construction to the Knik River.	1	\$750,000	\$750,000	\$750,000	\$750,000
5	Katherine Drive Connector (project is currently at 75% design completed)	The Katherine Drive Project is a component of the Trunk Road Connector project. Katherine Drive is the name of the proposed eastern leg of the project, connecting Trunk Road to Midtown Estates at the northern terminus of Manhattan Way. The purpose of this project is to provide secondary access to the subdivision via a local road and relieve pressure on the current Palmer-Wasilla Highway (PWH) Intersections. As part of the AKDOT&PF PWH improvements a median will be constructed that will limit access to and from Westside Drive which is the current western Access for the subdivision.	1	\$800,000	\$800,000	\$800,000	\$800,000
6	Clark-Wolverine Road Erosion and Embankment Stabilization and Upgrade	This project would correct erosion and embankment stabilization issues along Clark-Wolverine Road near Wolverine Creek Canyon.	1	\$2,700,000			\$2,700,000
7	49th State Street Pathway	This project would construct a connecting pathway along 49th State Street between the Palmer-Wasilla Highway and Colony Schools Drive / Bogard Road, both of which have pathways.	1, 2	\$700,000	\$700,000	\$700,000	\$700,000
8	Settlement Avenue Extension East	This project would extend Settlement Ave east to Trunk Road providing alternate access for residents that typically travel Enstrom Rd and access Bogard Rd. In addition to providing for a secondary access route, this would help to alleviate congestion which occurs at the intersection of Engstrom and Bogard Roads.	1	\$5,500,000			\$5,500,000
Assembly District 1 Total				\$14,550,000	\$2,250,000	\$3,100,000	\$14,550,000

This is a Transportation Advisory Board (TAB) listing of tiered transportation packages for bond consideration							
Label	Projects	Description	Assembly District	Project Cost Estimates	Tier 1 (\$35M Package)	Tier 2 (\$50M Package)	Tier 3 (\$80M Package)
9	Hemmer Road Extension (Valley Pathways School Access Improvement Project)	This project will improve access to the Valley Pathways School and a large residential subdivision by extending a road to the Palmer-Wasilla Highway/Hemmer Road Intersection where there is a protected access via the traffic signal. Current access is by way of France Road which intersects with the Palmer-Wasilla Highway with no turn lanes or a traffic signal. Additionally a connection north to the new segment of Bogard Rd will be constructed to include potential upgrades to the existing segment of Hemmer between the Palmer-Wasilla Hwy and Arctic Ave.	2	\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000
Assembly District 2 Total				\$6,000,000	\$6,000,000	\$6,000,000	\$6,000,000
10	Nelson Road Extension North	This project would provide major collector road access for three large subdivisions to Fairview Loop. The proposed extension of Nelson Road would extend from the current end of the pavement north to Fairview Loop and would include realignment of Fairview Loop at the new intersection with Nelson Road to accommodate vehicular traffic queuing at the railroad crossing.	3	\$2,600,000	\$2,600,000	\$2,600,000	\$2,600,000
11	Fern Street & Edlund Road Upgrades from Knik-Goose Bay Road to Fairview Loop and Pathway	This project would upgrade and add a pathway along Fern Street and Edlund Road from Knik-Goose Bay Road to Fairview Loop.	3, 4	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000
12	N Green Forest Drive	This project will add shoulders and repave Green Forest Drive which provides connectivity between Bogard Road and the Palmer-Wasilla Highway. This project scope does <u>not</u> currently include realigning the intersection of Engstrom and Bogard with Green Forest and Bogard.	3	\$800,000			\$800,000
13	Well Site Road Upgrade	This road upgrade would include improvements to address underground springs, wetland crossings, glaciating ice on the road bed, deteriorating pavement, and drainage problems.	3	\$250,000			\$250,000
Assembly District 3 Total				\$7,650,000	\$6,600,000	\$6,600,000	\$7,650,000
14	Hermon Rd Connection to Palmer-Wasilla Highway	This project would provide a connector between the Parks Highway and the Palmer-Wasilla Highway via Hermon Road.	4	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000
15	Foothills Blvd to Paddy Place Upgrade	This project would upgrade Foothills Blvd to collector standards providing a connection between the Parks Highway and Knik-Goose Bay Road. This project also includes a fish passage culvert.	4, 5	\$1,700,000		\$1,700,000	\$1,700,000

This is a Transportation Advisory Board (TAB) listing of tiered transportation packages for bond consideration							
Label	Projects	Description	Assembly District	Project Cost Estimates	Tier 1 (\$35M Package)	Tier 2 (\$50M Package)	Tier 3 (\$80M Package)
16	Museum Drive (project is at 95% design completed and ADOT&PF will construct the first segment as part of Parks Hwy project)	The Parks Highway from Wasilla to Big Lake is being upgraded to a four-lane highway due to high accident rates and traffic congestion. A frontage road system is required to pull local traffic off the Parks Highway. The Borough owns collector roads that run parallel with the Parks Highway corridor and could be used as frontage roads, but the collector roads are not connected. Museum Drive is one of four identified collector roads that could be used as frontage roads to relieve the Parks Highway of a significant amount of local traffic. The project would extend Museum Drive west from Parks Highway MP 47 to intersect with Vine Road and then link up with Marigold Drive at Sylvan Road.	4, 7	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000
Assembly District 4 Total				\$9,700,000	\$8,000,000	\$9,700,000	\$9,700,000
17	Point MacKenzie Road Upgrade	This project would involve adding shoulders and resurfacing the existing road from Knik-Goose Bay Road to the Intersection of Ayrshire Road.	5	\$13,000,000			\$13,000,000
18	S Big Lake Road and Hollywood Road Intersection Improvements	Two intersections in the downtown Big Lake area were a part of the 2011 Matanuska-Susitna Borough Road Bond package. Previous funding was only adequate to address one intersection. The remaining intersection at Hollywood Road requires improvements.	5	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
19	Horseshoe Lake Road, Big Lake, Phase 1	This project will upgrade an existing road around Horseshoe Lake. The first phase of the project consists of design for approximately five miles of road which will be widened and straightened with drainage ditches constructed to address water runoff. Funding for the project to date has been from the State of Alaska at \$700,000 which has funded ROW acquisition, Geo-technical data acquisition, and design. The design is currently at the 35% phase. There are a number of full and part time residences around the lake. Total cost to complete the project is \$5.2M.	5	\$2,000,000			
20	Johnsons Rd Upgrade (Hollywood to Garten)	This project would upgrade Johnsons Road between Hollywood Road and Garten Road.	5, 7	\$2,000,000			\$2,000,000
21	Sylvan Ext (Sylvan Rd to Sylvan Ln)	This project would extend Sylvan Road south to Sylvan Lane to provide a north-south connection between the Parks Highway and Hollywood Road. This project will likely include a fish passage culvert.	5, 7	\$2,500,000			\$2,500,000
Assembly District 5 Total				\$21,500,000	\$2,000,000	\$2,000,000	\$19,500,000
22	Seldon Road Upgrade and Pathway from Wasilla-Fishhook to Lucille Street (project could be broken into two phases: Wasilla Fishhook to Snow Goose and Snow Goose to Lucille)	The project calls for the upgrade of Seldon Road from Wasilla-Fishhook to Lucille Street, approximately 1.8 miles. This segment of Seldon currently consists of two 11-ft. travel lanes with no shoulders and minimal ditching. The proposed upgrade will increase the road width to two 12-ft. travel lanes with 8 foot shoulders with a separated paved pathway.	6	\$16,000,000		\$16,000,000	\$16,000,000

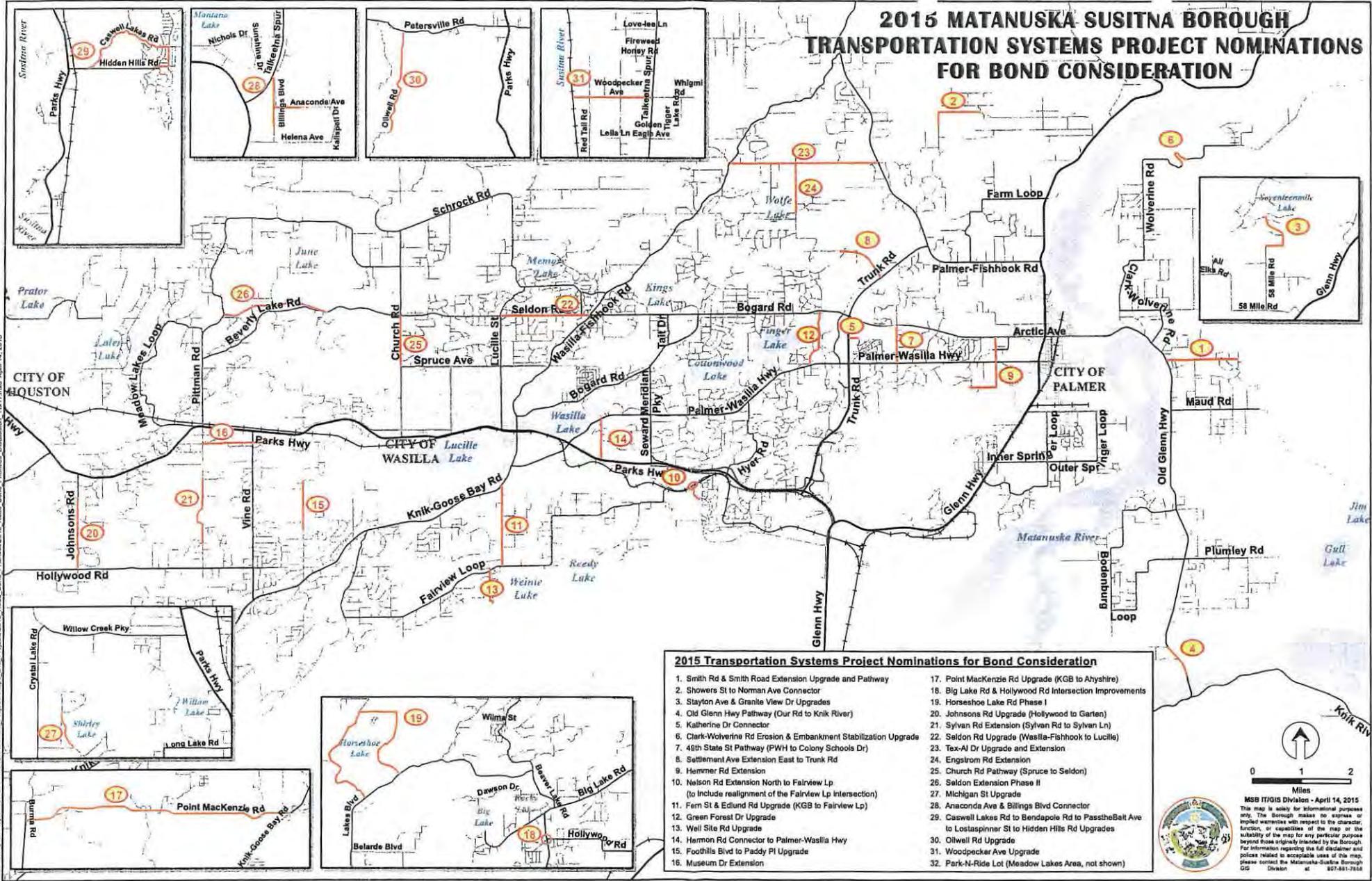
**This is a Transportation Advisory Board (TAB) listing of tiered transportation packages for bond consideration**

Label	Projects	Description	Assembly District	Project Cost Estimates	Tier 1 (\$35M Package)	Tier 2 (\$50M Package)	Tier 3 (\$80M Package)
23	Tex-Al Dr. Upgrade and Extension to Palmer Fishhook	Extend and upgrade East Tex Al Drive 1.6 miles to Palmer-Fishhook Road and upgrade the intersection with Wasilla-Fishhook as required to meet design criteria. This project had preliminary engineering with a profile survey, initial right-of-way research and soils testing in the early 1980s. The current (2007) Borough Long Range Transportation Plan lists this connection as an emergency access for residents in areas with only one ingress and egress.	6	\$5,500,000			\$5,500,000
24	Engstrom Road Extension	This project would extend Engstrom Road to the north to connect to Tex-Al Dr. providing a collector road for access for residents on the north end of Engstrom who currently use residential subdivision roads as well as a more complete secondary road network for accessing arterials such as Palmer-Fishhook, Wasilla-Fishhook, and Bogard Roads.	6, 1	\$2,400,000			\$2,400,000
25	Church Rd. Pathway (Spruce to Seldon)	The project will construct a pathway along Church Road. The trail will connect pathways between Spruce Avenue and Seldon Road. The project will provide safe pedestrian/bike access along this heavily-travelled route.	6, 4, 7	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Assembly District 6 Total				\$24,900,000	\$1,000,000	\$17,000,000	\$24,900,000

26	Seldon Rd Ext Ph 2 (project is at 35% design completed)	The Seldon Road Extension project will extend Seldon Road past Church Road to a proposed new intersection with Pittman Road. The Seldon Road Extension – Phase 1 is currently under construction from Seldon Road to Beverly Lake Road, with a scheduled completion in summer 2015. Seldon Road Extension – Phase 2 begins at Beverly Lake Road near Windy Bottom Drive and ends at Pittman Road providing access for Pittman Road area residents travelling to Wasilla, as well as providing alternative access from Pittman Road to Church Road.	7	\$8,000,000	\$8,000,000	\$8,000,000	\$8,000,000
27	N Michigan Street Upgrades	This project would upgrade existing roads and construct unbuilt portions	7	\$600,000			
28	E Anaconda Avenue and S Billings Blvd Connector	This project would upgrade the existing roads and construct a connector to the Talkeetna Spur Road providing for emergency access, secondary egress for residents, and commercial business access.	7	\$600,000			\$600,000
29	Caswell Lakes Road to South Bendapole Road to E. Passthebalt Avenue to Hidden Hills Including South Caswell Lake Loop to Lot 15 Upgrades (project has a completed design)	This project is part of the 2011 Road Bond Projects. Due to lack of funding, the paving will not be completed and upgrades beyond Bendapole Road were not accomplished as part of the 2011 road bond. This includes Caswell Lakes Road to South Bendapole Road to E. Passthebalt Avenue to Hidden Hills including South Caswell Lake Loop to Lot 15 upgrades.	7	\$3,250,000		\$3,250,000	\$3,250,000
30	Oilwell Road	This project would upgrade this road to Borough collector standards.	7	\$6,000,000			
31	Woodpecker Avenue, Talkeetna	This project would upgrade and pave this road to provide safer access and dust control for local residents and tourists accessing the Alaska Railroad.	7	\$600,000			\$600,000

This is a Transportation Advisory Board (TAB) listing of tiered transportation packages for bond consideration							
Label	Projects	Description	Assembly District	Project Cost Estimates	Tier 1 (\$35M Package)	Tier 2 (\$50M Package)	Tier 3 (\$80M Package)
32	Park N Ride Lot (Meadow Lakes near Pittman Road)	This project would construct a park-n-ride parking lot near Pittman Road and the Parks Highway similar to the one located at the Parks Highway and Seward Meridian Parkway to allow for car pooling. This project would help provide for congestion relief on the Parks Highway.	7	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Assembly District 7 Total				\$20,050,000	\$9,000,000	\$12,250,000	\$13,450,000
				<b>Total of Cost Estimates</b>	<b>Total of Tier 1</b>	<b>Total of Tier 2</b>	<b>Total of Tier 3</b>
Borough Total				\$104,350,000	\$34,850,000	\$56,650,000	\$95,750,000

# 2015 MATANUSKA SUSITNA BOROUGH TRANSPORTATION SYSTEMS PROJECT NOMINATIONS FOR BOND CONSIDERATION



- 2015 Transportation Systems Project Nominations for Bond Consideration**
- |  |   |
|--|---|
| 1. Smith Rd & Smith Road Extension Upgrade and Pathway   | 17. Point MacKenzie Rd Upgrade (KGB to Ahyshtre)  |
| 2. Showers St to Norman Ave Connector  | 18. Big Lake Rd & Hollywood Rd Intersection Improvements  |
| 3. Stayton Ave & Granite View Dr Upgrades  | 19. Horseshoe Lake Rd Phase I   |
| 4. Old Glenn Hwy Pathway (Our Rd to Knik River)  | 20. Johnsons Rd Upgrade (Hollywood to Garten)   |
| 5. Katherine Dr Connector  | 21. Sylvan Rd Extension (Sylvan Rd to Sylvan Ln)  |
| 6. Clark-Wolverine Rd Erosion & Embankment Stabilization Upgrade   | 22. Seldon Rd Upgrade (Wasilla-Fishhook to Lucille)   |
| 7. 48th State St Pathway (PWH to Colony Schools Dr)  | 23. Tex-AJ Dr Upgrade and Extension   |
| 8. Settlement Ave Extension East to Trunk Rd   | 24. Engstrom Rd Extension   |
| 9. Hemmer Rd Extension   | 25. Church Rd Pathway (Spruce to Seldon)  |
| 10. Nelson Rd Extension North to Fairview Lp<br>(to include realignment of the Fairview Lp Intersection) | 26. Seldon Extension Phase II   |
| 11. Fern St & Edlund Rd Upgrade (KGB to Fairview Lp)   | 27. Michigan St Upgrade   |
| 12. Green Forest Dr Upgrade  | 28. Anaconda Ave & Billings Blvd Connector  |
| 13. Well Site Rd Upgrade   | 29. Caswell Lakes Rd to Bendapole Rd to PasstheBait Ave<br>to Lostaspinner St to Hidden Hills Rd Upgrades |
| 14. Harmon Rd Connector to Palmer-Wasilla Hwy  | 30. Oilwell Rd Upgrade  |
| 15. Foothills Blvd to Paddy Pl Upgrade   | 31. Woodpecker Ave Upgrade  |
| 16. Museum Dr Extension  | 32. Park-N-Ride Lot (Meadow Lakes Area, not shown)  |

0 1 2  
Miles

MSB ITGIS Division - April 14, 2015

This map is solely for informational purposes only. The Borough makes no express or implied warranties with respect to the character, function, or capabilities of the map or the suitability of the map for any particular purpose beyond those originally intended by the Borough. For information regarding the full disclaimer and policies related to acceptable uses of the map, please contact the Matanuska-Susitna Borough GIS Division at 407-681-7344

Path: S:\Capital Projects\GP\_SHARE\GIS\Current Projects\Maps and Projects\2015 Road Bond Projects\_Discussion\_11x17.mxd, April 14, 2015

A RESOLUTION OF THE ROAD SERVICE AREA #14, FAIRVIEW BOARD OF SUPERVISORS REQUESTING THE TRANSFER OF \$70,000 FROM THE FUND BALANCE TO THE CAPITAL IMPROVEMENTS PROGRAM.

---

WHEREAS, the Road Service Area #14, Fairview Fund Balance has a balance of approximately \$120,671; and

WHEREAS, it is the desire of the Road Service Area #14, Fairview Board of Supervisors to add funding to the capital projects list; and

WHEREAS, the excess funds from the RSA #14, Fairview Fund Balance can be used to fund Capital Improvement Projects; and

WHEREAS, the RSA #14, Fairview Board of Supervisors request \$70,000 be transferred to the Capital Improvement Projects Program;

NOW, THEREFORE, BE IT RESOLVED, that the Road Service Area #14, Fairview Board of Supervisors requests the Matanuska-Susitna Borough Assembly approve the transfer of \$70,000 from Fund Balance 271.272.000 to Capital Improvements Project 30037.6600

APPROVED by the Road Service Area #14, Fairview Board of Supervisors:

David Elliott  
RSA #14 Supervisor

5/19/2015  
Date

[Signature]  
RSA #14 Supervisor

5/19/15  
Date

[Signature]  
RSA #14 Supervisor

5/9/15  
Date

RECEIVED

MAY 18 2015

CLERKS OFFICE

**A RESOLUTION OF THE ROAD SERVICE AREA #28, GOLD TRAIL BOARD OF SUPERVISORS REQUESTING THE TRANSFER OF \$114,000 FROM THE FUND BALANCE TO THE CAPITAL IMPROVEMENTS PROGRAM.**

WHEREAS, the Road Service Area #28, Gold Trail Fund Balance has a balance of approximately \$164,744; and

WHEREAS, it is the desire of the Road Service Area #28, Gold Trail Board of Supervisors to add funding to the capital projects list; and

WHEREAS, the excess funds from the RSA #28, Gold Trail Fund Balance can be used to fund Capital Improvement Projects; and

WHEREAS, the RSA #28, Gold Trail Board of Supervisors request \$114,000 be transferred to the Capital Improvement Projects Program;

NOW, THEREFORE, BE IT RESOLVED, that the Road Service Area #28, Gold Trail Board of Supervisors requests the Matanuska-Susitna Borough Assembly approve the transfer of \$114,000 from Fund Balance 282.272.000 to Capital Improvements Project 30048.6600

APPROVED by the Road Service Area #28, Gold Trail Board of Supervisors:

Ken Waldner  
RSA #28 Supervisor

5/14/15  
Date

Mark Berry  
RSA #28 Supervisor

5/14/15  
Date

\_\_\_\_\_  
RSA #28 Supervisor

\_\_\_\_\_  
Date

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on March 16, 2015, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair John Klapperich.

**I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM**

Planning Commission members present and establishing a quorum:

- Mr. Brian Endle, Assembly District #1
- Mr. Thomas Healy, District #2
- Mr. John Klapperich, Assembly District #3 *Chair*
- Mr. Bruce Walden, Assembly District #4
- Mr. William Kendig, Assembly District #5
- Mr. Tomas Adams, Assembly District #6
- Mr. Vern Rauchenstein, District #7

RECEIVED  
MAY 10 2015  
CLERKS OFFICE

Staff in attendance:

- Ms. Eileen Probasco, Planning & Land Use Director
- Ms. Shannon Bodolay, Assistant Borough Attorney
- Ms. Laura Newton, Assistant Borough Attorney
- Ms. Mary Brodigan, Planning Commission Clerk

**II. APPROVAL OF AGENDA**

Chair Klapperich inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

**III. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Ms. Gretchen O'Barr of the Wasilla City Council.

**IV. CONSENT AGENDA**

A. Minutes

1. March 2, 2015, regular meeting minutes

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

*(There were no introductions for quasi-judicial matters.)*

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 15-12**, A resolution recommending Assembly approval of amendments to MSB 17.19.045, Sheep Mountain Sub District, to allow for 3 acre lots in cases where a waterbody, easement, or roadway splits an existing parcel. Ordinance Serial No. 15-033. IM No. 15-055. Public Hearing: April 6, 2015. *(Referred by the Assembly, March 3, 2015. Staff: Eileen Probasco)*

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved without objection.

**V. COMMITTEE REPORTS**

*(There were no committee reports.)*

**VI. AGENCY/STAFF REPORTS**

*(There were no agency/staff reports.)*

**VII. LAND USE CLASSIFICATIONS**

*(There were no land use classifications.)*

**VIII. AUDIENCE PARTICIPATION (Three minutes per person.)**

The following person spoke regarding improving the public process for comprehensive plans: Ms. Beth Fried.

The following person spoke regarding concerns with public process: Mr. Eugene Haberman.

**IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS** *(Public Hearing not to begin before 6:15 P.M.)*

*Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.*

- A. **Resolution 15-08**, A conditional use permit under MSB 17.25 – Talkeetna Special Use District to allow for the construction of three additional cabins at Susitna River Lodging. This property is located within the Spur Road Central District which requires a conditional use permit for commercial uses over 6,000 square feet in size. This property is located at 23094 S. Talkeetna Spur Road; within Township 26 North, Range 5 West, Section 25, Seward Meridian, Parcel #D4. *(Applicant: Howard and Darlene Hunter)*

Chair Klapperich read the resolution title into the record.

Chair Klapperich:

- read the memorandum regarding quasi-judicial actions into the record;
- queried commissioners to determine if any of them have a financial interest in the proposed Conditional Use Permit (CUP);
- have had any ex parte contact with the applicant, members of the public, or interested parties in the proposed CUP; and

- if all commissioners are able to be impartial in a decision.

Ms. Susan Lee provided a staff report:

- staff recommended approval of the resolution with conditions.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process: Mr. Eugene Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

**MOTION:** Commissioner Rauchenstein moved to approve Resolution 15-08. The motion was seconded.

**VOTE:** The motion passed without objection.

## **X. PUBLIC HEARING LEGISLATIVE MATTERS**

- A. **Resolution 15-07**, A resolution recommending approval to name a lake within the Matanuska-Susitna Borough as “Chida/Tsucde Lake. Township 17 North, Range 02 East, Section 17. Seward Meridian.

Chair Klapperich read the resolution title into the record.

Ms. Probasco provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- why MSB Code does not provide much information regarding what the Planning Commission can weigh in on;
- clarification of the notification process; and
- clarification of the application process.

Chair Klapperich opened the public hearing.

The following people spoke in opposition of Resolution 15-07: Ms. Leann Smith, Mr. Ralph Hulbert, Mr. Larry Vasanoja, Ms. Diana Long, Mr. John Stuart, Sr., Ms. Sherry Hemming, and Ms. Helen Hulbert.

The following person spoke regarding concerns with public process: Mr. Eugene Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

**MOTION:** Commissioner Adams moved to approve Resolution 15-07. The motion was seconded.

Commissioner Adams:

- acknowledged that it was disappointing that the letters that were provided as handouts were not provided earlier; and
- suggested that it would have been best if there was some documentation provided in support of the proposed name change.

Commissioner Rauchenstein:

- acknowledged that all of the people that testified do not support the name change; and
- opined that the applicant did not do enough research.

Commissioner Walden:

- stated that he is a student of languages, and opined that so much of our heritage is lost;
- would like to see the lake officially named Tomlinson Lake; and
- stated that he will be voting against this resolution.

Commissioner Endle noted that no one showed up in support of renaming the lake with the proposed name.

VOTE: The main motion failed unanimously.

- B. **Resolution 15-09**, A resolution recommending approval to change the geographic names of two lakes, a creek and a mountain within the Matanuska-Susitna Borough from Deadman's Lake to Kacaagh Lake, from Big Lake to Lowland Kacaagh Lake, from Deadman's Creek to Kacaagh Creek, and from Deadman's Mountain to Kacaagh Mountain.

Chair Klapperich read the resolution title into the record.

Ms. Probasco provided a staff report:

- staff recommended approval of the resolution.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process: Mr. Eugene Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

MOTION: Commissioner Healy moved to approve Resolution 15-09. The motion was seconded.

Commissioner Healy:

- noted that these features already have names;
- opined the applicant did not provide thorough information; and
- will not be supporting this resolution.

Commissioner Rauchenstein:

- stated that he is aware that there is trapping in this area and opined that the features are well known by their current names; and
- he will be voting against this resolution.

Commissioner Kendig:

- noted that the applicant did not show up to defend the proposed name changes; and
- he will not support this resolution.

Commissioner Adams:

- noted that there is substantial evidence that the features already have names;
- opined that the application is very thin; and
- noted that the native corporations were notified of the proposed name changes and did not provide letters of support.

Chair Klapperich:

- suggested that the process for naming features should be reviewed;
- opined that there should be an application fee to help cover staff time and the notification process;
- there is little burden of proof required for the applicant;
- noted that MSB tax payers are paying for the entire process; and
- opined that renaming a lake because the current name "Deadman's Lake" is dreary is not adequate enough justification.

VOTE: The main motion failed unanimously.

- C. **Resolution 15-10**, A resolution recommending the Assembly request that the Alaska Department of Environmental Conservation (ADEC) address the issue of identifying the causes of Cottonwood Creek being designated as an impaired waterbody.

Chair Klapperich read the resolution title into the record.

Commissioner Healy:

- disclosed that he is a member of the Waste Water and Septage Commission; and
- stated that he does not feel that he has a conflict of interest.

There was no objection noted.

Ms. Probasco provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- clarification of the intent of the resolution and what ADEC is being asked to do; and
- at what point does ADEC and the borough become partners in determining the cause of the impairment.

Chair Klapperich opened the public hearing.

The following person spoke in favor of Resolution 15-10: Ms. Beth Fried.

The following person spoke regarding concerns with public process: Mr. Eugene Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

**MOTION:** Commissioner Kendig moved to approve Resolution 15-10. The motion was seconded.

Commissioner Walden:

- stated that he agrees with comments made by Ms. Fried;
- opined that government overreach has gotten out of hand;
- suggested that before we jump into this and make changes, let's make sure we know what changes need to be made; and
- stated that he will be supporting this resolution.

Commissioner Adams:

- stated that he is in general support of the intent of this resolution, but is not sure of what it will achieve in the end;
- ADEC has already documented why this waterbody is impaired;
- opined that the intent of the resolution is to find the source of the pollution;
- his hesitation is that the commission is going to pass a resolution that is one of good intent, but will not necessarily provide good results;
- stated that he is in general support of the resolution; and
- will be making a motion to amend.

**MOTION:** Commissioner Adams moved a primary amendment to replace the first whereas statement with "Cottonwood Creek is a waterbody within the Matanuska-Susitna Borough that provides habitat important for the spawning, rearing or migration of anadromous fish". The motion was seconded.

**VOTE:** The primary amendment passed without objection.

**VOTE:** The main motion passed as amended with Commissioners Endle, Rauchenstein, and Klapperich in opposition.

*(The meeting recessed at 8:15 p.m., and reconvened at 8:20 p.m.)*

D. **Resolution 15-11**, A resolution recommending the Assembly form and fund an MSB Regional Transportation Planning Organization (RTPO).

Chair Klapperich read the resolution title into the record.

Ms. Probasco provided a staff report.

Chair Klapperich opened the public hearing.

The following person spoke in favor of Resolution 15-11: Ms. Beth Fried, representing the Transportation Advisory Board (TAB).

Commissioners questioned Ms. Fried regarding:

- clarification of what the federal government may require regarding a Regional Transportation Planning Organization (RTPO);
- what is the negative side of not forming an RTPO;
- clarification of the intent of the request from TAB; and
- will the various advisory boards be replaced by the RTPO.

The following person spoke regarding concerns with public process with Resolution 15-11: Mr. Eugene Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

**MOTION:** Commissioner Kendig moved to approve Resolution 15-11. The motion was seconded.

Commissioner Kendig:

- stated that he believes that an RTPO is vital and important;
- we have a growing population that will continue to grow, and suggests that it would not be good to become part of Anchorage;
- opined that it is important for business development and the safety of the borough to plan our transportation system wisely; and
- stated that he supports this resolution.

Commissioner Walden:

- stated that he commutes to and from Anchorage and it takes him a long time to get through Wasilla at opening time and closing time;
- he is not happy that it takes 20 years of studies to determine if a road is needed and then it never gets done; and
- opined that this is the first step that the borough needs to take.

Commissioner Adams:

- stated that he is glad to hear support from the commission for this resolution;
- opined that proper planning will involve the participation of multiple entities outside the borough;
- it's critical that we have a transportation system that allows for mobility and for the movement of goods in and around and through our community;
- we should not allow others to dictate what our transportation system is because we failed to choose to do it ourselves;
- acknowledged that there will be growing pains as we learn how to develop, fund, and operate our own RTPO;

- when we start talking about obtaining federal funding, part of the evaluation process will be exactly what kind of planning documents we have and what kind of activities we have taken upon ourselves to make sure that we have considered properly the type of transportation network that will work best for our community;
- opined that it is better to be proactive rather than reactive; and
- stated that he fully supports this resolution.

Commissioner Rauchenstein:

- opined that an RTPO will provide a voice for outlying areas to be heard;
- it is very difficult for Talkeetna and Trapper Creek to find an ear in the borough; and
- stated that he supports this resolution.

Commissioner Endle stated that doesn't see the need for an RTPO at this time.

Chair Klapperich:

- commented on all of the agencies that will be involved with the RTPO, and questioned if there will be funding for such a large organization; and
- opined that the organization could certainly work if all of the agencies participate.

VOTE: The motion passed with Commissioner Endle in opposition.

## **XI. CORRESPONDENCE AND INFORMATION**

- A. Transportation Advisory Board (TAB) January 21, 2015, Agenda and TAB Resolution 15-02.
- B. MSB Library Strategic Plan Appendix B

## **XII. UNFINISHED BUSINESS**

*(There was no unfinished business.)*

## **XIII. NEW BUSINESS**

*(There was no new business.)*

## **XIV. COMMISSION BUSINESS**

- A. Upcoming Planning Commission Agenda Items

Ms. Probasco provided a brief update on projects that will be coming before the Planning Commission and reminded the commission about the joint Assembly and Planning Commission meeting scheduled for March 24, 2015.

## **XV. DIRECTOR AND COMMISSIONER COMMENTS**

Commissioner Healy stated that he has a conflict with the joint Assembly/PC meeting as he will be attending the Palmer City Council meeting.

Commissioner Adams:

- stated that he is happy with the commission's decision on the RTPO, and opined that it is a step towards long term planning;
- once the RTPO is fully functional, we will be able to look back and take pleasure in the part that the commission played;
- excited about TABs motivation for getting this done, and opined that TAB and the PC do fit together;
- acknowledged that this still has to get through the Assembly;
- opined that it won't happen overnight, but hopefully the first meeting will take place in 18 months; and
- hopefully we will see the results of this labor in five years.

Chair Klapperich:

- stated the he is glad that we have people passionate about long term strategic planning;
- opined that this could be a lesson for administration and the Assembly;
- most of the challenges, risks, and controversy comes because something wasn't planned for and is sprung on the community;
- plan is not a four letter word; and
- excited to be part of this process.

**XVI. ADJOURNMENT**

The regular meeting adjourned at 9:20 p.m.



JOHN KLAPPERICH, Planning Commission  
Chair

ATTEST:



MARY BRODIGAN, Planning Commission  
Clerk

*Minutes approved: May 4, 2015*

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on April 6, 2015, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair John Klapperich.

**I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM**

Planning Commission members present and establishing a quorum:

- Mr. Brian Endle, Assembly District #1
- Mr. Thomas Healy, District #2
- Mr. John Klapperich, Assembly District #3 *Chair*
- Mr. Bruce Walden, Assembly District #4
- Mr. William Kendig, Assembly District #5
- Mr. Tomas Adams, Assembly District #6
- Mr. Vern Rauchenstein, District #7

RECEIVED  
MAY 03 2015  
CLERKS OFFICE

Staff in attendance:

- Ms. Eileen Probasco, Planning & Land Use Director
- Ms. Laura Newton, Assistant Borough Attorney
- Ms. Shannon Bodolay, Assistant Borough Attorney
- Mr. Emerson Krueger, Land Management Division Specialist
- Ms. Mary Brodigan, Planning Commission Clerk

**II. APPROVAL OF AGENDA**

Chair Klapperich inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

**III. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Mr. Eugene Haberman, a member of the audience.

**IV. CONSENT AGENDA**

A. Minutes

*(There were no minutes available.)*

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

*(There were no introductions for quasi-judicial matters.)*

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

1. **Resolution 15-15**, A resolution recommending that the Assembly create a Borough Road Bond Package to go before the voters. Public Hearing: April 20, 2015. *(Staff: Brad Sworts, MSB Pre-Design and Engineering Division Manager.)*

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

GENERAL CONSENT: The consent agenda was approved without objection.

**V. COMMITTEE REPORTS**

*(There were no committee reports.)*

**VI. AGENCY/STAFF REPORTS**

A. Knik Goose Bay Road Construction Update: Vine Road to Settler's Bay Knik Goose Bay and Centaur Avenue to Vine Road. (Staff: Gerry Welsh, Project Manager, and Garrett Paul, Designer, AKDOT&PF)

Mr. Gerry Welsh, AKDOT&PF, provided a Knik Goose Bay Road Construction update.

Commissioners questioned Mr. Walsh regarding:

- limited access and U-turns in the rural design from Vine Road to Fairview Loop Road;
- potential development causing road usage to grow faster than anticipated;
- cost of turn offs in terms of accidents;
- the difference in right-of-way required for four lane and six lane roads; and
- whether frontier roads should be considered.

**VII. LAND USE CLASSIFICATIONS**

A. **Resolution 15-14**, A resolution recommending Assembly approval of a land classification for a Borough parcel within Township 27 North, Range 07 West, Section 31, Seward Meridian, Alaska, as a "Reserve Use" for the purpose of temporary public access to Kenny Creek Subdivision.

Chair Klapperich read the resolution title into the record.

Mr. Krueger provided a staff report:

- staff recommended approval of the resolution.

Commissioners questioned staff regarding:

- clarification of access to subdivision roads through private property;
- whether the temporary public access is primarily to address winter access issues;
- clarification of conditions of the borough parcel, and will it provide better access; and
- when will the platted legal access be improved.

MOTION: Commissioner Rauchenstein moved to approve Resolution 15-14. The motion was seconded.

Commissioner Adams:

- acknowledged that this is an easy way to contend with this particular issue;
- opined that it would be better for private property owners to find their own access;
- noted that part of him does not want to support this resolution, but it seems to be harmless; and
- suggested adding a date when the temporary access will expire.

Commissioner Rauchenstein:

- acknowledged that this is a temporary fix; and
- noted that at some point the property may be sold.

VOTE: The main motion passed without objection.

### **VIII. AUDIENCE PARTICIPATION (Three minutes per person.)**

The following person spoke regarding concerns with public process: Mr. Eugene Carl Haberman.

### **IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS** (*Public Hearing not to begin before 6:15 P.M.*)

*Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.*

*(There were no quasi-judicial public hearings.)*

### **X. PUBLIC HEARING LEGISLATIVE MATTERS**

- A. **Resolution 15-12**, A resolution recommending Assembly approval of amendments to MSB 17.19.045, Sheep Mountain Sub District, to allow for 3 acre lots in cases where a waterbody, easement, or roadway splits an existing parcel. Ordinance Serial No. 15-033. IM No. 15-055. (*Referred by the Assembly, March 3, 2015*)

Chair Klapperich read the resolution title into the record.

Ms. Probasco provided a staff report:

- staff recommended approval of the resolution.

Commissioner Adams:

- suggested that the wording of the resolution does not meet the intent of the amendments and could cause some unintended consequences;
- noted as an example that someone could have a large parcel with a very small portion that would be affected by a waterbody or easement;
- opined that the current verbiage would allow the owner to subdivide the entire parcel into three acre lots which is not be the intent of the amendments;
- the amendments do not define how many lots can be created by this effort or how many must be constrained to the three acres; and

- questioned whether this resolution should be postponed allowing staff time to tweak the language of the ordinance.

Ms. Probasco:

- acknowledged that the amendments were not properly worded to meet the intent of the ordinance;
- stated that staff can work with law to make certain the that the intent of the amendments are reflected in the language; and
- recommended that the community council be given the opportunity to review any changes proposed by staff.

Ms. Shannon Bodolay, Assistant Borough Attorney, stated that Mr. Aschenbrenner is very familiar with Platting Code and suggested that it may be helpful to have him weigh-in regarding some of the challenges that the Platting Board has faced with the large flag pole lots.

Chair Klapperich opened the public hearing.

The following person spoke regarding concerns with public process: Mr. Eugene Carl Haberman.

There being no one else to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

**MOTION:** Commissioner Adams moved to postpone action on Resolution 15-12, and continue the public hearing until April 20, 2015. The motion was seconded.

**VOTE:** The motion passed without objection.

## **XI. CORRESPONDENCE AND INFORMATION**

- A. AKDOT White Paper on Title 43 Transportation Issues
- B. TAB: February 17, 2015, special meeting agenda and minutes
- C. TAB: February 25, 2015, regular meeting agenda and minutes

Commissioner Adams:

- stated that he requested that the DOT White Paper be included in the packet;
- opined that this particular paper is of interest especially given the presentation provided by DOT tonight;
- noted that the paper points out that Title 43 has unfortunately disassociated land development from transportation;
- suggested that the PC take a fresh look at Title 43 and how it fails to place the burden to plat subdivisions that connect with one another on developers so that people are not forced to get out on KGB, Parks Highway, or the Palmer-Wasilla Highway;
- opined that the white paper which is authored by DOT, really starts to point out some flaws in our subdivision code; and
- hopes that the PC can start taking on some amendments to Title 43 and the Subdivision Code, and that the Assembly will be receptive to some of the changes.

Commissioner Healy:

- stated that he agrees with Commissioner Adams' comments;
- opined that if some of these issues are not addressed, they will cause future problems in transportation planning and access; and
- suggested that the PC should address changes to Title 43.

## **XII. UNFINISHED BUSINESS**

*(There was no unfinished business.)*

## **XIII. NEW BUSINESS**

A. Commission discussion of Resolution 09-14(AM)

Ms. Probasco:

- stated that staff received a request from Commissioner Endle via a DVD that he prepared and distributed at the joint Assembly/PC meeting to revisit the process for comprehensive plans and SpUDs;
- the item was placed on the agenda for commission discussion; and
- stated that the Planning Division has some suggestions that they would like to propose.

Commissioner Endle:

- stated that he would like to address some suggestions made by Mayor DeVilbiss;
- the length of the process for comprehensive plans and SpUDs should be addressed since some of them last three to four years;
- questioned what the process is for amending plans and SpUDs;
- requested that the mailings be addressed and opined that a postcard may not be enough;
- stated that he attended the last Sutton Community Council meeting to get their input on the notification process;
- they suggested everyone in the community be included in the mailing and that a certain percentage of the community should participate in the plan process;
- use a larger print font for older members, and community input should be considered first; and
- questioned what the next step is to get this item moving.

Ms. Probasco:

- stated that staff can bring this item back in resolution form on a future agenda under new business so that commissioners can have a detailed and informal discussion and propose amendments;
- once the commission has a resolution, it can be scheduled for an introduction and then public hearing; and
- stated that Ms. Driscoll is ready to work with the commission on this item.

The commission requested that an update to the guidelines for comprehensive plans and SpUDs be placed on the May 4, 2015, agenda under new business.

[Clerk's note: the requested item was placed on the agenda for the May 4, 2015, Planning Commission meeting under new business.]

**XIV. COMMISSION BUSINESS**

A. Upcoming Planning Commission Agenda Items

Ms. Probasco provided a brief update on projects that will be coming before the Planning Commission.

**XV. DIRECTOR AND COMMISSIONER COMMENTS**

Ms. Probasco:

- thanked the commissioners that were able to attend the joint Assembly/Planning Commission meeting, and stated that she appreciated their thoughtful input;
- noted that there is a copy of the BOAA'S final decision on a conditional use permit in the commissioners handout files;
- reminded commissioners to refrain from discussion or contact with anyone as this case can still be appealed;
- noted that Title 43 housekeeping items will go before the Assembly tomorrow night and will hopefully be adopted;
- stated that she will be bringing forward several resolutions from fire and road service area boards along with a resolution for the PC to consider concerning some of the things in Title 43; and
- hopefully the Assembly will see all of the resolutions as a joint message coming from the boards they appointed making recommendations on transportation issues.

Commissioner Adams:

- noted that a public hearing for the borough road bond package is on the schedule for the next meeting;
- the list contains over \$100 million in projects which is not a reasonable amount to consider;
- his is looking forward to meaningful discussion regarding which projects should be included to give the road bond package the best chance to pass; and
- suggested that the commission whittle the list down so that it is not just a historical list.

Chair Klapperich:

- thanked Mr. Don Carney for attending and encouraged him to speak at meetings;
- noted comments made by Mr. Welsh regarding the difficulty of predicting what will happen with Knik Goose Bay Road;
- stated that there is a business and economic development luncheon entitled Mat-Su Rising scheduled for noon on Wednesday, April 29<sup>th</sup> at the Hilton Hotel in Anchorage;
- he will be presenting, but not on behalf of the Planning Commission;
- noted that there are two businesses that will be leaving California due to water restrictions imposed by the governor;
- they are looking to move to either Alaska or Idaho;
- opined that these are interesting times; and

- stated that we are on the precipice of what we want to look like when we grow up.

**XVI. ADJOURNMENT**

The regular meeting adjourned at 8:13 p.m.



---

JOHN KLAPPERICH, Planning Commission  
Chair

ATTEST:



---

MARY BRODIGAN, Planning Commission  
Clerk

*Minutes approved: May 4, 2015*

The regular meeting of the Matanuska-Susitna Borough Planning Commission was held on April 20, 2015, at the Matanuska-Susitna Borough Assembly Chambers, 350 E. Dahlia Avenue, Palmer, Alaska. The meeting was called to order at 6:00 p.m. by Chair John Klapperich.

**I. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF QUORUM**

Planning Commission members present and establishing a quorum:

- Mr. Brian Endle, Assembly District #1
- Mr. Thomas Healy, District #2
- Mr. John Klapperich, Assembly District #3 *Chair*
- Mr. Bruce Walden, Assembly District #4
- Mr. William Kendig, Assembly District #5
- Mr. Tomas Adams, Assembly District #6

RECEIVED  
MAY 11 8 2015  
CLERKS OFFICE

Planning Commission members absent and excused were:

- Mr. Vern Rauchenstein, District #7

Staff in attendance:

- Ms. Eileen Probasco, Planning & Land Use Director
- Mr. Nicholas Spiropoulos, Borough Attorney
- Ms. Laura Newton, Assistant Borough Attorney
- Mr. Mike Brown, Capital Projects Director
- Mr. Brad Sworts, Pre-Design and Engineering Division Manager
- Ms. Mary Brodigan, Planning Commission Clerk

**II. APPROVAL OF AGENDA**

Chair Klapperich inquired if there were any changes to the agenda.

GENERAL CONSENT: The agenda was approved without objection.

**III. PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Mr. Brad Sworts, MSB Pre-Design and Engineering Division Manager.

**IV. CONSENT AGENDA**

A. Minutes

*(There were no minutes available.)*

A. INTRODUCTION FOR PUBLIC HEARING: QUASI-JUDICIAL MATTERS

*(There were no introductions for quasi-judicial matters.)*

B. INTRODUCTION FOR PUBLIC HEARING: LEGISLATIVE MATTERS

*(There were no introductions for legislative matters.)*

Chair Klapperich read the consent agenda into the record.

Chair Klapperich inquired if there were any changes to the consent agenda.

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

**V. COMMITTEE REPORTS**

*(There were no committee reports.)*

**VI. AGENCY/STAFF REPORTS**

- A. Borough Attorney Presentation on the BOAA (Board of Adjustment and Appeals) Appellate Process

Mr. Nicholas Spiropoulos provided information on the BOAA Appellate Process.

**VII. LAND USE CLASSIFICATIONS**

*(There were no land use classifications.)*

**VIII. AUDIENCE PARTICIPATION (Three minutes per person.)**

*(There were no persons to be heard.)*

**IX. PUBLIC HEARING: QUASI-JUDICIAL MATTERS** *(Public Hearing not to begin before 6:15 P.M.)*

*Commission members may not receive or engage in ex-parte contact with the applicant, other parties interested in the application, or members of the public concerning the application or issues presented in the application.*

*(There were no quasi-judicial public hearings.)*

**X. PUBLIC HEARING LEGISLATIVE MATTERS**

- A. **Resolution 15-12**, A resolution recommending Assembly approval of amendments to MSB 17.19.045, Sheep Mountain Sub District, to allow for 3 acre lots in cases where a waterbody, easement, or roadway splits an existing parcel. Ordinance Serial No. 15-033. IM No. 15-055. *(Referred by the Assembly, March 3, 2015. Public Hearing Continued from April 6, 2015.)*

Chair Klapperich read the resolution title into the record.

Ms. Eileen Probasco provided a staff report:

- stated that additional research should be done to ensure that the resulting language is clear with the intent, and to ensure that there are no unintended consequences;
- the community council should have an opportunity to review any changes; and
- suggested that the commission postpone action and continue the public hearing until the May 4<sup>th</sup>, regular commission meeting.

Chair Klapperich opened the public hearing.

There being no persons to be heard, Chair Klapperich entertained a motion to postpone action on Resolution 15-12, and continue the public hearing until May 4, 2015.

**MOTION:** Commissioner Endle moved to postpone action on Resolution 15-12, and continue the public hearing until May 4, 2015. The motion was seconded.

**VOTE:** The motion passed without objection.

A. **Resolution 15-15**, A resolution recommending that the Assembly create a Borough Road Bond Package to go before the voters.

Chair Klapperich read the resolution title into the record.

Mr. Mike Brown and Mr. Brad Sworts provided a staff report.

Commissioners questioned staff regarding:

- whether MSB tax payers will be responsible for the entire amount of the bond package if the state does not provide a match;
- the difference between the Capital Projects Program and projects nominated by Road Service Area Boards (RSAs);
- there are still projects from the previous bond package that are not complete for one reason or another;
- concerns over the cost of bike paths and whether they are used enough to justify the cost; and
- removing the North Showers Street to Norman Avenue Connector project (Project #2) from the nominations list.

Chair Klapperich opened the public hearing.

There being no persons to be heard, Chair Klapperich closed the public hearing and discussion moved to the Planning Commission.

**MOTION:** Commissioner Adams moved to approve Resolution 15-15. The motion was seconded.

Commissioner Adams:

- stated his approval for the bond package;
- opined that we should see more and more bond packages in the future for transportation system improvements;
- it is yet to be seen how often bond packages should go before the tax payers;
- hopes that at some point the borough will be able to pay off one set of bonds before beginning another so that the actual increase to the tax payers is negligible;
- opined that initially the mill rate will increase because the bond program is still in its infancy; and
- will be offering an amendment to structure the bond package so that it does not tie the borough's hands to a state match.

Commissioner Endle:

- stated that he was approached by a member of the public that is opposed to the North Showers Street to Norman Avenue Connector (Project #2);
- opined that he made some good points as to why this proposed connector is not as good as a previously proposed connector; and
- stated that he is interested in removing this project from the nominations list.

MOTION: Commissioner Healy moved a primary amendment to the now therefore statement by replacing "a non-prioritized list of needed projects" with "the listing of TAB's Transportation Systems Bond Project Tiered Packages 'Final Version' dated April 15, 2015" and adding "This is a Planning Commission recommended list of needed projects" prior to "all or a portion thereof to be put before the citizens of the Borough for a vote." The motion was seconded.

Discussion ensued regarding whether the nomination list is a Planning Commission recommended list or a TAB recommended list since the PC did not review each individual project.

MOTION: Commissioner Adams moved to divide the question to address the second sentence regarding the "Planning Commission recommended list of needed projects" separately. The motion was seconded.

VOTE: The motion to divide the question passed without opposition.

MOTION: First Segment. Commissioner Adams moved to accept the amendment to the now therefore statement by replacing "a non-prioritized list of needed projects" with "the listing of TAB's Transportation Systems Bond Project Tiered Packages 'Final Version' dated April 15, 2015". The motion was seconded.

VOTE: The first segment passed with no objection.

MOTION: Second Segment: Commissioner Adams moved to accept the amendment to the now therefore statement by adding "This is a Planning Commission recommended list of needed projects" prior to "all or a portion thereof to be put before the citizens of the Borough for a vote." The motion was seconded.

VOTE: The second segment failed with Commissioners Adams and Healy in favor.

MOTION: Commissioner Healy moved a primary amendment to the now therefore statement by adding "the Planning Commission supports this TAB list of projects" prior to "all or a portion thereof to be put before the citizens of the Borough for a vote." The motion was seconded.

VOTE: The primary amendment passed without objection.

MOTION: Commissioner Adams moved a primary amendment by adding a be it further resolved statement to read: "Be it further resolved, that the MSB Planning Commission requests the Assembly structure the bond package and voter ballot such that State matching funds can be pursued, but are not required to construct proposed transportation system improvements". The motion was seconded.

VOTE: The primary amendment passed without objection.

VOTE: The main motion to approve Resolution 15-15 passed as amended without objection.

#### **XI. CORRESPONDENCE AND INFORMATION**

A. Transportation Advisory Board (TAB), April 22, 2015, Draft Agenda

#### **XII. UNFINISHED BUSINESS**

*(There was no unfinished business.)*

#### **XIII. NEW BUSINESS**

*(There was no new business.)*

#### **XIV. COMMISSION BUSINESS**

A. Upcoming Planning Commission Agenda Items

Ms. Probasco provided a brief update on projects that will be coming before the Planning Commission.

Commissioner Endle:

- stated that he will be absent from the May 4<sup>th</sup> PC meeting, but would like to participate in the discussion of Resolution 15-18 regarding updating guidelines for the development of comprehensive plans and SpUD regulations; and
- requested that the item be moved to the May 18<sup>th</sup> agenda.

There was no objection noted.

[Clerk's note: PC Resolution 15-18 was moved to May 18, 2015, under new business.]

**XV. DIRECTOR AND COMMISSIONER COMMENTS**

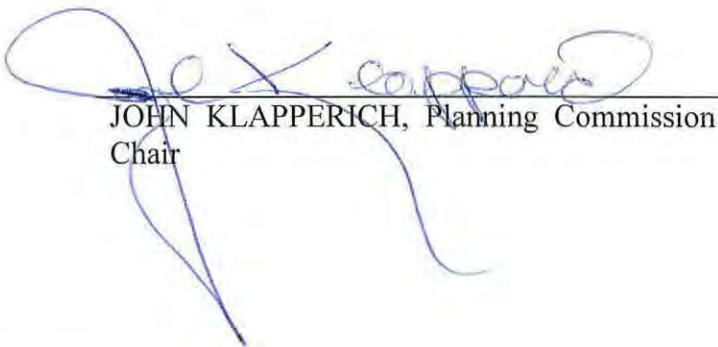
Commissioner Endle thanked the commission for moving Resolution 15-18 to the May 18, 2015, meeting.

Chair Klapperich:

- opined that the work of the PC will become more important over time;
- planning is no longer a four-letter word;
- applauded Mr. Brown and Mr. Swort's efforts to plan 10 and 20 years in the future; and
- we need to think long term.

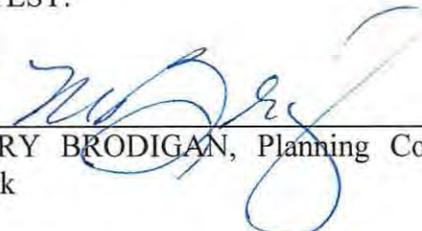
**XVI. ADJOURNMENT**

The regular meeting adjourned at 8:54 p.m.



JOHN KLAPPERICH, Planning Commission  
Chair

ATTEST:



MARY BRODIGAN, Planning Commission  
Clerk

*Minutes approved: May 4, 2015*

RECEIVED  
MAY 21 2015  
CLERKS OFFICE

By: Mark Whisenhunt  
Introduced: May 4, 2015  
Public Hearing: May 18, 2015  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-13**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH MSB 17.30 - CONDITIONAL USE PERMIT (CUP) FOR EARTH MATERIALS EXTRACTION ACTIVITIES, FOR THE EXTRACTION OF 100,000 CUBIC YARDS OF EARTH MATERIAL FROM A 5.5-ACRE SITE WITHIN TWO PARCELS TOTALING 11.4 ACRES, LOCATED WITHIN TOWNSHIP 17 NORTH, RANGE 1 EAST, SECTIONS 3 & 10, TAX PARCELS D3 & A13 (17N01E03D0003 & 17N01E10A013), SEWARD MERIDIAN.

WHEREAS, an application was submitted by Nathan Haines, on the behalf of Gordon Bartel & Robert Haines requesting a conditional use permit for earth materials extraction located at 527 & 701 N. Old Trunk Road (MSB Tax ID# 17N01E10A013 & 17N01E03D0003); within Township 17N, Range 1 East, Sections 3 & 10, Seward-Meridian; and

WHEREAS, it is the intent of the Matanuska-Susitna Borough to recognize the value and importance of promoting the utilization of natural resources within its boundaries; and

WHEREAS, it is the purpose of MSB Chapter 17.30 to allow resource extraction activities while promoting the public health, safety, and general welfare of the Borough through the regulation of land uses to reduce the adverse impacts of land uses and development between and among property owners; and

WHEREAS, it is further the purpose of MSB 17.30 to promote orderly and compatible development; and

WHEREAS, the total footprint for earth material extraction activity is 5.5-acres; and

WHEREAS, earth material extraction activity will be continuous, with the expected final year of extraction occurring in 2040; and

WHEREAS, the application material meets criteria to qualify for a Conditional Use Permit, as established in MSB 17.30.050; and

WHEREAS, an Alaska State Department of Revenue license is not required for this application because Alaska law was amended in 2012 and rock, sand and gravel quarries are now exempt from the requirement; and

WHEREAS, an Alaska State Department of Natural Resources (ADNR) mining permit is not required for this application because the extraction activities will not take place on state land; and

WHEREAS, an ADNR reclamation plan was accepted by ADNR for the project site, and a financial assurance was not required by ADNR for this project site; and

WHEREAS, an NOI is not required for this site as it is fully self-contained and does not discharge into waters of the United States; and

WHEREAS, a United States Army Corps of Engineers permit pursuant to Section 404 of the Clean Water Act is not required

for this application as the applicant is not proposing any extraction activity to take place within any identified wetlands, lakes, streams, or other waterbodies; and

WHEREAS, the property is located within the Core Area planning area; and

WHEREAS, the Core Area Comprehensive plan (2007 Update) addresses sand and gravel extraction activities; and

WHEREAS, the project is consistent with Goal 1, Land Use: Foster a pattern of land development that protects the appealing features of the Core Area, offers developers and consumers choices in the market place, and allows local government to provide cost-effective infrastructure and services economically. Policy 1-M: Collaboration with operators of large earth materials extraction sites to plan for site reclamation and re-use after earth materials extraction activities are finished; and

WHEREAS, the applicant's reclamation plan shows the property will be generally flat with a gentle slope closely matching the elevation of Old Trunk Road, preparing it for commercial use upon completion of the mining operation; and

WHEREAS, the conditional use site is buffered from Old Trunk Road; and

WHEREAS, land uses within one-half mile of the site contain a mixture of undeveloped, industrial, and residential uses; and

WHEREAS, lands abutting the site contain vacant and residential uses; and

WHEREAS, according to the application material, the proposed project will mine down an existing hill to a usable flat surface with 2H:1V slopes to adjacent terrain; and

WHEREAS, according to the application materials, mining activities and reclamation will be complete within 4 growing seasons of each phase; and

WHEREAS, according to the application material, earthen berms 10-feet in height are in place to screen the operation from Old Trunk Road; and

WHEREAS, topography to the north, east, and south is such that screening methods are impracticable and rendered useless as the adjacent parcels are significantly higher than the conditional use site; and

WHEREAS, all of the site plan and site development requirements have been provided; and

WHEREAS, according to the application material, the operation will be watered as needed during operations as a dust control measure; and

WHEREAS, the applicant is not proposing to mine below or within four feet of the water table; and

WHEREAS, a batch plant is not proposed as part of this application; and

WHEREAS, according to the application material, all storm water will be contained on site; and

WHEREAS, no complaints regarding noise, dust, or traffic have been received regarding the existing permitted conditional use; and

WHEREAS, previous setback violations have been resolved; and

WHEREAS, according to the site plan, earth material extraction activities will not take place within 100-feet of any identified wetlands or waterbodies; and

WHEREAS, maps are included in the record identifying surrounding property ownership, existing land uses, and waterbodies within ½ mile of the proposed site; and

WHEREAS, a site plan is included in the record showing the location of the earth materials extraction site, including phases of mining within the subject parcel; and

WHEREAS, a topographic contour map, bare earth map, and aerial photography are included in the record. These items show topographic features and vegetation of the subject property, adjacent properties, and the generally anticipated location of the semi-permanent equipment; and

WHEREAS, State of Alaska Driveway Permits have been issued for all driveways constructed for the permitted conditional use; and

WHEREAS, according to the application material, the proposed operation will not generate traffic in excess of 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles per day; and

WHEREAS, the earth material will be available to the public at large. Therefore, trucks will enter Old Trunk Road and may proceed north or south, depending on the customer location; and

WHEREAS, according to the applicant, the normal business hours are 7am to 7pm, daily; and

WHEREAS, the operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards and MSB 8.52 - Noise, Amplified Sound, and Vibration; and

WHEREAS, the applicant is not proposing to use illumination devices; and

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby adopts the aforementioned findings of fact and makes the following conclusions of law supporting approval of Planning Commission Resolution 15-13:

1. The application meets the criteria to qualify for a Conditional Use Permit for Earth Material Extraction Activities (MSB 17.30.050(A)); and

2. All of the requirements to demonstrate compliance with state and federal law have been met (17.30.055(A)); and
3. The conditional use is not inconsistent with the applicable comprehensive plan (MSB 17.30.60(A)(1)); and
4. The proposed use with conditions, will not detract from the value, character and integrity of the surrounding area (MSB 17.30.060(A)(2)); and
5. The applicant has met all of the requirements of this chapter. (MSB 17.30.060(A)(3)); and
6. No evidence shows the proposed use with conditions, will be harmful to the public health, safety, convenience and welfare (MSB 17.30.060(A)(4)); and
7. Lot area, buffers or other safeguards are being provided (MSB 17.30.60(A)(5)); and
8. The surrounding property ownership, existing land uses, and wetlands and water bodies within the notification area have been identified (MSB 17.28.060(A)(1)); and
9. Phases of proposed mining activities, description of the topography and vegetation, and approximate time sequence for the duration of the mining activity have been determined. No permanent, semi-permanent, or

portable equipment related to the conditional use are anticipated to be located within the required setbacks (MSB 17.28.60(A)(2)); and

10. The proposed traffic route and traffic volumes have been identified. Traffic generated from the proposed use will not exceed 100 vehicles during the morning or afternoon peak hours or more than 750 vehicles a day, as specified in MSB 17.61.090, Traffic Standards (MSB 17.28.60(A)(3)); and
11. Earthen berms and natural topography will be used to meet the visual screening measures (MSB 17.28.60(A)(4)); and
12. Noise mitigation measures include constructing earthen berms to ensure that sounds generated from earth material extraction activities do not exceed sound levels set forth in MSB 17.28.060 (A)(5)(a). Hours of operation also limit the noise to within certain hours, and noise levels exceeding the levels in 17.28.060(A)(5)(a) will be prohibited; and
13. The applicant meets lighting standards in accordance with MSB 17.28.060(A)(6); and
14. Earth materials extraction activities will not take place within 100-feet of any identified wetlands or waterbodies; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby finds this application does meet the standards of MSB 17.30.060 and does hereby approve the conditional use permit for the earth material extraction activities with the following conditions:

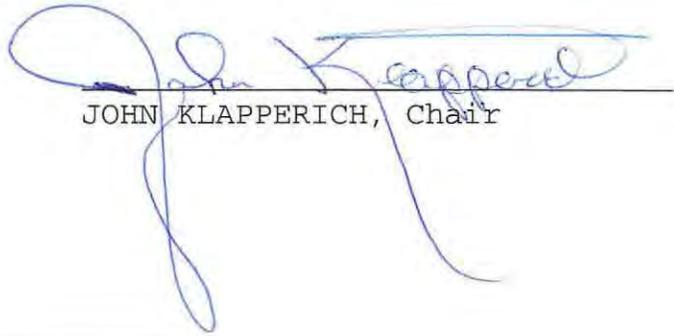
1. The owner and/or operator shall comply with all other applicable federal, state, and local regulations.
2. Prior to operating under this permit, a Matanuska-Susitna Borough general construction permit must be obtained.
3. Material extraction shall be limited to the areas identified in the applicant's site plan dated January 26, 2015.
4. The existing berms for visual and noise mitigation shown in the applicant's site plan dated January 26, 2015 shall maintained a minimum of 10-feet in height and within the subject parcel.
5. Vehicles and equipment shall be staged at a designated location and all equipment shall be inspected by the operator for leaks at the end of each day.
6. On-site maintenance of vehicles shall be done in an area where all leaks can be contained with drip pans or other discharge prevention devices.

7. Any hazardous materials, drips, leaks, or spills shall be promptly attended to and properly treated.
8. If the material extraction operation expands or alters, an amendment to the administrative permit shall be required.
9. All construction exits shall comply with standard Alaska Pollutant Discharge Elimination System requirements to minimize off-site vehicle tracking of sediments and discharges to storm water.
10. The permit holder shall perform dust mitigation techniques as described in the application as-needed to minimize dust impacts to the surrounding areas.
11. The operation shall comply with the maximum permissible sound level limits allowed in MSB Code, per the requirements of MSB 17.28.060(A)(5)(a) - Site Development Standards and MSB 8.52 - Noise, Amplified Sound, and Vibration.
12. All extraction activities, including all activity that causes noise, dust, or traffic, shall be limited to 7am to 7pm, daily.
13. If cultural remains are found during material extraction activities, the MSB Cultural Resources Division shall be contacted immediately so the remains can be documented.

14. A four-foot vertical separation shall be maintained between all excavation and the seasonal high water table.
15. Borough staff shall be permitted to enter onto any portion of the property to monitor compliance with permit requirements. Such access will at minimum, be allowed on demand when activity is occurring and, with prior verbal or written notice, and at other times as necessary to monitor compliance. Denial of access to Borough staff shall be a violation of this Conditional Use Permit.
16. The property owner and/or operator shall comply with the reclamation standards of MSB 17.28.067.
17. If reclamation information is updated annually with the State of Alaska DNR, the applicant shall provide a copy of the updated information to the MSB Planning Department.
18. If illumination devices are required, they shall not be greater than 20 feet in height, shall utilize downward directional shielding devices, and shall meet the requirements of MSB 17.28.060(A)(6) Lighting standards.
19. This permit must be approved by the Matanuska-Susitna Borough Planning Commission. The decision may be

appealed within 21 days of the date of approval by the Planning Commission in accordance with MSB 15.39 - Board of Adjustment and Appeals.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 18th day of May, 2015.

A handwritten signature in blue ink, appearing to read "John Klapperich", is written over a horizontal line.

JOHN KLAPPERICH, Chair

ATTEST:

A handwritten signature in blue ink, appearing to read "Mary Brodigan", is written over a horizontal line.

MARY BRODIGAN, Planning Clerk

(SEAL)

PASSED UNANIMOUSLY: Klapperich, Endle, Walden, Kendig, Adams, and Rauchenstein

By: Eileen Probasco  
Introduced: May 4, 2015  
Public Hearing: May 18, 2018  
Action: Approved

RECEIVED

MAY 21 2015

CLERKS OFFICE

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-19 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ADOPTION OF AN ORDINANCE PLACING A TEMPORARY (12 MONTHS) MORATORIUM ON MSB 15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS.

WHEREAS, in 1999 the borough adopted MSB 15.24.031 Initiating and Amending Lake Management Plans to provide consistency and clarity to the Lake Management Plan (LMP) process, which is initiated by the community; and

WHEREAS, There are currently 41 Lake Management Plans adopted into MSB 15.14, with corresponding enforceable regulations outlined in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in some cases, the process of developing the LMP has become controversial to the point of consuming one staff member's time for several months, and taking away from other pressing projects and assembly priorities; and

WHEREAS, staff would like time to explore other options for the lake management plan process; and

WHEREAS, this ordinance is intended to keep the existing LMP's in place as adopted in 15.24.030(C), and keep the existing

enforceable regulations in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in an effort to conduct borough business efficiently and focus on Assembly priorities and to allow staff time to consider an alternate method of conducting the LMP process, a temporary (12 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans is recommended.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends adoption of an ordinance placing a temporary (12 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 18th day of May, 2015.



JOHN KLAPPERICH, Chair

ATTEST



MARY BRODIGAN, Planning Clerk

(SEAL)

YES: Klapperich, Endle, Walden, Kendig, and Rauchenstein.

NO: Adams.

By: Eileen Probasco  
Introduced: May 4, 2015  
Public Hearing: May 18, 2015  
Action: Approved

RECEIVED

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-21**

MAY 21 2015

CLERKS OFFICE

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION IN SUPPORT OF DESIGNATING THE CENTRAL LANDFILL AS THE SITE FOR A NEW SEPTAGE AND LEACHATE TREATMENT FACILITY.

WHEREAS, design and construction of a septage and leachate treatment and disposal facility is a top priority of the Matanuska-Susitna Borough of the 2015 legislative session, as identified in Assembly Resolution 14-084; and

WHEREAS, the Borough administration initiated a site selection process to identify the preferred location for such a facility; and

WHEREAS, the Matanuska-Susitna Borough Wastewater & Septage Advisory Board Resolution 14-01 identified a search area within the populous southern portion of the Borough; and

WHEREAS, the Matanuska-Susitna Borough Wastewater & Septage Advisory Board Resolution 14-02 adopted site selection criteria specific to the requirements of a septage and leachate treatment facility; and

WHEREAS, Borough staff identified Borough-owned parcels of land within the search area in an effort to avoid land acquisition and minimize overall project costs and ranked these parcels in accordance with the site selection criteria; and

WHEREAS, the two top choices as a result of the ranking were the "Church Road Site" and the "Central Landfill Site"; and

WHEREAS, a professional engineering consulting firm, retained by the Borough, evaluated the top two sites for potential engineering, traffic and environmental issues, and to estimate the costs associated with development of both sites; and

WHEREAS, the results of this evaluation are contained in the review draft of the "Septage and Leachate Treatment Facility Site Suitability and Engineering Analysis" and were presented at a public open house at Colony Middle School on April 1, 2015; and

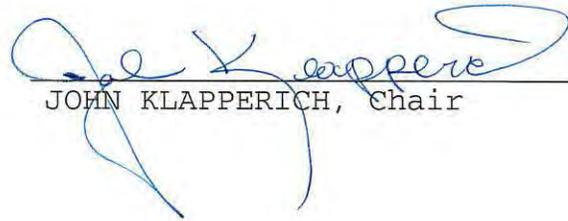
WHEREAS, the engineering consultants found that the soils at the "Church Road Site" are too dense for subsurface discharge and would require a surface discharge, which could be difficult to permit, and costly to construct; and

WHEREAS, the "Church Road Site" is over 11 miles distant from the Borough's Central Landfill, which would result in higher operational costs for the transportation of landfill leachate, if this site were selected; and

WHEREAS, the Borough's engineering consultant recommends selection of the "Central Landfill Site" as the preferred site for a septage and leachate treatment and disposal facility, based on suitable soils, minimal environmental impacts, and lower projected capital and operational costs.

NOW, THEREFORE, BE IT RESOLVED that the Matanuska-Susitna Borough Planning Commission supports designating the central landfill as the site for a new septage and leachate treatment facility.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 18th day of May, 2015.

  
\_\_\_\_\_  
JOHN KLAPPERICH, Chair

ATTEST

  
\_\_\_\_\_  
MARY BRODIGAN, Planning Clerk

(SEAL)

YES: *Klapperich, Endle, Walden, Kendig, Adams, and Rauchenstein*  
NO:

**SUBJECT:** AN ORDINANCE AMENDING MSB 17.19.045, SHEEP MOUNTAIN SUB DISTRICT, TO ALLOW FOR 3 ACRE LOTS IN CASES WHERE A WATERBODY, EASEMENT OR ROADWAY SPLITS AN EXISTING PARCEL.

**AGENDA OF: MARCH 3, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Refer to the Planning Commission for 90 day review.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator - E. Probasco	EP	
	Planning and Land Use Director	EP/MLU	
	Borough Attorney	MS	
	Borough Clerk	JMM	2/23/15 (JN)

**ATTACHMENT(S):** Fiscal Note: NO X YES       
 Ordinance Serial No. 15-033 (2 pp)  
 Original request - 3 pp  
 Sheep Mt. Subdistrict Map - 1 page  
 Plan excerpt - 1 page  
 Existing 17.19.045 - 3 pp  
 Potential options submitted to GVCC - 1 page  
 Draft GVCC Minutes, 1/22/15 - 3 pp  
 Staff memo (1 pp)  
 Planning Commission Resolution (3 pp)  
 Email from Richard Wood (2 pp)

**SUMMARY STATEMENT:**  
 In 2006, the assembly adopted the Sheep Mountain Sub-District of the Glacier View Comprehensive Plan. Land Use Goals for that plan include:

1. Guide responsible development that matches community values and existing development
2. Encourage development which will enhance and protect the natural wildlife, the sheep, and flora of the area. Other activities to promote the natural wildlife and fauna may include raptor viewing and interpretive signs and kiosks along the highway.

3. Stay involved with the development, update and implementation of plans addressing public lands and plans for utilities improvements (i.e. electrical, natural gas, etc.)
4. Amend the Susitna Area Plan to accept recommendations of the Glacier View Comprehensive Plan Update.
5. Protect scenic view shed along thie Glenn Highway
6. Reduce conflicts between private property owners and non-resident recreational users by directing recreational users to public lands.
7. Retain the largely rural character of the area by supporting larger minimum lot sizes.

In 2007 the assembly adopted MSB 17.19.045 Sheep Mountain Subdistrict, Subsection (A) of this section reads: *"It is the intent of this subsection to address the increased recreational use in the past several years and the potential for development that may be incompatible with the values of residents. To accomplish this, community members within the Sheep Mountain Subdistrict are interested in an increased level of land use regulation within the sub-district boundaries. Uses allowed in this subdistrict should generally meet the goals in the Sheep Mountain Subdistrict chapter of the Glacier View Comprehensive Plan, and may require conditions intended to protect the aesthetic values of the area, maintain the rural character, ensure protection of sheep habitat, promote nature-based tourism and protect public health, safety, and welfare."*

When the Sheep Mountain Subdistrict Plan was adopted, the community members wished to implement goal #7 in the Plan by establishing a minimum lot size of 5 acres within 17.19.045. Since that time, an amendment has been considered by the Glacier View community council (GVCC) to allow 3 acre lot sizes under certain circumstances. On January 22, 2015 the GVCC considered the amendment and voted to approve it and forward it to the borough for finalization.

**RECOMMENDATION OF ADMINISTRATION:** Approval of an ordinance amending MSB 17.19.045, Sheep Mountain Sub District, to allow for 3 acre lots.

11-13-14

Mrs. Eileen Probasco,

Greetings. Enclosed find my proposed wording for amending Borough code 17.19.045 E. Included is a statement of support from residents and other landowners, by proxy, of the Sheep Mtn. Sub-Unit, Glacier View Community.

I look forward to our meeting Nov. 24, at 11am.

Richard Wood



Jm15-055  
OR15-033

Statement of Support  
To Waive or Amend  
MSB Code 17.19.045E

I support the Matanuska-Susitna Borough granting a waiver to MSB Code 17.19.045E in the case of Richard Wood, Treeline Subd., Tax Acct. 57284000L1, PA# 20140172. Additionally, in the event no waiver is granted, I support a resolution by the Glacier View Community Council to amend MSB Code 17.19.045E to read: Lot Area. The minimum lot area for any use shall be five acres, except where some feature of or on the land makes a logical, definitive, permanent boundary, then a parcel of lesser size may be created.

Marilyn Meekin MP 113  
 Zach Steer MP 113  
 Cynthia Steer MP 113  
 Thomas N. Wright MP 113  
 Katherine Wright MP 113  
 Juanita Jones MP 111  
 Dany A Jones MP 111  
 Trish Lee mile 111  
 Jim C White MILE 114  
 Cordean Talbot mile #114.9  
 J W / P W STRICK 9-30-14 MP 109  
 Colleen Dutch 9-30-14 MP 109  
 Richard Wood MP 111  
 Mike M... 10-1-14 MP 115

Consent by proxy:  
 James Hitchcock MP 107  
 Beatrice Hitchcock MP 107  
 Elisa Hitchcock MP 107  
 Wm. Wagner MP 107  
 Elizabeth Klukan MP 114  
 Curtis Rhea MP 111  
 Steven Murphy MP 112  
 Phyllis Murphy MP 112  
 Donna Larsen MP 114  
 Diane Tyding MP 111

Statement of Support  
To Waive or Amend  
MSB Code 17.19.045E

I support the Matanuska-Susitna Borough granting a waiver to MSB Code 17.19.045E in the case of Richard Wood, Treeline Subd., Tax Acct. 57284000L1, PA# 20140172. Additionally, in the event no waiver is granted, I support a resolution by the Glacier View Community Council to amend MSB Code 17.19.045E to read: Lot Area. The minimum lot area for any use shall be five acres, except where some feature of or on the land makes a logical, definitive, permanent boundary, then a parcel of lesser size may be created.

Marilyn Meekin	MP 113	Consent by proxy:	
Zach Steer	MP 113	James Hitchcock	MP 107
Arnette Steer	MP 113	Beatrice Hitchcock	MP 107
Thomas N. Wright	MP 113	Elisa Hitchcock	MP 107
Katherine Wright	MP 113	Wm. Wagner	MP 107
Juanita Jones	MP 111	Elizabeth Klukan	MP 114
Dung A Jones	MP 111	Curtis Rhea	MP 111
Trish Lee	MP 111	Steven Murphy	MP 112
Jim White	MP 114	Phyllis Murphy	MP 112
Cordean Talbot	MP 114.9	Donna Larsen	MP 111
Joseph J. STRICK	9-30-14	Diane Tyding	MP 111
Colleen Dutch	9-30-14		
Richard Wood	MP 111		
Mike M.	10-1-14		MP 115



## **Glacier View Comprehensive Plan Update Sheep Mountain Sub-District**

There is established, within the boundaries of the Glacier View Community Council, the Sheep Mountain Sub-District, as described on the map within this update. The residents within the boundaries of the sub-district respect and generally agree with the goals contained within the Glacier View Comprehensive Plan.

The Sheep Mountain Sub-District is bordered on the west by Caribou Creek and on the north by Squaw Creek. It extends eastward to approximately mile 118 of the Glenn Highway, and includes parts of the Chugach Mountains to the south, and contains approximately 102 square miles (see Appendix C – boundary map).

### **OVERALL GOAL**

In light of the increased recreational use in the past several years and the potential for development that may be incompatible with the aesthetic values of those residents, community members within the Sheep Mountain Sub-District are interested in an increased level of land use regulation within the sub-district boundaries to protect the aesthetic values of the area, maintain the rural character, ensure protection of sheep habitat, promote eco-tourism and protect public health, safety and welfare.

### **LAND USE GOALS**

1. Guide responsible development that matches community values and existing development.
2. Encourage development which will enhance and protect the natural wildlife, the sheep, and flora of the area. Other activities to promote the natural wildlife and fauna may include raptor viewing and interpretive signs and kiosks along the highway.
3. Stay involved with the development, update and implementation of plans addressing public lands and plans for utilities improvements (i.e. electrical, natural gas, etc.)
4. Amend the Susitna Area Plan to accept recommendations of the Glacier View Comprehensive Plan Update.
5. Protect scenic view shed along the Glenn Highway.
6. Reduce conflicts between private property owners and non-resident recreational users by directing recreational users to public lands.
7. Retain the largely rural character of the area by supporting larger minimum lot sizes.

### **Public Lands**

#### Federal Lands

Federal lands are managed by the Bureau of Land Management (BLM) which follows a multiple use management philosophy. Federal lands in the area are within the Glennallen District. A management plan for those lands, the “Southcentral Resource Management Plan” was begun in the early 1990s, but was never finalized. A more recent planning effort is currently underway by

**17.19.045 SHEEP MOUNTAIN SUBDISTRICT; INTENT.**

---

(A) It is the intent of this subsection to address the increased recreational use in the past several years and the potential for development that may be incompatible with the values of residents. To accomplish this, community members within the Sheep Mountain Subdistrict are interested in an increased level of land use regulation within the sub-district boundaries. Uses allowed in this subdistrict should generally meet the goals in the Sheep Mountain Subdistrict chapter of the Glacier View Comprehensive Plan, and may require conditions intended to protect the aesthetic values of the area, maintain the rural character, ensure protection of sheep habitat, promote nature-based tourism and protect public health, safety, and welfare.

(B) Permitted Uses. The following uses are permitted in the Sheep Mountain Subdistrict:

- (1) residential:
  - (a) single-family dwellings;
  - (b) two-family dwellings;
- (2) retail, office, service or other commercial uses with a foot print of 6,000 square feet or less;
- (3) hotels, motels, or other overnight accommodations of 50 units or fewer;
- (4) recreational vehicle parks, campgrounds, and parking lots with spaces for a total of 50 or fewer tent camping, RV or parking spaces;
- (5) local serving public facilities buildings, or similar buildings for community civic uses, including churches;
- (6) home-based, cottage industry activities; and
- (7) home-based, resource-related activities such as farms, small scale manufacturing and logging, as long as the use does not negatively impact neighboring houses or businesses, as determined by the director.

(C) Conditional Uses. The following uses may be permitted by the commission with appropriate conditions, including increased setbacks, buffering, road access, parking, noise mitigation or other requirements intended to ensure the development is consistent with the intent of the district:

- (1) multifamily dwellings;
- (2) retail, office, service or other commercial uses with a foot print of greater than 6,000 square feet;
- (3) hotels, motels, or other overnight accommodations of more than 50 units;
- (4) recreational vehicle parks, campgrounds, and parking lots with accommodations for more than 50 tent camping, RV or parking spaces;

Im15-055  
OR15-033

- (5) major electrical transmission lines and associated electrical substations in accordance with the standards in MSB [17.19.120](#) and [17.19.130](#) (and similar public utility development);
- (6) highway maintenance yards;
- (7) tall structures exceeding 35 feet, and other conditional uses as outlined in MSB [17.60](#). A conditional use permit for a tall structure exceeding 35 feet in height may be granted if the commission determines it does not negatively impact the view shed from the highway, in addition to meeting the appropriate standards in MSB [17.60](#);
- (8) commercial junk yards and refuse areas in accordance with MSB [17.60](#);
- (9) sanitary landfills;
- (10) commercial timber harvesting or processing over ten acres in size;
- (11) commercial mining operations (excluding earth materials extraction);
- (12) all other boroughwide conditionally permitted uses in accordance with MSB Title [17](#), not listed as permitted or prohibited (i.e., alcoholic beverages, earth materials extraction, adult entertainment, mobile home parks, etc.); or
- (13) Other uses that are generally compatible with the land use district, and that are similar in intensity to the above conditional uses in terms of their traffic, noise, or other off-site impacts, as determined by the director (i.e., air tourism development).

(D) Prohibited Uses. Prohibited uses and structures within the Sheep Mountain Subdistrict Special Land Use District are:

- (1) medical and industrial waste incinerators;
- (2) alcohol and drug rehab and treatment centers;
- (3) correctional facilities;
- (4) hazardous material storage or waste disposal;
- (5) commercial outdoor shooting ranges (does not include seasonal special events such as biathlons, etc.);
- (6) race tracks used by motorized vehicles (does not include seasonal special events); and
- (7) other industrial uses not conditionally permitted, that are similar to above prohibited uses in intensity in terms of their traffic, noise or other off-site impacts, as determined by the director.

(E) Lot Area. The minimum lot area for any use shall be five acres.

(F) Nonconforming Structures and Lots of Record. Nonconforming structures and lots of record shall be addressed as outlined in MSB [17.80](#).

(G) Development Standards.

Im15-055  
OR15-033

- (1) Setback/Screening Standards.
  - (a) Setback minimums shall be as outlined in MSB [17.55](#).
  - (b) To the extent reasonable, an undisturbed natural vegetative buffer should be retained within the setback, with the intent of maintaining the aesthetic values of the district.
- (2) Sign Standards.
  - (a) Signs painted on or attached to buildings and not projecting more than three inches from the building shall not exceed 45 square feet.
  - (b) Signs projecting from buildings more than three inches, whether mounted perpendicular or hanging from the building, shall not exceed 12 square feet per side, nor the maximum building height allowed in this district.
  - (c) Free standing signs may not be internally illuminated and shall not exceed 65 square feet per side nor the maximum building height allowed in this district.
  - (d) Reader board style signs and signs which are flashing, rotating, animated, or internally illuminated are prohibited.

Im15-055  
OR15-033

Potential Options for Lot Size issue  
in MSB 17.19.045 Sheep Mountain Subdistrict

EXISTING:

17.19.045 (E) Lot Area. The minimum lot area for any use shall be five acres.

OPTION 1:

(E) Lot Area. The minimum lot area for any use shall be five acres.

- (1) In the case where a waterbody, easement or roadway splits an existing parcel which would otherwise meet the minimum lot size requirement, subdivision along the waterbody, easement or roadway is allowed so long as the remaining lots are at least 3 acres in size.**

OPTION 2:

(E) Lot Area. The minimum lot area for any use shall be ~~five~~ **three** acres.

You could also change the minimum lot size to something other than 3 acres.

## GVCC Minutes

1/22/15

1. Mtg. called to order @ 6:12 pm. Gary W. made motion to accept minutes as written, Joseph D seconded. Motion passed, minutes accepted.

2. Kelly gave Treasurer's report (report submitted separately). Danny A made motion to pass as submitted, Gary 2nded. Motion passed, report accepted.

3. 2015 dues are due this month or as members attend. \$5 per member, for annual dues.

4. Old Business:

A. Emergency Supplies: Rex bought 40 sleeping bags and pads and a 3KW generator for the connex. Danny A found source for long term food supply pack: Auguson Farms/ 200+ servings, 30 yrs. shelf life, @ Walmart (\$70-85). He will be buying some of these as well as some Mt. House freeze dried meals for individual/small group servings and variety.

Joseph D recommended \$3000 for food purchases. Joseph, Danny A, and Rex C are emergency supply committee.

B. My House: teen assistance program/facility; we donated \$3000 last year, and Joseph D made motion to donate \$3000 for 2015, as well. Kelly S. 2nded. Motion passed unanimously.

C. Wildfire Suppression: Gary W suggested foaming system for big pump truck. Rex will check out pricing for this. Gary W made motion to have Rex spend the remaining \$1800 in fire fighting budget, Kelly 2nded. Motion passed unanimously. Rick informed council that more funds could be directed to this project from other grant monies, if necessary.

5. Guest Speaker: Gary Hay, Executive Director of Chickaloon Village Council

He came to invite people in community to Open House for the new construction of the Gathering Place/ Life House Community Health Center in Sutton. The health clinic is currently limited as to what services they can offer due to space. However, they are tied into VA services for veterans, and Ben, the PA there, can refer veterans to specialists if necessary. They want to expand services, and have grants and funding from several sources for the new construction. Come to the open house for more information, on Wednesday, Jan. 28, from 5:30-7:30 PM at the health clinic in Sutton (building behind the spirit houses, Mi. 61.5 Glenn Hwy. You can also email or call Gary Hay for info if you cannot attend. Email: garyh@chickaloon.org or call 745-0749.

We were also introduced to the 2 tribal officers for the Chickaloon Tribe, Matt Schwier, and Angie Wade. Matt is teaching the DARE program in GV School, as well as 3 other schools. This program teaches responsible choice and decision making, as well as drug and alcohol abuse prevention. Danny A made motion to donate \$500 directly to Officer Schwier to fund his DARE program graduation ceremony here at GVS. Joseph D 2nded, motion passed unanimously.

Officer Angie Wade also shared her role as community bridge builder; she can help implement community or neighborhood watches, conduct elder welfare checks, and is also an EMT and member of the Sutton ambulance crew. The officers work closely with AK State Troopers and can handle incidents that troopers may not respond to. Officers can be reached by cell: 715-3952, or Angie's direct cell: 982-7616

6. Update on Ambulance Supplies: Rick had council's approval to purchase vacuum splints for ambulance crew in Sutton and Glacierview this past fall. He purchased 2, and the ambulance crew was able to use one already for an emergency in the area. These splints work great, and have proven themselves a wise use of our funds.

7. New Business:

*"At the request of a community member, Jim Hitchcock presented several options for amendments to the SPUD for discussion, which would amend the code section about minimum lot sizes within the Sheep Mountain Subdistrict (17.19.045). After some discussion, option 1 was identified as the preferred amendment.*

*Gary Wolske made a motion to recommend the SPUD be amended as outlined in option 1:*

*(E) Lot Area. The minimum lot area for any use shall be five acres.*

***(1) In the case where a waterbody, easement or roadway splits an existing parcel which would otherwise meet the minimum lot size requirement, subdivision along the waterbody, easement or roadway is allowed so long as the remaining lots are at least 3 acres in size.***  
*(bold is suggested as additional language).*

*Danny Allen 2nded. Motion passed unanimously.*

Jim also announced the annual meeting for Alpine Historical Society will be held in Sutton at library, this Sunday, @ 1 PM.

B. Joseph Davis reported that MTA is still planning on completing fiberoptic connection for service this summer.

Also he gave update on Palmer Free Radio (89.5 FM): they are working to place a repeater station here in GV, and are interested in providing local programming. It's a private/non-profit

station; they could use funding from our emergency grant \$, if we donate for the purpose of emergency broadcasting service.

Joseph reminded council that Friday is Bread and Jam Night at the school, from 7-9PM. He's handing out free kazoos :)

C. Elections for 2015 GVCC will be held next month! We will be voting on President, VP, and Secretary. Nominations include Joseph Davis for President, Rodney Mays for VP, and Kristi Lucia for Secretary (incumbent). Write-ins will also be accepted. Contact Rick if you have any other nominations to put on ballot. Please attend next meeting to vote! Ballots can also be completed through email/mail. Contact Rick if any questions.

Gary W made motion to adjourn @ 7:30 PM, Jim H 2nded. Next mtg. will be Feb. 26, 6PM, at GVS.



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department Planning Division

350 East Dahlia Avenue • Palmer, AK 99645  
Phone (907) 745-9833 • Fax (907) 745-9876  
www.matsugov.us • [planning@matsugov.us](mailto:planning@matsugov.us)

## MEMORANDUM

DATE: May 7, 2015

TO: Lonnie McKechnie, Borough Clerk

FROM: Eileen Probasco, Planning Director *EP*

SUBJECT: Assembly Ordinance 15-033 and Informational Memorandum 15-055  
Planning Commission Resolution 15-12 (AM)

Upon further review of Assembly Ordinance 15-033, the planning commission identified potential confusion and/or loopholes in the suggested language. Planning staff worked with the attorney's office and the platting officer to draft language that would accomplish the desired outcome, meet the intent of the Sheep Mountain plan recommendations, but remove the potential for unintended consequences in future subdivision requests. The updated language was e-mailed to the community council and the individual in the community requesting the amendment, who indicated no opposition with the new language.

At their May 5, 2015 regular meeting, the planning commission held a public hearing and adopted resolution 15-12 AM recommending amended language to the assembly ordinance 15-033, concerning the requested Sheep Mountain SPUD amendments.

Staff recommends the assembly amend Ordinance 15-033 to include the language reflected in PC Resolution 15-12 AM.

By: Eileen Probasco  
Introduced: March 16, 2015  
Public Hearing: April 6, 2015  
Action: Adopted

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-12 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ASSEMBLY APPROVAL OF AN ORDINANCE AMENDING MSB 17.19.045, SHEEP MOUNTAIN SUB DISTRICT, TO ALLOW FOR SMALLER LOTS IN CASES WHERE A WATERBODY, EASEMENT OR ROADWAY SPLITS AN EXISTING PARCEL.

---

WHEREAS, in 2006 the Assembly adopted the Sheep Mountain Sub-District of the Glacier View Comprehensive Plan; and

WHEREAS, Goal #7 of the plan states: *Retain the largely rural character of the area by supporting larger minimum lot sizes; and*

WHEREAS, in 2007 the assembly adopted MSB 17.19.045 Sheep Mountain Subdistrict; and

WHEREAS, when the Sheep Mountain Subdistrict Plan was adopted, the community members wished to implement goal #7 in the Plan by establishing a minimum lot size of 5 acres; and

WHEREAS, since that time, an amendment has been considered by the Glacier View community council (GVCC) to allow 3 acre lot sizes under certain circumstances; and

WHEREAS, on January 22, 2015 the GVCC considered the amendment and voted to approve it and forward it to the borough for finalization; and

WHEREAS, the planning commission supports the request, however suggested that proposed language could be unclear and potentially result in unintended consequences; and

WHEREAS, the planning commission suggested amended language in ordinance as follows:

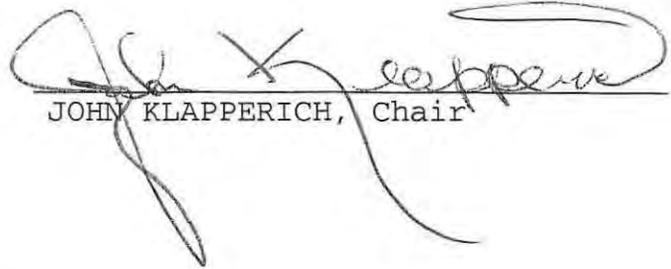
(E) Lot Area: The minimum lot area for any use shall be five acres **except that:**

**(1) In the case where a waterbody (as defined in MSB 17.125), public easement or public roadway splits an existing parcel, the minimum lot size may be reduced, as long as the resulting parcels meet all other requirements under Title 43 and the intent of the goals in the Sheep Mt. Subdistrict Plan.**

WHEREAS, the Planning Commission held a public hearing and considered public testimony on the proposed ordinance, and suggested amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends assembly approval of an ordinance amending MSB 17.19.045, Sheep Mountain sub district, to allow for smaller lots in cases where a waterbody, easement or roadway splits an existing parcel.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 4th day of May, 2015.

  
JOHN KLAPPERICH, Chair

ATTEST

  
MARY BRODIGAN, Planning Clerk  
(SEAL)

YES: *Mealy, Klapperich, Walden, Kendig, and Adams*

NO:

**Eileen Probasco**

---

**From:** Eileen Probasco  
**Sent:** Monday, April 27, 2015 8:49 PM  
**To:** Mary Brodigan  
**Subject:** Fwd: Alternate language, lot size.

for the packet

Sent from my iPad

Begin forwarded message:

**From:** richard wood <[alaskawoodshed@gmail.com](mailto:alaskawoodshed@gmail.com)>  
**Date:** April 25, 2015 at 2:45:25 PM AKDT  
**To:** Eileen Probasco <[Eileen.Probasco@matsugov.us](mailto:Eileen.Probasco@matsugov.us)>  
**Subject:** Re: Alternate language, lot size.

Hello Ms. Probasco,

Sorry for the delayed response - I've been out of country and internet range.

You're proposed wording (see above) for the amendment to SPUD-Glacier View Comp Plan, sounds specific enough to satisfy Platting Dept.'s concerns, while addressing the bulk of reasonable claims that may arise within the SPUD area. I support the proposed wording as written.

If I can be of any help, please contact me at (907) 982-5313 or email.

Thank you for your support,

Richard Wood

On 4/20/15, Eileen Probasco <[Eileen.Probasco@matsugov.us](mailto:Eileen.Probasco@matsugov.us)> wrote:

Hello Rick and Richard.

In looking at the language we proposed earlier, there were a lot of uncertainties and "what if's" so we postponed Planning Commission action on the lot size request for Sheep Mountain until May 4.

In the alternate, we have come up with the language below, which will still address your issue, but ensure that the goals of the Sheep Mt. Subdistrict for larger lots is still taken into consideration.

Do you have any problem if we amend the language to that we have proposed below? Sorry for the confusion, but I think this will work better for you

and other unique situations that may arise.

Thanks

Eileen Probasco

From: Eileen Probasco

Sent: Wednesday, April 15, 2015 10:35 AM

To: Paul Hulbert

Subject: like this?

(E) Lot Area: The minimum lot area for any use shall be five acres except that:

(1) In the case where a waterbody (as defined in MSB 17.125), public easement or public roadway splits an existing parcel, the minimum lot size may be reduced, as long as the resulting parcels meet all other requirements under Title 43 and the intent of the goals in the Sheep Mt. Subdistrict Plan.

Eileen Probasco

Planning and Land Use Director

[eprobasco@matsugov.us](mailto:eprobasco@matsugov.us)<<mailto:eprobasco@matsugov.us>>

(907) 861-7851

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-033**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.19.045, SHEEP MOUNTAIN SUB DISTRICT, TO ALLOW FOR 3 ACRE LOTS IN CASES WHERE A WATERBODY, EASEMENT OR ROADWAY SPLITS AN EXISTING PARCEL.

---

WHEREAS, justification for this ordinance is contained in IM 15-055.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 17.19.045 (E) is hereby amended as follows:

(E) Lot Area. The minimum lot area for any use shall be five acres.

**(1) In the case where a waterbody, easement or roadway splits an existing parcel which would otherwise meet the minimum lot size requirement, subdivision along the waterbody, easement or roadway is allowed so long as the remaining lots are at least 3 acres in size.**

Section 3. Effective date. This ordinance shall take effect

upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$75,000 FROM THE FISCAL YEAR 2015 INFORMATION TECHNOLOGY DEPARTMENT OPERATING BUDGET FUND 100 TO FUND 480; AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SHAREPOINT DEVELOPMENT AND IMPLEMENTATION PROJECT FUND.

**AGENDA OF:** May 27, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator - BL/OIT	<i>Bdd</i>	<i>4/27/15</i>
1	Information Technology Department Director	<i>EW</i>	<i>4-27-15</i>
2	Finance Director	<i>me</i>	<i>5/14/15</i>
3	Borough Attorney	<i>NS</i>	
4	Borough Clerk	<i>[Signature]</i>	

**ATTACHMENT(S):** Fiscal Note: Yes x No      (1 pp)  
 Ordinance Serial No. 15-076 (2 pp)  
 Resolution Serial No. 15-053 (3 pp)

**SUMMARY STATEMENT:**

The Information Technology Department requests that the Assembly re-appropriate \$75,000 from the fiscal year 2015 Information Technology Department operating budget fund 100 to Fund 480 for SharePoint development and implementation.

The funds for this project are available in the fiscal year 2015 Information Technology Department operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund.

The funds will move the Borough toward having an enterprise information management software system that will assist with

sharing, organizing and discovering information. SharePoint will provide a web based borough-wide collaboration system, a project status tracking system, a business health metrics dashboard, and allow for tracking and staffing correspondence and documents like legislation. This SharePoint environment will replace the existing Intranet, the Borough's internal web site.

The next upgrade of the Borough's current records management software, TRIM, requires the integration with a SharePoint server.

Other efforts, such as a Transportation Project Portal and an e-Commerce site, will also rely heavily on a SharePoint environment.

**RECOMMENDATION OF ADMINISTRATION:**

Staff respectfully recommends the Matanuska-Susitna Borough Assembly re-appropriate \$75,000 from fiscal year 2015 Information Technology Department operating budget, Fund 100 to Fund 480; and approving the scope of work for the SharePoint Development and Implementation Project.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: May 26, 2015

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$75,000 FROM THE FISCAL YEAR 2015 INFORMATION TECHNOLOGY DEPARTMENT OPERATING BUDGET FUND 100 TO FUND 480; AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SHAREPOINT DEVELOPMENT AND IMPLEMENTATION PROJECT FUND.

ORIGINATOR: Eric Wyatt, IT Director

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <b>YES</b> NO
AMOUNT REQUESTED \$75,000	FUNDING SOURCE IT Operating Budget
FROM ACCOUNT # 100.115.122.426.600	PROJECT #
TO ACCOUNT : 480.000.000.3XX.XXX	PROJECT #
VERIFIED BY: <i>[Signature]</i>	CERTIFIED BY:
DATE: <i>5/4/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>						

CAPITAL						<i>75</i>
---------	--	--	--	--	--	-----------

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other						<i>75</i>
<b>TOTAL</b>						<i>75</i>

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DEPARTMENT: *[Signature]* DATE: *4-27-15*

*5/14/15*

IM No. 15-120  
Ordinance Serial No. 15-076

RS no. 15-053

NON-CODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-076**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$75,000 TO A SHAREPOINT DEVELOPMENT AND IMPLEMENTATION PROJECT FUND.

---

WHEREAS, the Borough does not currently have an enterprise information management software system; and

WHEREAS, the funds for this project are available in the fiscal year 2015 Information Technology Department operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund. The re-appropriation of funds will move the Borough toward having an enterprise information management software system that will assist with sharing, organizing and discovering information; and

WHEREAS, SharePoint will provide a web based borough-wide collaboration system, a project status tracking system, a business health metrics dashboard, and allow for tracking and staffing correspondence and documents like legislation. This SharePoint environment will replace the existing Intranet; and

WHEREAS, the next upgrade of the Borough's current records management software, TRIM, requires the integration with a SharePoint server; and

WHEREAS, other efforts, such as a Transportation Project Portal and an e-Commerce site, will rely heavily on a SharePoint environment; and

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Re-appropriation Source. The Matanuska-Susitna Borough Assembly does hereby re-appropriate \$75,000 from the fiscal year 2015 Information Technology Department operating budget Fund 100 to Fund 480 for the SharePoint Development and Implementation Project.

Section 3. Effective Date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-053**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET FOR A SHAREPOINT DEVELOPMENT AND IMPLEMENTATION PROJECT.

---

WHEREAS, the Borough does not currently have an enterprise information management software system; and

WHEREAS, the funds for this project are available in the fiscal year 2015 Information Technology Department operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund. The re-appropriation of funds will move the Borough toward having an enterprise information management software system that will assist with sharing, organizing and discovering information; and

WHEREAS, SharePoint will provide a web based borough-wide collaboration system, a project status tracking system, a business health metrics dashboard, and allow for tracking and staffing correspondence and documents like legislation. This SharePoint environment will replace the existing Intranet; and

WHEREAS, the next upgrade of the Borough's current records management software, TRIM, requires the integration with a SharePoint server; and

WHEREAS, other efforts, such as a Transportation Project

Portal and an e-Commerce site, will rely heavily on a SharePoint environment; and

WHEREAS, the Assembly re-appropriated funds in the amount of \$75,000 with Ordinance Serial No. 15-076 for the SharePoint Development and Implementation Project; and

WHEREAS, the Assembly is required to approve the scope of work and budget prior to any expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the following scope of work and budgets.

#### SCOPE OF WORK

The scope of the first phase will be to create a server, complete architectural design, set up a test environment, obtain administrator, configuration and end-user training and complete implementation within the IT Department.

Future phases will proceed after a successful pilot is complete within the IT Department. The architectural design will be scaled to support 25-30 users in phase one with the ability to scale up to 1000 users for a Borough-wide implementation in the future.

#### BUDGET

Area-wide, Information Technology Department

Fiscal Year 2015 Operating \$75,000

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

LARRY DeVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$60,000 FROM THE FISCAL YEAR 2015 INFORMATION TECHNOLOGY DEPARTMENT OPERATING BUDGET FUND 100 TO FUND 480; AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SECURITY PROGRAM PROJECT FUND.

**AGENDA OF:** May 27, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator - BL/OIT	<i>Bob</i>	4/27/15
1	Information Technology Department Director	<i>EW</i>	4-27-15
2	Finance Director	<i>[Signature]</i>	5/14/15
3	Borough Attorney	<i>[Signature]</i>	
4	Borough Clerk	<i>[Signature]</i>	

**ATTACHMENT (S):** Fiscal Note: Yes  No  (1 pp)  
 Ordinance Serial No. 15-077 (2 pp)  
 Resolution Serial No. 15-054 (3 pp)

**SUMMARY STATEMENT:**

The Information Technology Department requests that the Assembly re-appropriate \$60,000 from the fiscal year 2015 Information Technology Department operating budget fund 100 to Fund 480 for the Security Program Project.

The funds for this project are available in the fiscal year 2015 Information Technology Department operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund.

The funds will provide the Borough with an overall enterprise security assessment as part of reviewing our overall security

posture. This assessment will include reviewing physical security, technological security, and performing a Payment Card Industry (PCI) compliance assessment of our current and planned future environment. The assessment will be used to assist in developing an overall IT security program that will be utilized by the organization.

**RECOMMENDATION OF ADMINISTRATION:**

Staff respectfully recommends the Matanuska-Susitna Borough Assembly re-appropriate \$60,000 from fiscal year 2015 Information Technology Department operating budget, Fund 100 to Fund 480; and approving the scope of work for the Security Program Project.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: May 26, 2015

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$60,000 FROM THE FISCAL YEAR 2015 INFORMATION TECHNOLOGY DEPARTMENT OPERATING BUDGET FUND 100 TO FUND 480; AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET FOR THE SECURITY PROGRAM PROJECT FUND.

ORIGINATOR: Eric Wyatt, IT Director

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <b>YES</b> NO
AMOUNT REQUESTED \$60,000	FUNDING SOURCE IT Operating Budget
FROM ACCOUNT # 100.115.121.429.900	PROJECT #
TO ACCOUNT : 480.000.000.3XX.XXX	PROJECT #
VERIFIED BY: <i>Barbara Baumgardner</i>	CERTIFIED BY:
DATE: <i>5/4/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						60
---------	--	--	--	--	--	----

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other						60
TOTAL						60

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: *Eric Wyatt* PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: 4-27-15  
 APPROVED BY: *[Signature]* DATE: 5/14/15

IM No. 15-121  
 Ordinance Serial No. 15-077  
RS15-054

NON-CODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH**  
**ORDINANCE SERIAL NO. 15-077**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$60,000 TO AN INFORMATION TECHNOLOGY SECURITY PROGRAM PROJECT FUND.

WHEREAS, the Borough needs a security assessment done; and

WHEREAS, the funds for this project are available in the fiscal year 2015 Information Technology Department operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund. The re-appropriation of funds will provide the Borough with an overall enterprise security assessment as part of our overall security posture; and

WHEREAS, a security assessment will include reviewing physical security, technological security, and performing a Payment Card Industry (PCI) compliance assessment of our current and planned future environment; and

WHEREAS, the security assessment will be used to assist in developing an overall IT security program that will be utilized by the organization.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Re-appropriation Source. The Matanuska-Susitna Borough Assembly does hereby re-appropriate \$60,000 from the fiscal year 2015 Information Technology Department operating budget Fund 100 to Fund 480 for the Security Program Project.

Section 3. Effective Date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

OR15-077  
RS15-054  
JM15-121

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-054**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET FOR AN INFORMATION TECHNOLOGY SECURITY PROGRAM PROJECT.

---

WHEREAS, the Borough needs a security assessment done; and

WHEREAS, the funds for this project are available in the fiscal year 2015 Information Technology Department operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund. The re-appropriation of funds will provide the Borough with an overall enterprise security assessment as part of our overall security posture; and

WHEREAS, a security assessment will include reviewing physical security, technological security, and performing a Payment Card Industry (PCI) compliance assessment of our current and planned future environment; and

WHEREAS, the security assessment will be used to assist in developing an overall IT security program that will be utilized by the organization.

WHEREAS, the Assembly re-appropriated funds in the amount of \$60,000 with Ordinance Serial No. 15-077 for the Security Program Project; and

WHEREAS, the Assembly is required to approve the scope of work and budget prior to any expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the following scope of work and budgets.

**SCOPE OF WORK**

The Matanuska-Susitna Borough is needing an overall security assessment as a part of reviewing our overall security posture. This assessment will include reviewing physical security, technological security, and evaluating our future planned PCI network. This assessment will be used to assist in developing an overall IT security program. This assessment will adhere to the latest best security practices and comply with common information security guidelines and polices. A formal report and presentation will be received.

**BUDGET**

Area-wide, Information Technology Department

Fiscal Year 2015 Operating \$60,000

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

OR15-077  
IM15-121

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$50,000 FROM THE FISCAL YEAR 2015 INFORMATION TECHNOLOGY DEPARTMENT OPERATING BUDGET FUND 100 TO FUND 480; AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO EXAMINE THE FEASIBILITY OF AN AERIAL IMAGERY ACQUISITION PROGRAM.

**AGENDA OF:** May 27, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY** *John Moosey* **JOHN MOOSEY, BOROUGH MANAGER:** *John Moosey*

Route To:	Department/Individual	Initials	Remarks
	Originator - BL/OIT	<i>add</i>	
1	Information Technology Department Director	<i>JW</i>	<i>5-8-15</i>
2	Finance Director	<i>JW</i>	<i>5/11/15</i>
3	Borough Attorney	<i>NS</i>	
4	Borough Clerk	<i>(Signature)</i>	

**ATTACHMENT (S):** Fiscal Note: Yes  No  (1 pp)  
 Ordinance Serial No. 15-078 (2 pp)  
 Resolution Serial No. 15-055 (3 pp)

**SUMMARY STATEMENT:**

The Matanuska-Susitna Borough, both citizens and staff, are dependent on access to current aerial imagery to support their businesses.

The most recent imagery acquisition, from 2011, is missing approximately 3,000 recently-constructed buildings, including schools and new homes; new and realigned transportation networks such as Trunk Road, S. Big Lake Road, and the Port MacKenzie Rail Extension; and significant development in the Port MacKenzie and Hatcher Pass areas.

The funds to start recurring imagery program are available in

the fiscal year 2015 Information Technology Department operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund.

The funds will be used to examine the feasibility of an Aerial Imagery Acquisition Program.

**RECOMMENDATION OF ADMINISTRATION:**

Staff respectfully recommends the Matanuska-Susitna Borough Assembly re-appropriate \$50,000 from fiscal year 2015 Information Technology Department operating budget, Fund 100 to Fund 480; and approving the scope of work for the Aerial Imagery Acquisition Project 47519.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: May 26, 2015

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$50,000 FROM THE FISCAL YEAR 2015 INFORMATION TECHNOLOGY DEPARTMENT OPERATING BUDGET FUND 100 TO FUND 480; AND A RESOLUTION APPROVING THE SCOPE OF WORK AND BUDGET TO EXAMINE THE FEASIBILITY OF AN AERIAL IMAGERY ACQUISITION PROGRAM.

ORIGINATOR: Eric Wyatt, IT Director

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$50,000	FUNDING SOURCE IT Operating Budget
FROM ACCOUNT # 100.115.121.429.900	PROJECT #
TO ACCOUNT : 480.000.000.3XX.XXX	PROJECT # 47519-4201
VERIFIED BY: <i>Barbara Baumgardner</i>	CERTIFIED BY:
DATE: 5-11-15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other						
TOTAL						

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: *B. Doudon* PHONE: *x 8524*  
 DEPARTMENT: *Information Technology* DATE: *5-8-15*  
 APPROVED BY: *Eric Wyatt* DATE: *5/11/15*

IM No. 15-125  
 Ordinance Serial No. 15-078  
*RS 15-055*

NON-CODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-078**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$50,000 TO AN AERIAL IMAGERY ACQUISITION PROGRAM PROJECT FUND 47519.

---

WHEREAS, the Matanuska-Susitna Borough, both its citizens and staff, are dependent on access to current aerial imagery to support their businesses; and

WHEREAS, the most recent imagery acquisition, from 2011, is missing approximately 3,000 recently-constructed buildings, including schools and new homes; new and realigned transportation networks such as Trunk Road, S. Big Lake Road, and the Port MacKenzie Rail Extension; and significant development in the Port MacKenzie and Hatcher Pass areas; and

WHEREAS, the funds to start a recurring imagery acquisition program, are available in the fiscal year 2015 Information Technology operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund; and

WHEREAS, the funds will contribute to a multi-year program and will be used to examine the feasibility of an Aerial Imagery Acquisition Program.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Re-appropriation Source. The Matanuska-Susitna Borough Assembly does here-by re-appropriate \$50,000 from the fiscal year 2015 Information Technology Department operating budget Fund 100 to Fund 480 for the Aerial Imagery Acquisition Program.

Section 3. Effective Date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-055**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET FOR AN AERIAL IMAGERY ACQUISITION PROGRAM PROJECT.

---

WHEREAS, the Matanuska-Susitna Borough, both its citizens and staff, are dependent on access to current aerial imagery to support their businesses; and

WHEREAS, the most recent imagery acquisition, from 2011, is missing approximately 3,000 recently-constructed buildings, including schools and new homes; new and realigned transportation networks such as Trunk Road, S. Big Lake Road, and the Port MacKenzie Rail Extension; and significant development in the Port Mackenzie and Hatcher Pass areas; and

WHEREAS, the funds to start a recurring imagery acquisition program, are available in the fiscal year 2015 Information Technology operating budget and will lapse on June 30, 2015 if not re-appropriated to a non-lapsing fund; and

WHEREAS, the funds will contribute to a multi-year program and will be used to examine the feasibility of an Aerial Imagery Acquisition Program; and

WHEREAS, the Assembly re-appropriated funds in the amount of \$50,000 with Ordinance Serial No. 15-078 for the Aerial Imagery Acquisition Program Project; and



\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING THE COMPOSITION OF MSB 4.32, EMERGENCY MEDICAL SERVICES BOARD; SECTION 4.32.010, ESTABLISHED.

**AGENDA OF:** May, 27 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED** *for* JOHN MOOSEY, BOROUGH MANAGER: *George H. King*

Route To:	Department/Individual	Initials	Remarks
	Originator/Gamble	BG/SV	
1	Finance Director	<i>via telephone</i>	
2	Borough Attorney	<i>JK</i>	
3	Borough Clerk	<i>[Signature]</i>	

**ATTACHMENT (S) :** Fiscal Note: Yes          No   X    
Ordinance Serial No. 15- 079 (2pp)

**SUMMARY STATEMENT:**

This is to amend the composition of MSB 4.32, Emergency Medical Services Board, Section 4.32.010, ESTABLISHED, for the following purpose: add one alternate representative for each of the following: 1) the medical director; 2) a hospital representative; 3) a dispatch center representative; 4) a dive rescue team representative; and 5) a uniformed or responder fire service representative.

This move was recommended by the MSB Emergency Medical Services Board to have back up representation for all representatives, and to improve establishment of a quorum for EMS board meetings.

**RECOMMENDATION OF ADMINISTRATION:**

The administration recommends approval of the attached legislation, which will approve the amendment to MSB 4.32.010.

CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-079**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING  
MSB 4.32.010, EMERGENCY MEDICAL SERVICES BOARD, ESTABLISHED.

---

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of subsection. MSB 4.32.010 (B) is hereby amended to read as follows:

(B) The emergency medical services board membership shall consist of:

- (1) an emergency medical service (EMS) primary and an alternate from each Matanuska-Susitna Borough service area;
- (2) the medical director primary and an alternate;
- (3) a hospital representative primary and an alternate;
- (4) a dispatch center representative primary and an alternate;
- (5) a dive rescue team representative primary and an alternate; and
- (6) a uniformed or responder fire service representative primary and an alternate.

(7) [Repealed by Ord.04-080, § 21, 2004]

Section 2. Effective Date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC Borough Clerk

(SEAL)

**SUBJECT:** RE-APPROPRIATING \$150,000 FROM THE EMERGENCY SERVICES TELECOMMUNICATIONS FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO PROJECT 47045, FUND 480, AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE MICROWAVE NETWORK PROJECT.

**AGENDA OF:** May 27 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY** *John Moosey* JOHN MOOSEY, BOROUGH MANAGER: *John Moosey*

Route To:	Department/Individual	Initials	Remarks
	Originator - Emergency Services Director	<i>RG</i>	<i>5/12/15</i>
1	I.T. Director	<i>JW</i>	<i>5-12-15</i>
2	Finance Director	<i>JW</i>	<i>5/14/15</i>
3	Borough Attorney	<i>NS</i>	
4	Borough Clerk	<i>[Signature]</i>	

**ATTACHMENT (S):** Fiscal Note: Yes   x   No         
 Ordinance Serial No. 15-080 (2pp)  
 Resolution Serial No. 15-056 (2pp)

**SUMMARY STATEMENT:**

The Matanuska-Susitna Borough needs to build a microwave network that will connect public safety communications sites with a data infrastructure that will support future technologies for Fire and EMS communications. The next level of communications technology will require this data infrastructure to support any of the more sophisticated technologies which the Borough needs to move toward. We have reached the limits of our current technology and need to evolve to meet the communication needs of our emergency personnel.

In addition, a microwave network will provide additional data services between the main Borough facilities and disaster recovery and EOC locations, and provide the Borough with an overall enterprise security assessment as part of our overall security posture.

There is currently funding available in the Emergency Services Telecommunications fiscal year 2015 Operating Budget, fund 100, to transfer into Project 47045, fund 480.

**RECOMMENDATION OF ADMINISTRATION:**

Approval of the attached legislation to re-appropriate \$150,000 from the fiscal year 2015 Emergency Services Telecommunications operating budget, Fund 100, to Project No. 47045, Fund 480 and approve the scope of work and budget for the Microwave Network Project.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: May 26, 2015

SUBJECT: Re-appropriating \$150,000 from the Emergency Services Telecommunications fiscal year 2015 operating budget, Fund 100, to Project No. 47045, Fund 480, and approving the scope of work for the Microwave Network Project.

ORIGINATOR: William Gamble, Emergency Services Director

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$150,000	FUNDING SOURCE Emer Services Oper Budget
FROM ACCOUNT # 100.160.126.434.100	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baerquist</i>	CERTIFIED BY:
DATE: <i>5/12/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL	150					
---------	-----	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other	150					
TOTAL	150					

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: *5/14/15*

NON-CODE ORDINANCE

By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-080**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$150,000 FROM THE EMERGENCY SERVICES TELECOMMUNICATIONS FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO PROJECT 47045, FUND 480 TO BUILD A MICROWAVE NETWORK.

WHEREAS, the Matanuska-Susitna Borough needs to build a microwave network that will connect public safety communications sites with a data infrastructure that will support future technologies for Fire and EMS communications; and

WHEREAS, the next level of communications technology will require this data infrastructure to support any of the more sophisticated technologies which the Borough needs to move toward; and

WHEREAS, we have reached the limits of our current technology and need to evolve to meet the communication needs of our emergency personnel; and

WHEREAS, a microwave network will provide additional data services between the main Borough facilities and disaster recovery and EOC locations, and provide the Borough with an overall enterprise security assessment as part of our overall security posture; and

WHEREAS, there is currently funding available in the Emergency Services Telecommunications fiscal year 2015 Operating Budget, fund 100, to transfer into Project 47045, fund 480.

WHEREAS, BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Re-appropriation Source. The Matanuska-Susitna Borough Assembly does hereby re-appropriate \$150,000 from the Emergency Services Telecommunications fiscal year 2015 Operating Budget Fund 100 to Project No. 47045, Fund 480 for the Microwave Network Project.

Section 3. Effective Date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-056**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE SCOPE OF WORK AND BUDGET FOR PROJECT NO. 47045 FOR A MICROWAVE NETWORK.

---

WHEREAS, the Matanuska-Susitna Borough needs to build a microwave network that will connect public safety communications sites with a data infrastructure that will support future technologies for Fire and EMS communications; and

WHEREAS, the next level of communications technology will require this data infrastructure to support any of the more sophisticated technologies which the Borough needs to move toward; and

WHEREAS, we have reached the limits of our current technology and need to evolve to meet the communication needs of our emergency personnel; and

WHEREAS, a microwave network will provide additional data services between the main Borough facilities and disaster recovery and EOC locations, and provide the Borough with an overall enterprise security assessment as part of our overall security posture; and

WHEREAS, the Assembly is required to approve the scope of work and budget prior to any expenditures.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly hereby approves the following scope of work and budget.

**SCOPE OF WORK**

The purchase of the microwave antennas, cabling, connectors, mounts, and accessories for the MSB microwave radio network sites. The purchase of microwave radios, packet nodes, switches, cabling, hardware and power supplies, software, factory design and testing, support services, installation support, and warranty as required for implementation of the microwave links between the microwave radio network sites.

**BUDGET**

Emergency Services Telecommunications

Fiscal Year 2015 Operating Budget \$150,000

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$23,739 FROM FUND 480, PROJECT 47509, VOICE OVER INTERNET PROTOCOL TO FUND 480, PROJECT 45232, EMS PATIENT CARE REPORTING AND AMENDING THE BUDGET FOR PROJECT 45232.

**AGENDA OF:** May 27, 2015

**Assembly Action:**

**MANAGER RECOMMENDATION:** Present to the Assembly for consideration.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
B. Loudon	Originator	B.L	5/13/15
	IT Director	JW	5/13/15
	Finance Director	JW	5/14/15
	Borough Attorney		
	Borough Clerk		

**ATTACHMENT(S):** Fiscal Note: YES  NO   
 Ordinance Serial No. 15-081 (2 pp)  
 Resolution Serial No. 15-057 (2 pp)

**SUMMARY STATEMENT:**

In the fiscal year 2010 Capital Improvement Budget the Assembly approved \$85,000 to provide the Borough with the capability of electronic submission of patient care reports (ePCR) to hospitals and our billing office per a State of Alaska requirement.

In the fiscal year 2012 Capital Improvement Budget the Assembly allocated \$ 576,500 for the Voice Over Internet Protocol, Project No. 47509. This project is complete with funds remaining.

These remaining funds are needed to finalize the electronic submission of patient care reports (ePCR) project with the

purchase of hardware, software, and integration services.

**RECOMMENDATION OF ADMINISTRATION:**

The Administration is proposing and requests Assembly approval to re-appropriate \$23,739 from fund 480, project no. 47509, Voice Over Internet Protocol to fund 480, project No. 45232, EMS Patient Care Reporting and amending the budget for project no. 45232.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: May 27, 2015

ORIGINATOR: Information Technology

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$27,739 FROM FUND 480 PROJECT 47509, VOICE OVER INTERNET PROTOCOL TO FUND 480 PROJECT 45232, EMS PATIENT CARE REPORTING AND AMENDING THE BUDGET FOR PROJECT 45232.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT: <u>YES</u> NO
AMOUNT REQUESTED \$23,739.00	FUNDING SOURCE Fund 480
FROM ACCOUNT # 480.000.000.4xx.xxx	PROJECT # 47509-1800-1801
TO ACCOUNT: 480.000.000.4xx.xxx	PROJECT # 45232-1800-1802
VERIFIED BY: <i>Barbara Baerengut</i>	CERTIFIED BY:
DATE: <i>5/13/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE		<i>23.7</i>				
---------	--	-------------	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		<i>23.7</i>				
TOTAL		<i>23.7</i>				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: *5/14/15*

NON-CODE ORDINANCE

Sponsored By:  
Introduced:  
Public Hearing:  
Adopted:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-081**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$23,739 FROM FUND 480 PROJECT 47509, VOICE OVER INTERNET PROTOCOL TO FUND 480 PROJECT 45232, EMS PATIENT CARE REPORTING.

---

WHEREAS, In the fiscal year 2010 Capital Improvement budget the Assembly approved \$85,000 to provide the Borough with the capability of electronic submission of patient care reports to hospitals and our billing office per a State of Alaska requirement; and

WHEREAS, in the fiscal year 2012 Capital Improvement Budget the Assembly allocated \$ 576,500 for the Voice Over Internet Protocol; and

WHEREAS, this project is complete with funds remaining; and

WHEREAS, these funds are scheduled to lapse as of June 30, 2015; and

WHEREAS, these remaining funds are needed to finalize the electronic submission of patient care reports (ePCR) project with the purchase of hardware, software, and integration services.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Re-appropriation Source. The Matanuska-Susitna Borough Assembly does hereby re-appropriate \$23,739 from Fund 480, Project 47509 to Fund 480 Project 45232.

Section 3. Effective Date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-057

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING  
THE BUDGET FOR THE EMS PATIENT CARE REPORTING PROJECT 45232.

WHEREAS, the Assembly re-appropriated \$23,739 to the EMS  
Patient Care Reporting via Ordinance Serial No. 15-081.

WHEREAS, the assembly must approve the amended budget prior  
to expenditure of said funds.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna  
Borough Assembly approves the following amended budget:

BUDGET

	Previously Approved Budget	Amended Budget
Project No. 45232/1802 Fiscal Year 2010 Areawide Capital Appropriation	\$ 85,000	\$ 108,739
Project No. 47509/1801 Fiscal Year 2012 Areawide Capital Appropriation	\$ 576,500	\$ 552,761

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

LARRY DeVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** A Resolution of the Matanuska-Susitna Borough Assembly in support of the borough's grant application to the State Of Alaska, Department Of Natural Resources, Division Of Parks And Outdoor Recreation for a Land And Water Conservation Fund Grant for acquisition of the Butte Summit.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to Assembly for consideration

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *George Ed. Hayes*

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>[Signature]</i>	
	Community Development Manager	<i>EP</i>	
	Finance Director	<i>JEL</i>	5/21/15
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JMM</i>	5/26/15 <i>(J)</i>

**ATTACHMENT (S):** Fiscal Note: Yes  No  Resolution Serial No. 15-058 (3 pp)

**SUMMARY STATEMENT:**

The Bodenbug Butte is the most popular hiking destination in the borough, however, when hikers reach the terminus of the West Butte trail at the summit of the Butte, they are technically trespassing. This recreational destination will need to be officially made public to prevent the threat of any future non-recreational development of this site.

The 40-acre summit of the Butte is owned by the Alaska Mental Health Trust Authority and the borough, in partnership with Great Land Trust, is requesting funding through a Land and Water Conservation Fund Grant to purchase and make public the summit of Bodenbug Butte.

After the acquisition, Great Land Trust will place a conservation easement on the parcel to permanently restrict non-recreational development and then convey the property to the Mat-Su Borough.

The acquisition of the Butte parcel will achieve the following objectives stated in the Mat-Su Borough Park, Recreation, and Open Space Plan (adopted 2001): Objective 4.3 Preserve and protect visual corridors and areas of unique scenic value; Objective 9.1. Develop an implementation strategy that continues to update the Borough-Wide Recreational Trails Plan, and that identifies a regional trail system that begins to provide for critical links along the identified Open Space corridor; Action 9.2.3. Trails identified in the Recreational Trails Plan should be protected with appropriate easements or rights-of-way and designated uses.

Our project supports these objectives and actions, and purchasing this parcel will lead to the permanent conservation of high-value recreational lands utilized by every sector of the community and protect a critical visual corridor.

**RECOMMENDATION OF ADMINISTRATION:**

The Administration is proposing and requests Assembly approval in support of the borough's grant application to the State Of Alaska, Department Of Natural Resources, Division Of Parks And Outdoor Recreation for a Land And Water Conservation Fund Grant for acquisition of the Butte Summit.

Action:

**MATANUSKA-SUSITNA BOROUGH  
RESOLUTION SERIAL NO. 15-058**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY IN SUPPORT OF THE BOROUGH'S GRANT APPLICATION TO THE STATE OF ALASKA DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND OUTDOOR RECREATION FOR LAND AND WATER CONSERVATION FUND GRANT FOR ACQUISITION OF THE BUTTE SUMMIT.

---

WHEREAS, Bodenbug Butte is the most popular hiking destination in the borough; and

WHEREAS, when hikers reach the terminus of the West Butte trail at the summit of the Butte, they are technically trespassing; and

WHEREAS, this recreational destination will need to be officially made public to prevent the threat of any future non-recreational development of this site; and

WHEREAS, the 40-acre summit of the Butte is owned by the Alaska Mental Health Trust Authority; and

WHEREAS, the borough, in partnership with Great Land Trust, is requesting funding to purchase and make public the summit of Bodenbug Butte; and

WHEREAS, after the acquisition, Great Land Trust will place a conservation easement on the parcel to permanently restrict non-recreational development and then convey the property to the Mat-Su Borough; and

WHEREAS, the acquisition of the Butte parcel will achieve the following objectives stated in the Mat-Su Borough Park, Recreation, and Open Space Plan(adopted 2001): *Objective 4.3 Preserve and protect visual corridors and areas of unique scenic value; Objective 9.1. Develop an implementation strategy that continues to update the Borough-Wide Recreational Trails Plan, and that identifies a regional trail system that begins to provide for critical links along the identified Open Space corridor; Action 9.2.3.Trails identified in the Recreational Trails Plan should be protected with appropriate easements or rights-of-way and designated uses; and*

WHEREAS, our project supports these objectives and actions; and

WHEREAS, purchasing this parcel will lead to the permanent conservation of high-value recreational lands utilized by every sector of the community and protect a critical visual corridor.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly supports the Borough's application to the State of Alaska, Department of Natural Resources, Division of Parks and Outdoor Recreation

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

LARRY DEVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Approval of a change order no. one (1) To Hattenburg, Dilley and Linnell in the amount of \$100,000 for Geotechnical Services.

MSB contract number: 14-136P

**AGENDA OF: June 2, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *John* JOHN MOOSEY, BOROUGH MANAGER: *Scott M. Hays*

Route To:	Department/Individual	Initials	Remarks
	Originator	HK	
	Public Works Director	<i>TDL</i>	<i>15MM15</i>
	Purchasing Officer	<i>[Signature]</i>	
	Finance Director	<i>JAC</i>	<i>5/20/15</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JAM</i>	<i>5/26/15</i> <i>(JD)</i>

**ATTACHMENT (S):** Fiscal Note: Yes  No

**SUMMARY STATEMENT:** Assembly approval of contract amendments (change orders) is required by MSB 3.08.170(C)(1) For contracts with an original award value of \$100,000 or less; a contract amendment or change order, or cumulative contract amendments or change orders, that will cause the total contract amount, as amended, to exceed \$100,000.

On June 5, 2014, Hattenburg, Dilley and Linnell was awarded bid no. 14-136P, in the amount of \$100,000 for the Geotechnical Services.

The Operations and Maintenance Division now desires to exercise an extension for one (1) additional year as allowed by mutual agreement of both parties with change order no. One (1). With this extension the cost of the one (1) year extension is \$100,000 which brings the contract total to \$200,000, which exceeds the total award value of \$100,000.

**RECOMMENDATION OF ADMINISTRATION:** Approval of a change order no. one (1) to Hattenburg, Dilley and Linnell in the amount of \$100,000 for Geotechnical Services

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: June 2, 2015

SUBJECT: Approval of a change order no. one (1) To Hattenburg, Dilley and Linnell in the amount of \$100,000 for Geotechnical Services.

MSB contract number: 14-136P

ORIGINATOR: Operations & Maintenance, Public Works

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED NTE *\$100,000	FUNDING SOURCE FY 2016 RSA Capital Appropriations
FROM ACCOUNT # 410,000.000.4xx, xxx	PROJECT # various
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: 5/19/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						* NTE 100
---------	--	--	--	--	--	-----------

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other RSA						* NTE 100
TOTAL						* NTE 100

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* Funds will be verified by individual purchase order.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 5/20/15

**SUBJECT:** Acceptance of late filed and retroactive Senior Citizen and Disabled Veteran exemption applications.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *for* JOHN MOOSEY, BOROUGH MANAGER: *Leoy D. Hays*

Route To:	Department/Individual	Initials	Remarks
1	Originator	<i>Bl</i>	
	Public Works Director		
	Planning and Land Use Director		
	Community Development		
	Emergency Services Director		
2	Finance Director	<i>juw</i>	<i>5/21/15</i>
3	Borough Attorney	<i>JA for N.S.</i>	<i>5/21/15</i>
4	Borough Clerk	<i>jam</i>	<i>5/21/15</i> (JU)

**ATTACHMENT (S):** Fiscal Note: Yes  No

**SUMMARY STATEMENT:**

Attached is a listing of individuals who are requesting exceptions for late filed and retroactive applications for Senior Citizen and Disabled Veteran exemption. In 2002, the state of Alaska enacted legislation whereby Disabled Veterans and Senior Citizens may request retroactive exemption. MSB code was amended accordingly. MSB Code 3.15.030(c) now establishes authority for the assembly with good cause to accept the late filed applications as timely.

**Disabled Veteran late filed mandatory and optional exemptions:**

Mr. Lawrence Humble Sr. applied on February 3, 2015 for the mandatory and optional Disabled Veteran exemptions for tax year 2014. Mr. Humble has owned and occupied his home since April 1, 2013. He is 90% disabled effective August 1, 2001. Mr. Humble filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

1518B05L012 - 2014 - \$121,900

Mr. Leo Pettit applied on April 29, 2015 for the mandatory and optional Disabled Veteran exemptions for tax year 2014. Mr. Pettit has owned and occupied his home since February 11, 2012. He is 50% disabled effective July 30, 2013. Mr. Pettit filed late because he was waiting for his percentage of disability letter from the Veteran's office and then forgot to return his application. He would like his late filed application accepted for 2014.

9998007U0025C - 2014 - \$21,000

Mr. Robert Zimnawoda applied on April 13, 2015 for the mandatory and optional Disabled Veteran exemptions for tax years 2013 and 2014. Mr. Zimnawoda has owned and occupied his home since June 8, 2003. He is 70% disabled effective November 14, 2012. Mr. Zimnawoda filed late because he was unaware of the exemption program. He would like his retroactive request and late filed application accepted for 2013 and 2014.

2855B02L011 - 2013 - \$165,800

2855B02L011 - 2014 - \$166,000

**Senior Citizen late filed mandatory and optional exemptions:**

Mr. Peter Bassney Sr. applied on March 13, 2015 for the mandatory and optional Senior Citizen exemptions for tax year 2014. Mr. Bassney has owned and occupied his home since May 31, 1995. He turned 65 on April 13, 2013. Mr. Bassney filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

2844B02L001A - 2014 - \$170,000

Mr. Raymond Thorson applied on April 28, 2015 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Mr. Thorson has owned and occupied his home since June 9, 2008. He turned 65 on January 14, 2011. Mr. Thorson filed late because he was unaware of the exemption program. He would like his retroactive request and late filed application accepted for 2013 and 2014.

5223000L003 - 2013 - \$170,000

5223000L003 - 2014 - \$170,000

Mr. Joseph Gregoire applied on March 25, 2015 for the mandatory and optional Senior Citizen exemptions for tax year 2014. Mr. Gregoire has owned and occupied his home since August 14, 2000. He turned 65 on August 5, 2013. Mr. Gregoire filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

4976B01L008 - 2014 - \$127,000

Mr. Lyle Giffen applied on March 12, 2015 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Mr. Giffen has owned and occupied his home since November 13, 2000. He turned 65 on April 3, 2009. Mr. Giffen filed late because he was unaware of the exemption program. He would like his retroactive request and late filed application accepted for 2013 and 2014.

4U04584000L02 - 2013 - \$136,900

4U04584000L02 - 2014 - \$134,500

Mr. Ronny Harvey applied on February 3, 2015 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Mr. Harvey has owned and occupied his home since May 31, 2011. He turned 65 on June 24, 2007. Mr. Harvey filed late because he was unaware of the exemption program. He would like his retroactive request and late filed application accepted for 2013 and 2014.

4743B02L001 - 2013 - \$170,000

4743B02L001 - 2014 - \$170,000

Mr. Patrick Cleary applied on April 29, 2015 for the mandatory and optional Senior Citizen exemptions for tax years 2013 and 2014. Mr. Cleary has owned and occupied his home since June 1, 2009. He turned 65 on December 14, 2011. Mr. Cleary filed late because he was unaware of the exemption program. He would like his retroactive request and late filed application accepted for 2013 and 2014.

2472B03L002 - 2013 - \$170,000

2472B03L002 - 2014 - \$170,000

Mr. Richard Estelle applied on April 28, 2015 for the mandatory and optional Senior Citizen exemptions for tax year 2014. Mr. Estelle has owned and occupied his home since June 1, 2009. He turned 65 on September 6, 2007. Mr. Estelle filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

1974B01L007 - 2014 - \$170,000

Mr. James MacKnicki applied on April 10, 2015 for the mandatory and optional Senior Citizen exemptions for tax year 2014. Mr. MacKnicki has owned and occupied his home since November 30, 2010. He turned 65 on August 14, 2013. Mr. MacKnicki filed late because he was unaware of the exemption program. He would like his late filed application accepted for 2014.

9024000U286C - 2014 - \$136,000

Ms. Stella Larson applied on October 10, 2014 for the mandatory and optional Senior Citizen exemptions for tax year 2014. Ms. Larson has owned and occupied her home since August 6, 2013. She turned 65 on August 13, 2013. Ms. Larson filed late because she was unaware of the exemption program. She would like her late filed application accepted for both her primary parcel and her contiguous lot for tax year 2014.

4004B04L005 - 2014 - \$27,500

4004B04L006 - 2014 - \$6,500

**RECOMMENDATION OF ADMINISTRATION:** Acceptance of late filed and retroactive requests for tax exemption.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: June 2, 2015

SUBJECT: Acceptance of retroactive and late filed Senior Citizen and Disabled Veteran exemption applications.

ORIGINATOR: Brad Pickett, Borough Assessor

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED < 37,450 >	FUNDING SOURCE ARA/NAR/FSA/RSA Taxes
FROM ACCOUNT # 100/2xx,000.000.3xx,xxx	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgard</i>	CERTIFIED BY:
DATE: 5/20/15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2010	FY2011	FY2012	FY2013	FY2014	FY2015
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						< 37.4 >
---------	--	--	--	--	--	----------

FUNDING: (Thousands of Dollars)

General Fund						< 23.3 >
State/Federal Funds						
Other						< 14.1 >
TOTAL						< 37.4 >

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: Brad Pickett, Borough Assessor PHONE: 861-8647

DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED BY: *[Signature]* DATE: 5/21/15

**SUBJECT:** Award of Proposal 15-022L, Art Services; Four Schools to Arctic Fires Bronze Sculptureworks in the contract amount of \$130,000.00

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *John Moosey* JOHN MOOSEY, BOROUGH MANAGER: *John Moosey*

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>JM</i>	
	Capital Projects Director	<i>BDD</i> 5/18/15	
	Finance Director	<i>JLU</i>	5/20/15
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JM</i>	5/20/15 (20)

**ATTACHMENT (S):** Fiscal Note: Yes X No \_\_\_\_\_  
 Advertising: (1p)

**SUMMARY STATEMENT:** On August 14, 2014, the Matanuska-Susitna Borough issued solicitation 15-022L seeking letters of interest from artists for exterior and interior public artworks to be installed at four new schools (Dena'ina Elementary, Iditarod Elementary, Career and Technical High and Joe Redington Sr. JR/SR High Schools. As a result of the advertising, the Borough received 16 proposals. Art Committees were chosen for each school and the artist's past work was reviewed and scored for each school. The Committee members worked with the selected artists on budgets and locations for art.

To date, the Art Committees for Mat-Su Career and Technical High and Joe Redington Sr. JR/SR High Schools have concluded their selection processes. The committees have chosen three artists for Mat-Su Career and Technical High School who are under contract and working on the art for this school. Five artists

have been selected to produce art for Joe Redington Sr. JR/SR High School. This AM is before the Assembly to authorize a single piece of art consisting of a bronze depiction of Redington on a sled driving a team of seven dogs.

**RECOMMENDATION OF ADMINISTRATION:** Award of **PROPOSAL 15-022L, ART SEVICES; FOUR SCHOOLS,** to **ARCTIC FIRES BRONZE SCULPTUREWORKS** in a contract amount of **ONE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (\$130,000.00).**

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: June 2, 2015

SUBJECT: Award of Proposal 15-022L, Art Services; Four Schools to Arctic Fires Bronze Sculptureworks in the contract amount of \$130,000.

ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED <b>\$130,000</b>	FUNDING SOURCE <b>Bonds</b>
FROM ACCOUNT # <b>400.000.000.4xx xxx</b>	PROJECT # 40187-1000-1097
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgart</i>	CERTIFIED BY:
DATE: <b>5-18-15</b>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		<b>130</b>				
---------	--	------------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		<b>130</b>				
TOTAL		<b>130</b>				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: **5/20/15**

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia**  
**Palmer, Alaska 99645**

**A D V E R T I S E M E N T**

VENDOR	ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News	MATA 0070	AUGUST 14 and 21, 2014
Frontiersman	CONTRACT	AUGUST 17, 2014
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified
		<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**#15-022L**  
**ART SERVICES; FOUR SCHOOLS**

The Matanuska-Susitna Borough is soliciting letters of interest/qualifications from artists for exterior and interior public artwork to be installed at four new schools; Joe Redington Sr. JR/SR High, Iditarod Elementary, Dena'ina Elementary, and Career and Technical High School addition. Each school is located in the Wasilla area.

Proposal documents are available **beginning AUGUST 14, 2014** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. Info: (907) 861-8601, Fax (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). A document fee of \$5.00 will be charged for materials picked-up and \$10.00 for materials mailed. The proposal document may be available on the internet at [www.matsugov.us](http://www.matsugov.us).

Responses due: **SEPTEMBER 4, 2014 at 4:00 PM in the Purchasing Division**

Proposals must be received in the Purchasing Division prior to the time fixed for closing of the RFP to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8404.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all proposals, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Date: 8/12/14	Requested by: Signature on File	Approved by: Signature on File
---------------	---------------------------------	--------------------------------

DEPARTMENT ACCOUNT NO.: **400.000.000.461.940 ~ 40187-1000 -1097 & 40190-1000-1097**

**SUBJECT:** Award of Bid No. 15-136B, RSA #9, Midway Annual Road Maintenance to McKenna Brothers Paving, Inc. for an annual contract amount of \$227,679.58.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *John Mosey* JOHN MOOSEY BOROUGH MANAGER: *John Mosey*

Route To:	Department/Individual	Initials	Remarks
	Purchasing Division	<i>CM</i>	
	Public Works Director	<i>LD</i>	18 May 15
	Finance Director	<i>JW</i>	5/19/15
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>JAM</i>	5/20/15 <i>(JW)</i>

**ATTACHMENT(S):** Fiscal Note: Yes  No   
 Advertisement (1p)  
 Analysis Sheet (2pp)

**SUMMARY STATEMENT:** On April 16, 2015 the Matanuska-Susitna Borough issued a solicitation requesting bids to perform annual road maintenance for Road Service Area #9, Midway. The Contract includes all labor, materials, supervision, equipment, transportation and supplies to maintain approximately 45.82 miles of road. The Public Works Department will be administering the contract. In response to the advertisement, five (5) bids were received. Contract term is for a five year period beginning July 1, 2015 and ending June 30, 2020, subject to annual appropriation of funds by the Assembly.

**RECOMMENDATION OF ADMINISTRATION:** Award of BID NO. 15-136B, RSA #9, MIDWAY ANNUAL ROAD MAINTENANCE to MCKENNA BROTHERS PAVING, INC. for an annual contract amount of TWO HUNDRED TWENTY SEVEN THOUSAND SIX HUNDRED SEVENTY NINE AND 58/100 DOLLARS (\$227,679.58).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: June 2, 2015  
 REQUEST: Award of Bid  
 SUBJECT: RSA #9, Midway Annual Road Maintenance  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED \$ 227,679.58	FUNDING SOURCE FY16 Operating Budget
FROM ACCOUNT # 270.000.000.428.600	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: Barbara Baumgartner	CERTIFIED BY:
DATE: 5-18-15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual		227.6*	* —————→			
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING		227.6*	* —————→			

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
State/Federal Funds						
Other		227.6*	* —————→			
TOTAL		227.6*	* —————→			

POSITIONS:

Full-Time	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \*subject to annual appropriation.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *J. E. [Signature]* DATE: 5/19/15

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia Ave.  
Palmer, Alaska 99645  
ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Anchorage Daily News		MATA 0070	April 16, 2015
Frontiersman		CONTRACT	April 17, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
REQUEST FOR BID #15-136B  
RSA #9, Midway Annual Road Maintenance**

The Matanuska-Susitna Borough is soliciting bids to perform annual road maintenance for Midway, RSA 9. The Contractor is to furnish all labor, materials, supervision, equipment, transportation and supplies for the maintenance of this area pursuant to the bid documents.

Bid documents are available **April 16, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$10.00 will be charged for materials picked-up and \$15.00 for materials mailed.

Pre-bid: **April 23, 2015 @ 10AM in MSB Lower Level Conference Room**

Bids Due: **May 6, 2015 @ 10AM in the Purchasing Division and will open no earlier than May 7, 2015 @ 10:00AM**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
-------------	--	---------------------------------------

DEPARTMENT ACCOUNT NUMBER: **265.000.000.422.000**

# PRELIMINARY RESULTS

**MATANUSKA-SUSITNA BOROUGH  
 BID 15-136B  
 RSA #9, Midway Annual Road Maintenance  
 ANALYSIS SHEET**

<b>BIDDER</b>		<del>JA</del> JA Spain			Norse			Big Dipper		
Signed Bid Form		✓			✓			✓		
Receipt of Addendum (Three)		✓			✓			✓		
Bid Guarantee (\$1,000.00)		CC			CC			CC		
LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #9, Midway	7301	45.82	334,531.82	6249	45.82	286,329.18	5050	45.82	231,391.00
<b>TOTAL BASE BID AMOUNT</b>		<b>\$ 334,531.82</b>			<b>\$ 286,329.18</b>			<b>\$ 231,391.00</b>		

**RECOMMENDATION:** \_\_\_\_\_

PURCHASING OFFICER	ASST PURCHASING OFFICER	BUYER	CONST PROCUREMENT SPECIALIST
DATE	WITNESS	WITNESS	WITNESS

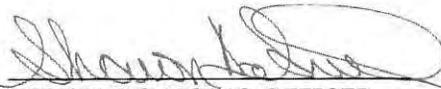
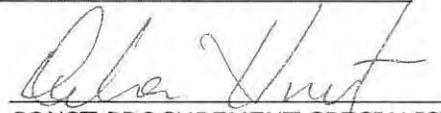
AM15-054

# PRELIMINARY RESULTS

**MATANUSKA-SUSITNA BOROUGH  
 BID 15-136B  
 RSA #9, Midway Annual Road Maintenance  
 ANALYSIS SHEET**

<b>BIDDER</b>		D+S Rd Sus			McKenna Bros.					
Signed Bid Form		✓			✓					
Receipt of Addendum (Three)		✓			✓					
Bid Guarantee (\$1,000.00)		CC			BB					
LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #9, Midway	51675	45.82	260,028.50	4969	45.82	227,679.58		45.82	
<b>TOTAL BASE BID AMOUNT</b>		\$260,028.50			\$227,679.58					

**RECOMMENDATION:** All Bids taken under advisement

PURCHASING OFFICER	 ASST PURCHASING OFFICER	BUYER	 CONST PROCUREMENT SPECIALIST
DATE	WITNESS	WITNESS	WITNESS

14m15-054

**SUBJECT:** Award of Bid No. 15-137B, RSA #15, Caswell Annual Road Maintenance to J.A. Spain & Sons, Inc. for an annual contract amount of \$366,099.70.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *[Signature]* JOHN MOOSEY BOROUGH MANAGER. *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Purchasing Division	<i>[Signature]</i>	
	Public Works Director	<i>[Signature]</i>	18 May 15
	Finance Director	<i>[Signature]</i>	5/19/15
	Borough Attorney	<i>[Signature]</i>	
	Borough Clerk	<i>[Signature]</i>	5/20/15 <i>(J)</i>

**ATTACHMENT (S):** Fiscal Note: Yes  No   
 Advertisement (lp)  
 Analysis Sheet (lp)

**SUMMARY STATEMENT:** On April 16, 2015 the Matanuska-Susitna Borough issued a solicitation requesting bids to perform annual road maintenance for Road Service Area #15, Caswell. The Contract includes all labor, materials, supervision, equipment, transportation and supplies to maintain approximately 76.43 miles of road. The Public Works Department will be administering the contract. In response to the advertisement, three (3) bids were received. Contract term is for a five year period beginning July 1, 2015 and ending June 30, 2020, subject to annual appropriation of funds by the Assembly.

**RECOMMENDATION OF ADMINISTRATION:** Award of BID NO. 15-137B, RSA #15, CASWELL ANNUAL ROAD MAINTENANCE to J.A. SPAIN & SONS, INC. for an annual contract amount of THREE HUNDRED SIXTY SIX THOUSAND NINETY NINE AND 70/100 DOLLARS (\$366,099.70).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: June 2, 2015  
 REQUEST: Award of Bid  
 SUBJECT: RSA #15, Caswell Annual Road Maintenance  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <u>YES</u> NO
AMOUNT REQUESTED \$ 366,099.70	FUNDING SOURCE FY 16 Operating Budget
FROM ACCOUNT # 272.000.000.428.600	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgardner</i>	CERTIFIED BY:
DATE: 5-18-15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual		366*	*	→		
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING		366*	*	→		

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
State/Federal Funds						
Other		366*	*	→		
TOTAL		366*	*	→		

POSITIONS:

Full-Time	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* Subject to annual appropriation

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 5/19/15

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia Ave.  
Palmer, Alaska 99645  
ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Anchorage Daily News		MATA 0070	April 16, 2015
Frontiersman		CONTRACT	April 17, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
REQUEST FOR BID #15-137B  
RSA #15, Caswell Annual Road Maintenance**

The Matanuska-Susitna Borough is soliciting bids to perform annual road maintenance for Caswell, RSA 15. The Contractor is to furnish all labor, materials, supervision, equipment, transportation and supplies for the maintenance of this area pursuant to the bid documents.

Bid documents are available **April 16, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$10.00 will be charged for materials picked-up and \$15.00 for materials mailed.

Pre-bid: **April 23, 2015 @ 10AM in MSB Lower Level Conference Room**

Bids Due: **May 6, 2015 @ 10AM in the Purchasing Division and will open no earlier than May 7, 2015 @ 10:10AM**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
-------------	--	---------------------------------------

DEPARTMENT ACCOUNT NUMBER: **265.000.000.422.000**



**SUBJECT:** Award of Bid No. 15-138B, RSA #16, South Colony Annual Road Maintenance to McKenna Brothers Paving, Inc. for an annual contract amount of \$468,974.22.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *John* JOHN MOOSEY BOROUGH MANAGER: *George Ed King*

Route To:	Department/Individual	Initials	Remarks
	Purchasing Division	<i>Ch</i>	
	Public Works Director	<i>TDA</i>	<i>18 May 15</i>
	Finance Director	<i>gww</i>	<i>5/19/15</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>gmm</i>	<i>5/20/15</i> <i>(JW)</i>

**ATTACHMENT(S):** Fiscal Note: Yes  No   
 Advertisement (1p)  
 Analysis Sheet (1p)

**SUMMARY STATEMENT:** On April 16, 2015 the Matanuska-Susitna Borough issued a solicitation requesting bids to perform annual road maintenance for Road Service Area #16, South Colony. The Contract includes all labor, materials, supervision, equipment, transportation and supplies to maintain approximately 94.38 miles of road. The Public Works Department will be administering the contract. In response to the advertisement, three (3) bids were received. Contract term is for a five year period beginning July 1, 2015 and ending June 30, 2020, subject to annual appropriation of funds by the Assembly.

**RECOMMENDATION OF ADMINISTRATION:** Award of BID NO. 15-138B, RSA #16, SOUTH COLONY ANNUAL ROAD MAINTENANCE to MCKENNA BROTHERS PAVING, INC. for an annual contract amount of FOUR HUNDRED SIXTY EIGHT THOUSAND NINE HUNDRED SEVENTY FOUR AND 22/100 DOLLARS (\$468,974.22).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: June 2, 2015  
 REQUEST: Award of Bid  
 SUBJECT: RSA #16, South Colony Annual Road Maintenance  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <u>YES</u> NO
AMOUNT REQUESTED \$ 468,974.22	FUNDING SOURCE FY16 Operating Budget
FROM ACCOUNT # 273.000.000.428.600	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgartner</i>	CERTIFIED BY:
DATE: 5-18-15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual		468.9*	*	→		
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING		468.9*	*	→		

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
State/Federal Funds						
Other		468.9*	*	→		
TOTAL		468.9*	*	→		

POSITIONS:

Full-Time	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* Subject to annual appropriation

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 5/19/15

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia Ave.  
Palmer, Alaska 99645  
ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Anchorage Daily News		MATA 0070	April 16, 2015
Frontiersman		CONTRACT	April 17, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
REQUEST FOR BID #15-138B  
*RSA #16, South Colony Annual Road Maintenance***

The Matanuska-Susitna Borough is soliciting bids to perform annual road maintenance for South Colony, RSA 16. The Contractor is to furnish all labor, materials, supervision, equipment, transportation and supplies for the maintenance of this area pursuant to the bid documents.

Bid documents are available **April 16, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$10.00 will be charged for materials picked-up and \$15.00 for materials mailed.

Pre-bid: **April 23, 2015 @ 10AM in Lower Level Conference Room**

Bids Due: **May 6, 2015 @ 10AM in the Purchasing Division and will open no earlier than May 7, 2015 @ 10:15AM**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
-------------	--	---------------------------------------

DEPARTMENT ACCOUNT NUMBER: **265.000.000.422.000**

# PRELIMINARY RESULTS

**MATANUSKA-SUSITNA BOROUGH  
 BID 15-138B  
 RSA #16, South Colony Annual Road Maintenance  
 ANALYSIS SHEET**

<b>BIDDER</b>		<i>Big Dipper</i>			<i>Mc Kenna Bros</i>			<i>Norse AK</i>		
Signed Bid Form		✓			✓			✓		
Receipt of Addendum (Three)		✓			✓			✓		
Bid Guarantee (\$1,000.00)		<i>CC</i>			<i>BB</i>			<i>CC</i>		
LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #16, South Colony	<i>6299</i>	94.38	<i>594,499.62</i>	<i>4969</i>	94.38	<i>468,974.22</i>	<i>6200</i>	94.38	<i>585,156.00</i>
<b>TOTAL BASE BID AMOUNT</b>		<i>\$594,499.62</i>			<i>\$468,974.22</i>			<i>\$585,156.00</i>		

**RECOMMENDATION:** *all Bids taken under advisement*

PURCHASING OFFICER <i>5/14/15</i>	 ASST PURCHASING OFFICER	BUYER	 CONST PROCUREMENT SPECIALIST
DATE	WITNESS	WITNESS	WITNESS

PM15-076

**SUBJECT:** Award of Bid No. 15-139B, RSA #25, Bogard Annual Road Maintenance to McKenna Brothers Paving, Inc. for an annual contract amount of \$422,613.45.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY BOROUGH MANAGER:** *John Moosey*

Route To:	Department/Individual	Initials	Remarks
	Purchasing Division	<i>Ch</i>	
	Public Works Director	<i>TAL</i>	<i>18 May 15</i>
	Finance Director	<i>JW</i>	<i>5/19/15</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>jam</i>	<i>5/20/15</i> (JW)

**ATTACHMENT (S):** Fiscal Note: Yes  No   
 Advertisement (1p)  
 Analysis Sheet (2pp)

**SUMMARY STATEMENT:** On April 16, 2015 the Matanuska-Susitna Borough issued a solicitation requesting bids to perform annual road maintenance for Road Service Area #25, Bogard. The Contract includes all labor, materials, supervision, equipment, transportation and supplies to maintain approximately 85.05 miles of road. The Public Works Department will be administering the contract. In response to the advertisement, four (4) bids were received. Contract term is for a five year period beginning July 1, 2015 and ending June 30, 2020, subject to annual appropriation of funds by the Assembly.

**RECOMMENDATION OF ADMINISTRATION:** Award of BID NO. 15-139B, RSA #25, BOGARD ANNUAL ROAD MAINTENANCE to MCKENNA BROTHERS PAVING, INC. for an annual contract amount of FOUR HUNDRED TWENTY TWO THOUSAND SIX HUNDRED THIRTEEN AND 45/100 DOLLARS (\$422,613.45).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: June 2, 2015  
 REQUEST: Award of Bid  
 SUBJECT: RSA #25, Bogard Annual Road Maintenance  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$422,613.45	FUNDING SOURCE FY 16 Operating Budget
FROM ACCOUNT # 279.000.000.428.600	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: Barbara Baumgardner	CERTIFIED BY:
DATE: 5-18-15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual		422.6*	*	→		
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING		422.6*	*	→		

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		422.6*	*	→		
TOTAL		422.6*	*	→		

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)\* Subject to annual appropriation.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: 5/19/15  
 APPROVED BY: *[Signature]* DATE: \_\_\_\_\_

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia Ave.  
Palmer, Alaska 99645  
ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Anchorage Daily News		MATA 0070	April 16, 2015
Frontiersman		CONTRACT	April 17, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
REQUEST FOR BID #15-139B  
RSA #25, Bogard Annual Road Maintenance**

The Matanuska-Susitna Borough is soliciting bids to perform annual road maintenance for Bogard, RSA 25. The Contractor is to furnish all labor, materials, supervision, equipment, transportation and supplies for the maintenance of this area pursuant to the bid documents.

Bid documents are available **April 16, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$10.00 will be charged for materials picked-up and \$15.00 for materials mailed.

Pre-bid: **April 23, 2015 @ 10AM in Lower Level Conference Room**

Bids Due: **May 6, 2015 @ 10AM in the Purchasing Division and will open no earlier than May 7, 2015 @ 10:20AM**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
-------------	--	---------------------------------------

DEPARTMENT ACCOUNT NUMBER: **265.000.000.422.000**

# PRELIMINARY RESULTS

**MATANUSKA-SUSITNA BOROUGH  
 BID 15-139B  
 RSA #25, Bogard Annual Road Maintenance  
 ANALYSIS SHEET**

<b>BIDDER</b>		Norse AK			Big Dipper			D+S Rd Sus		
Signed Bid Form		✓			✓			✓		
Receipt of Addendum (Three)		✓			✓			✓		
Bid Guarantee (\$1,000.00)		CC			CC			CC		
LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #25, Bogard	4,249	85.05	531,477.45	5750	85.05	489,037.50	6525	85.05	554,951.25
<b>TOTAL BASE BID AMOUNT</b>		\$531,477.45			\$489,037.50			\$554,951.25		

**RECOMMENDATION:** \_\_\_\_\_

PURCHASING OFFICER	ASST PURCHASING OFFICER	BUYER	CONST PROCUREMENT SPECIALIST
DATE	WITNESS	WITNESS	WITNESS

AM15-017

# PRELIMINARY RESULTS

**MATANUSKA-SUSITNA BOROUGH  
 BID 15-139B  
 RSA #25, Bogard Annual Road Maintenance  
 ANALYSIS SHEET**

<b>BIDDER</b>		Mc Kenna Bros								
Signed Bid Form		✓								
Receipt of Addendum (Three)		✓								
Bid Guarantee (\$1,000.00)		BB								
LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #25, Bogard	4969	85.05	422,613.45		85.05			85.05	
<b>TOTAL BASE BID AMOUNT</b>		\$422,613.45								

**RECOMMENDATION:** all Bids taken under advisement

PURCHASING OFFICER <i>5/14/15</i>	ASST PURCHASING OFFICER	BUYER	CONST PROCUREMENT SPECIALIST
DATE	WITNESS	WITNESS	WITNESS

PM15-017

**SUBJECT:** Award of Bid No. 15-140B, RSA #26, Butte Annual Road Maintenance to Norse Alaska, LLC for an annual contract amount of \$268,332.00.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Purchasing Division	<i>[Signature]</i>	
	Public Works Director	<i>[Signature]</i>	18 May 15
	Finance Director		
	Borough Attorney	<i>[Signature]</i>	
	Borough Clerk	<i>[Signature]</i>	5/26/15 <i>(J)</i>

**ATTACHMENT (S):** Fiscal Note: Yes  No   
 Advertisement (1p)  
 Analysis Sheet (1p)

**SUMMARY STATEMENT:** On April 16, 2015 the Matanuska-Susitna Borough issued a solicitation requesting bids to perform annual road maintenance for Road Service Area #26, Butte. The Contract includes all labor, materials, supervision, equipment, transportation and supplies to maintain approximately 45.48 miles of road. The Public Works Department will be administering the contract. In response to the advertisement, one (1) bid was received. Contract term is for a five year period beginning July 1, 2015 and ending June 30, 2020, subject to annual appropriation of funds by the Assembly.

**RECOMMENDATION OF ADMINISTRATION:** Award of BID NO. 15-140B, RSA #26, BUTTE ANNUAL ROAD MAINTENANCE to NORSE ALASKA, LLC for an annual contract amount of TWO HUNDRED SIXTY EIGHT THOUSAND THREE HUNDRED THIRTY TWO AND NO/100 DOLLARS (\$268,332.00).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: June 2, 2015  
 REQUEST: Award of Bid  
 SUBJECT: RSA #26, Butte Annual Road Maintenance  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED	FUNDING SOURCE <i>FY16 Operating Budget</i>
FROM ACCOUNT # <i>280.000.000.428.600</i>	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: <i>Barbara Baumgartner</i>	CERTIFIED BY:
DATE: <i>5/18/15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual		<i>268.3*</i>	<i>*</i>	<i>—————&gt;</i>		
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING		<i>268.3*</i>	<i>*</i>	<i>—————&gt;</i>		

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
State/Federal Funds						
Other		<i>268.3*</i>	<i>*</i>	<i>—————&gt;</i>		
TOTAL		<i>268.3*</i>	<i>*</i>	<i>—————&gt;</i>		

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) *\* Subject to annual appropriation*

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: *5/19/15*

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia Ave.  
Palmer, Alaska 99645  
ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Anchorage Daily News		MATA 0070	April 16, 2015
Frontiersman		CONTRACT	April 17, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
REQUEST FOR BID #15-140B  
RSA #26, Butte Annual Road Maintenance**

The Matanuska-Susitna Borough is soliciting bids to perform annual road maintenance for Butte, RSA 26. The Contractor is to furnish all labor, materials, supervision, equipment, transportation and supplies for the maintenance of this area pursuant to the bid documents.

Bid documents are available **April 16, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$10.00 will be charged for materials picked-up and \$15.00 for materials mailed.

Pre-bid: **April 23, 2015 @ 10AM in Lower Level Conference Room**

Bids Due: **May 6, 2015 @ 10AM in the Purchasing Division and will open no earlier than May 7, 2015 @ 10:25AM**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
-------------	--	---------------------------------------

DEPARTMENT ACCOUNT NUMBER: **265.000.000.422.000**

# PRELIMINARY RESULTS

**MATANUSKA-SUSITNA BOROUGH  
 BID 15-140B  
 RSA #26, Butte Annual Road Maintenance  
 ANALYSIS SHEET**

<b>BIDDER</b>		<i>Norse AK</i>								
Signed Bid Form		✓								
Receipt of Addendum (Three)		✓								
Bid Guarantee (\$1,000.00)										
LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #9, Midway	<i>5900</i>	45.48	<i>268,332</i>		45.48			45.48	
<b>TOTAL BASE BID AMOUNT</b>		<i>\$ 268,332.00</i>								

**RECOMMENDATION:** *all bids taken under advisement*

<i>5/14/15</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
PURCHASING OFFICER	ASST PURCHASING OFFICER	BUYER	CONST PROCUREMENT SPECIALIST
DATE	WITNESS	WITNESS	WITNESS

AM15-078

**SUBJECT:** Award of Bid No. 15-141B, RSA #30, Trapper Creek Annual Road Maintenance to D & S Road Services for an annual contract amount of \$111,247.50.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY JOHN MOOSEY BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Purchasing Division	<i>[Signature]</i>	
	Public Works Director	<i>[Signature]</i>	18 Aug 15
	Finance Director	<i>[Signature]</i>	5/19/15
	Borough Attorney	NS	
	Borough Clerk	<i>[Signature]</i>	5/26/15 (2)

**ATTACHMENT (S):** Fiscal Note: Yes  No   
 Advertisement (lp)  
 Analysis Sheet (lp)

**SUMMARY STATEMENT:** On April 16, 2015 the Matanuska-Susitna Borough issued a solicitation requesting bids to perform annual road maintenance for Road Service Area #30, Trapper Creek. The Contract includes all labor, materials, supervision, equipment, transportation and supplies to maintain approximately 21.19 miles of road. The Public Works Department will be administering the contract. In response to the advertisement, one (1) bid was received. Contract term is for a five year period beginning July 1, 2015 and ending June 30, 2020, subject to annual appropriation of funds by the Assembly.

**RECOMMENDATION OF ADMINISTRATION:** Award of BID NO. 15-141B, RSA #30, TRAPPER CREEK ANNUAL ROAD MAINTENANCE to D & S ROAD SERVICES for an annual contract amount of ONE HUNDRED ELEVEN THOUSAND TWO HUNDRED FORTY SEVEN AND 50/100 DOLLARS (\$111,247.50).

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

AGENDA DATE: June 2, 2015  
 REQUEST: Award of Bid  
 SUBJECT: RSA #30, Trapper Creek Annual Road Maintenance  
 ORIGINATOR: Purchasing

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT (YES) NO
AMOUNT REQUESTED \$ 111,247.50	FUNDING SOURCE FY 16 Operating Budget
FROM ACCOUNT # 284.000.000.428.600	PROJECT #
TO ACCOUNT :	PROJECT #
VERIFIED BY: Barbara Squemglu	CERTIFIED BY:
DATE: 5-18-15	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual		111.2*	*	→		
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING		111.2 *	*	→		

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
State/Federal Funds						
Other		111.2 *	*	→		
TOTAL		111.2 *	*	→		

POSITIONS:

Full-Time	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Subject to annual appropriation

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: 5/19/15

**MATANUSKA-SUSITNA BOROUGH  
350 East Dahlia Ave.  
Palmer, Alaska 99645  
ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Anchorage Daily News		MATA 0070	April 16, 2015
Frontiersman		CONTRACT	April 17, 2015
<b>TYPE OF AD:</b>	<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified	<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH  
REQUEST FOR BID #15-141B  
RSA #30, Trapper Creek Annual Road Maintenance**

The Matanuska-Susitna Borough is soliciting bids to perform annual road maintenance for Trapper Creek, RSA 30. The Contractor is to furnish all labor, materials, supervision, equipment, transportation and supplies for the maintenance of this area pursuant to the bid documents.

Bid documents are available **April 16, 2015** in the Purchasing Division, Matanuska-Susitna Borough, 350 E. Dahlia Ave., Palmer, AK 99645. For Information: (907) 861-8601, Facsimile: (907) 861-8617, e-mail [purchasing@matsugov.us](mailto:purchasing@matsugov.us). This bid document may be available on the internet at [www.matsugov.us](http://www.matsugov.us). A document fee of \$10.00 will be charged for materials picked-up and \$15.00 for materials mailed.

Pre-bid: **April 23, 2015 @ 10AM in Lower Level Conference Room**

Bids Due: **May 6, 2015 @ 10AM in the Purchasing Division and will open no earlier than May 7, 2015 @ 10:30AM**

Bids must be received in the Purchasing Division prior to the time fixed for opening of the bids to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Persons needing accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by: <b>Signature on File</b>	Approved by: <b>Signature on File</b>
-------------	--	---------------------------------------

DEPARTMENT ACCOUNT NUMBER: **265.000.000.422.000**

# PRELIMINARY RESULTS

**MATANUSKA-SUSITNA BOROUGH  
 BID 15-141B  
 RSA #30, Trapper Creek Annual Road Maintenance  
 ANALYSIS SHEET**

<b>BIDDER</b>	D+S Rd Sus		
Signed Bid Form	✓		
Receipt of Addendum (Three)	✓		
Bid Guarantee (\$1,000.00)	CC		

**SCHEDULE A**

LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #30, Trapper Creek	5250	21.19	111,247.50		21.19			21.19	
Additive Alternate #1	Chip Application (on call Basis per Special Provision 7.4.5.6.3)	50	10	500		10			10	

**SCHEDULE B**

LINE ITEM	DESCRIPTION	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE	Unit Price Per Mile	MILES	BID PRICE
1.	Base Bid for RSA #30, Trapper Creek incorporating 7.4.5.6 as modified by addendum 1	5250	21.19	111,247.50		21.19			21.19	

**RECOMMENDATION:** *all bids taken under advisement*

PURCHASING OFFICER <i>5/14/15</i>	ASST PURCHASING OFFICER <i>[Signature]</i>	BUYER <i>[Signature]</i>	CONST PROCUREMENT SPECIALIST <i>[Signature]</i>
DATE	WITNESS	WITNESS	WITNESS

AM15-079

**SUBJECT:** Award of Proposal #15-150P, to Howdie Inc. for the design and construction of the new Fronteras Charter School for the contract amount \$6,761,905.00.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Present to the assembly for consideration.

**APPROVED BY** *for* JOHN MOOSEY, BOROUGH MANAGER: *George [Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator - Purchasing	<i>[Signature]</i>	
	Capital Projects Director	<i>BJS 5/11/15</i>	
	Finance Director	<i>[Signature]</i>	<i>5/21/15 see note on fiscal note.</i>
	Borough Attorney	<i>[Signature]</i>	<i>5/21/15</i>
	Borough Clerk	<i>[Signature]</i>	<i>5/26/15</i> <i>(J)</i>

**ATTACHMENT (S):** Fiscal Note: Yes X No \_\_\_\_\_  
 Advertising: 1 pp

**SUMMARY STATEMENT:** On April 21, 2015 the Matanuska-Susitna Borough issued Request for Proposals (RFP) 15-150P seeking responses from qualified contractor/design teams to design and construct a new Fronteras Spanish Immersion School. In response to the RFP, three proposals were received.

This project, primarily funded by a USDA Loan (ORD 2015-017) is for the design and construction of a new facility. The project location is adjacent to the new Mat-Su Day School, Lot 1, Bogard Subdivision, near the intersection of Bogard Road and Tait Drive.

This new facility will house all the required spaces for the current school population as well as incorporate additional space and capability to expand as needed for future growth.

In accordance with USDA requirements, 51% of the award consideration was based on pricing, with the balance based on an evaluation and scoring of the proposed design-build teams as well as the proposed design.

A comprehensive design review was completed by the Fronteras Building Committee and scoring was completed by MSB Capital Projects Staff. This award is based on those scores along with the pricing points. The Proposal submitted by Howdie Inc. was scored the highest.

The proposed school design will eliminate the need to use portable classrooms for student instruction and it allows for future build out when the student population expands. To eliminate traffic through the Day School area, an access road will be constructed, under this contract, extending the Career and Technical School access road to the new school site. This access road follows the project Seward Meridian alignment north of Bogard Road.

The project will be ready for the 2016-2017 school year, allowing Fronteras School to move out of the current location which utilizes portable classrooms for its instruction space.

This contract will be administered by Capital Projects, Project Management. In accordance with MSB 3.08.170(C)(4), administration is requesting a 10% change order authorization.

**RECOMMENDATION OF ADMINISTRATION:** Award of **PROPOSAL 15-150P, FRONTERAS CHARTER SCHOOL** to **HOWDIE INC.** for the contract amount of **SIX MILLION SEVEN HUNDRED SIXTY ONE THOUSAND NINE HUNDRED FIVE AND NO/100 DOLLARS (\$6,761,905.00)**.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: June 2, 2015

SUBJECT: Award of Proposal 15-1510P Fronteras Charter School

ORIGINATOR:

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
AMOUNT REQUESTED <u>\$6,761,905*</u>	FUNDING SOURCE <u>Loan</u>
FROM ACCOUNT # <u>400.000.000.4XX.XXX</u>	PROJECT # <u>40202, 40033</u>
TO ACCOUNT :	PROJECT #
VERIFIED BY: <u>Barbara Suengate</u>	CERTIFIED BY:
DATE: <u>5/19/15</u>	DATE:

EXPENDITURES/REVENUES:

(Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		<u>6,761</u>				
---------	--	--------------	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

General Fund						
State/Federal Funds						
Other		<u>6,761</u>				
TOTAL		<u>6,761</u>				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY:

DEPARTMENT:

APPROVED BY:

*\* Note: The award of this contract is contingent upon adequate funding by the SOA*

*for students*

*[Signature]*

PHONE:

DATE:

DATE:

5/21/15

**MATANUSKA-SUSITNA BOROUGH**  
**350 East Dahlia**  
**Palmer, Alaska 99645**

**ADVERTISEMENT**

VENDOR		ACCOUNT #	DATE FOR ADVERTISEMENT
Alaska Dispatch News		MATA 0070	April 21, 2015 April 22, 2015
<b>TYPE OF AD:</b>		<input type="checkbox"/> Display	<input checked="" type="checkbox"/> Classified
			<input type="checkbox"/> Public Information

The material herein must be printed in its entirety on the dates shown above. Affidavit of publication is required prior to payment.

**MATANUSKA-SUSITNA BOROUGH**  
**PROPOSAL #150P**  
**FRONTERAS CHARTER SCHOOL**

The Matanuska-Susitna Borough requests proposals from interested contractors to design and build a new Fronteras Charter School near the intersection of Bogard Road, and Tait Drive in Wasilla, Alaska. Contractor will be responsible for all aspects of design and construction of the new facility. Contractor shall also design and construct a 2-lane access road to Mat-Su Borough Standards from end of School District Career & Technical High School access road to the south west corner of the 12-acre Lot 1 Bogard Subdivision, approximately 1,200 LF.

Proposal documents: are available from the Purchasing Division, Matanuska-Susitna Borough, 350 Dahlia Ave., Palmer, AK 99645. Info: (907) 861-8601 Fax: (907) 861-8617, e-mail [Purchasing@matsugov.us](mailto:Purchasing@matsugov.us). (Magnitude of project: \$6,000,000 to \$7,000,000.) A document fee of \$10.00 will be charged for materials picked-up and \$15.00 for materials mailed. The proposal document may be available on the internet at [www.matsugov.us](http://www.matsugov.us).

Pre-Proposal Conference: April 23, 2015, 3:00 PM MSBSD O&M Conference Room, 3901 E Bogard, Wasilla. A site visit will be conducted immediately following the conference

Proposal closing: **May 12, 2015 @ 2PM in the Purchasing Division**

Proposal must be received in the Purchasing Division prior to the time fixed for closing of the proposal to be considered. Time of receipt will be determined by the time stamp in the Purchasing Division.

Disabled persons needing reasonable accommodation in order to participate should contact the borough ADA coordinator at (907) 861-8687 at least one week in advance of the meeting.

The Matanuska-Susitna Borough reserves the right to accept or reject any or all bids, waive any and all technicalities or informalities it deems appropriate. Award of this project is subject to the availability of funding.

Page 1 of 1	Requested by:	Approved by:
-------------	---------------	--------------

DEPARTMENT ACCOUNT NO.:

Am15-080

**SUBJECT:** AN ORDINANCE AMENDING MSB 15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS, BY PLACING A TEMPORARY MORATORIUM ON INITIATION AND AMENDMENTS TO LAKE MANAGEMENT PLANS.

**AGENDA OF:** April 21, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Refer to Planning Commission for recommendation.

**APPROVED BY** *JM* JOHN MOOSEY, BOROUGH MANAGER: *George Alan Hayes*

Route To:	Department/Individual	Initials	Remarks
	Originator: E. Probasco	EP	
	Planning and Land Use Director	EP	
	Borough Attorney	NS	
	Borough Clerk	JM	4/13/15 

**ATTACHMENT(S):** Fiscal Note: NO X YES       
 Ordinance Serial No. 15-063 (3 pp)  
 MSB 15.24.031 (2 pp)  
 PC Resolution 15-19 (2 pp)

*Staff Memo (1 pp)*  
**SUMMARY STATEMENT:**

This ordinance is being brought forward at the recommendation of Borough Manager, John Moosey.

In 1999 the borough adopted MSB 15.24.031 Initiating and Amending Lake Management Plans. The intent of this ordinance was to provide consistency and clarity to the Lake Management Plan (LMP) process, which is initiated by the community. There are currently 41 Lake Management Plans adopted into MSB 15.14, with corresponding enforceable regulations outlined in MSB 17.59 Lake Management Plan implementation.

In some cases, the process of creating a new or amending an existing LMP goes smoothly. However, even a simple plan requires a substantial amount of staff time, including overtime

for evening meetings. In several cases, the process has become controversial to the point of consuming one staff member's time for several months, and taking away from other pressing projects and assembly priorities.

In an effort to conduct borough business efficiently and focus on Assembly priorities, as well as allow time for staff to explore a more efficient process, staff is suggesting that a temporary moratorium (36 months) be placed on MSB 15.24.031 Initiating and Amending Lake Management Plans. The attached ordinance is intended to keep the existing LMP's in place as adopted in 15.24.030(C), and keep the existing enforceable regulations in MSB 17.59 Lake Management Plan Implementation. The ordinance would only temporarily suspend the process.

This amendment is consistent with one of the Assembly's 2015 #1 Priority Focus points identified at their Planning Retreat in February, 2015; "Administrative Restructure" which is to streamline our government processes, and use our borough resources more efficiently and effectively.

**RECOMMENDATION OF ADMINISTRATION:**

Staff recommends adoption of an ordinance Amending MSB 15.24.031 Initiating and Amending Lake Management Plans by placing a temporary moratorium on the initiation and amendment of lake management plans.



## MATANUSKA-SUSITNA BOROUGH

### Planning and Land Use Department Planning Division

350 East Dahlia Avenue • Palmer, AK 99645  
Phone (907) 745-9833 • Fax (907) 745-9876  
www.matsugov.us • [planning@matsugov.us](mailto:planning@matsugov.us)

## MEMORANDUM

DATE: May 19, 2015

TO: Lonnie McKechnie, Borough Clerk

FROM: Eileen Probasco, Planning Director *E. Probasco*

SUBJECT: Assembly Ordinance 15-063. An ordinance amending MSB 15.24.031 Initiating and Amending Lake Management Plans, by placing a temporary moratorium on Initiation and Amendments to Lake Management Plans.  
Planning Commission Resolution 15-19 (AM)

The planning commission held a public hearing at their May 18, 2015 regular meeting, and amended then adopted Resolution 15-19, on the above referenced ordinance. Their amendment recommended a 12 month moratorium, as opposed to the 36 month suggested by administration. Attached is a copy of the signed resolution.

Administration still recommends the assembly adopt Ordinance 15-063 as presented.

OR 15-063  
IM 15-104

By: Eileen Probasco  
Introduced: May 4, 2015  
Public Hearing: May 18, 2018  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 15-19 (AM)**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION RECOMMENDING ADOPTION OF AN ORDINANCE PLACING A TEMPORARY (12 MONTHS) MORATORIUM ON MSB 15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS.

WHEREAS, in 1999 the borough adopted MSB 15.24.031 Initiating and Amending Lake Management Plans to provide consistency and clarity to the Lake Management Plan (LMP) process, which is initiated by the community; and

WHEREAS, There are currently 41 Lake Management Plans adopted into MSB 15.14, with corresponding enforceable regulations outlined in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in some cases, the process of developing the LMP has become controversial to the point of consuming one staff member's time for several months, and taking away from other pressing projects and assembly priorities; and

WHEREAS, staff would like time to explore other options for the lake management plan process; and

WHEREAS, this ordinance is intended to keep the existing LMP's in place as adopted in 15.24.030(C), and keep the existing

enforceable regulations in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in an effort to conduct borough business efficiently and focus on Assembly priorities and to allow staff time to consider an alternate method of conducting the LMP process, a temporary (12 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans is recommended.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends adoption of an ordinance placing a temporary (12 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 18th day of May, 2015.



JOHN KLAPPERICH, Chair

ATTEST



MARY BRODIGAN, Planning Clerk

(SEAL)

YES: Klapperich, Endle, Walden, Kendig, and Rauchenstein.

NO: Adams.

**15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS.**

(A) The following process shall be followed to initiate a lake management plan.

(1) A petition shall be submitted to the planning department requesting a lake management plan for a specific lake or lakes. The petition must include the signatures of property owners (as listed by borough tax assessment records) of at least 50 percent of all parcels within 600 feet upland of the respective lake shoreline or signatures of property owners (as listed by borough tax assessment records) of 50 parcels within 600 feet upland of the respective lake shoreline, whichever is less. Borough, State, and Federally owned parcels, not held in trust, will not be counted toward the petition threshold.

(2) Within 60 calendar days of receipt of a petition, the planning department shall mail numbered notices to all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline requesting the property owner to indicate whether or not they are in favor of initiating a lake management plan. One notice per parcel will be mailed. A return envelope addressed to the planning department, and a deadline of not less than 60 calendar days for responding in writing shall be specified in the notice. The notice shall state that a lake management plan will be initiated if a majority of the property owners responding to the planning department prior to the deadline are in favor of developing a lake management plan.

(3) The written responses returned to the planning department prior to the deadline will be tabulated. A lake management plan will be initiated if the majority of the property owners responding are in favor of developing a lake management plan. Borough, State, and Federally owned parcel not held in trust, will not be counted toward the tabulation.

(4) The planning department shall notify all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline whether or not a lake management plan will be initiated.

(5) When a lake management plan is initiated, the planning department shall provide a notice to the appropriate community council, post a notice at the public access points to the respective lake as identified through current use, and post a notice in a newspaper of general circulation distributed within the borough.

(6) All lake management plan meetings shall be open to the public and advertised in a newspaper of general circulation distributed within the borough.

(B) The following process shall be followed to amend an adopted lake management plan:

(1) Lake management plan amendments shall be in compliance with MSB [15.24.030](#).

(2) A petition shall be submitted to the planning department requesting an amendment to an adopted lake management plan for a specific lake or lakes. The petition must include a general description of the proposed amendment and include the signatures of property owners (as listed by borough tax assessment records) of at least 50 percent of all parcels within 600 feet upland of the respective lake shoreline, or signatures of property owners of 50 parcels within 600 feet upland of the respective lake shoreline, whichever is less. Borough, State, and Federally owned parcels, not held in trust, will not be counted toward the petition threshold.

(3) Within 60 calendar days of receipt of a petition to amend an adopted lake management plan, the planning department shall mail numbered notices to all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake notifying them of the request to amend the lake management plan. One notice per parcel will be mailed. The notice shall include the proposed amendment and request the property owner to

IM15-104  
OR15-063

indicate whether or not they are in favor of initiating a process to consider the amendment. A return envelope addressed to the planning department, and a deadline of not less than 60 calendar days for responding in writing, shall be specified in the notice. The notice shall state that the process will be initiated if a majority of the property owners responding to the planning department prior to the deadline are in favor of considering the amendment.

(4) The written responses returned to the planning department prior to the deadline will be tabulated. The process will be initiated if the majority of the property owners responding are in favor of initiating the process. Borough, State, and Federally owned parcels, not held in trust, will not be counted toward the tabulation.

(5) The planning department shall notify all property owners (as listed by borough tax assessment records) within 600 feet upland of the lake shoreline whether or not the amendment process will be initiated.

(6) When an amendment to a lake management plan is initiated, the planning department shall provide a notice to the appropriate community council, post a notice at the public access points to the respective lake as identified through current use, and post a notice in a newspaper of general circulation distributed within the borough.

(7) All lake management plan meetings shall be open to the public and advertised in a newspaper of general circulation distributed within the borough.

Im 15-104  
OR 15-063

CODE ORDINANCE

Sponsored by:

John Moosey

Introduced:

Public Hearing:

Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-063**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 15.24.031, INITIATING AND AMENDING LAKE MANAGEMENT PLANS, BY PLACING A TEMPORARY MORATORIUM ON INITIATION AND AMENDMENTS TO LAKE MANAGEMENT PLANS.

---

WHEREAS, in 1999 the borough adopted MSB 15.24.031 Initiating and Amending Lake Management Plans to provide consistency and clarity to the Lake Management Plan (LMP) process, which is initiated by the community; and

WHEREAS, There are currently 41 Lake Management Plans adopted into MSB 15.14, with corresponding enforceable regulations outlined in MSB 17.59 Lake Management Plan Implementation; and

WHEREAS, in some cases, the process of developing the LMP has become controversial to the point of consuming one staff member's time for several months, and taking away from other pressing projects and assembly priorities; and

WHEREAS, staff would like time to explore other options for the lake management plan process; and

WHEREAS, this ordinance is intended to keep the existing LMP's in place as adopted in 15.24.030(C), and keep the existing enforceable regulations in MSB 17.59 Lake Management Plan

Implementation; and

WHEREAS, in an effort to conduct borough business efficiently and focus on Assembly priorities, and to allow staff time to consider an alternate method of conducting the LMP process, a temporary (36 months) moratorium on MSB 15.24.031 Initiating and Amending Lake Management Plans is being implemented.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of section. MSB 15.24.031 is hereby amended by inserting the following paragraph, prior to sub section A, as follows:

15.24.031 INITIATING AND AMENDING LAKE MANAGEMENT PLANS.

A temporary moratorium on the initiation of new lake management plans and the amendment of adopted lake management plans is hereby implemented. This moratorium will be in affect 3 years from the date of adoption of this ordinance, unless otherwise deemed necessary by the assembly. The temporary moratorium will be in effect until:

This moratorium does not affect the existing lake management plans in MSB 15.24.030 (C), and the existing regulations in MSB 17.59 Lake Management Plan implementation,

Section 3. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

LARRY DeVILBISS, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** REQUEST BY APPLICANT, WESTPAC LOGISTICS, LLC, FOR A FAIR MARKET VALUE LEASE IN PORT MACKENZIE INDUSTRIAL DISTRICT. SAID PROPERTY IS LOCATED WITHIN THE PALMER RECORDING DISTRICT AND THE PORT MACKENZIE COMMUNITY COUNCIL AREA. (MSB006891)

**AGENDA OF: June 2, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator LRM, Real Property Analyst	<i>[Signature]</i>	
	Community Development Director	<i>[Signature]</i>	
	Finance Director	<i>[Signature]</i>	5/21/15
	Borough Attorney	<i>[Signature]</i>	
	Borough Manager		
	Borough Clerk	<i>[Signature]</i>	5/26/15 <i>[Signature]</i>

**ATTACHMENT (S):** Fiscal Note Yes X No \_\_\_\_\_  
 Map (1 p)  
 Proposed site plan (1 p)  
 Negotiated Lease (42 pp)  
 Ordinance Serial No. 15-083 (2 pp)

**STAFF RECOMMENDATION:**

In accordance with Matanuska-Susitna Borough Code, Matanuska Susitna Port MacKenzie Master Plan, and the 2010 Matanuska-Susitna Borough Economic Development Strategic Plan, Land and Resource Management staff recommends Assembly approval and authorization for the manager to finalize the 25-year lease, substantially in final form, as negotiated between Matanuska-Susitna Borough staff and WestPac Logistics, LLC. staff.

**SUMMARY STATEMENT:**

Currently, the property is vacant, previously leased land reserved for industrial and commercial use in the Port MacKenzie master plan. Development of the uplands through leasing benefits Matanuska Susitna Borough residents through private investment and employment opportunities. Lease management of borough-owned real property allows increased planned commercial and industrial development.

**INTRODUCTION:**

WestPac Logistics, LLC., has applied to the borough to lease 7.5 acres, more or less, of borough-owned land in the Port District to utilize for transportation and logistical support

**BACKGROUND:**

MSB 23.10.070 states any sale or other disposition of borough-owned real property or interest therein shall be subject to terms and conditions in this title, adopted procedures, or terms and conditions set forth in assembly ordinance or resolution when assembly approval is required by this title.

**PUBLIC NOTICE COMMENTS:**

In accordance Title 23.05.025 public notice was fulfilled by web and newspaper ads for a period of 30 days.

No public comments were received. No comments were received from Point MacKenzie Community Council.

MSB Recreational Services, Land Management, Cultural Resources, Planning, Emergency Services, Public Works Engineering and Operations and Maintenance, and Port MacKenzie Port Office had no objection to the proposed lease.

**ANALYSIS AND DISCUSSION:**

Utilizing prudent business practices and pursuant to MSB 23.05.020, discussion and negotiations for lease stipulations, performance standards, and other leasing requirements were carried out between WestPac Logistics, LLC staff and Matanuska-Susitna Borough staff.

The lease, as presented, is substantially in final form and is consistent with the Port Master Plan, Matanuska-Susitna Comprehensive Plan, and the Economic Development Strategic Plan and will enhance the port district and increase availability of services at Port MacKenzie.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: May 5, 2015

ORIGINATOR: Community Development

SUBJECT: Authorization by the Matanuska Susitna Borough Assembly of a fair market value lease between Matanuska-Susitna Borough and WestPac Logistics, LLC, for a 7.5-acre, more or less, parcel in the Port MacKenzie Port District. MSB(006891)

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT? <u>(YES)</u> NO
AMOUNT REQUESTED \$ <u>*</u>	FUNDING SOURCE
FROM ACCOUNT #	PROJECT #
TO ACCOUNT # <u>203,000,000 366.500</u>	PROJECT #
VERIFIED BY: <u>[Signature]</u>	CERTIFIED BY:
DATE: <u>4-22-15</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL						
REVENUE	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>

FUNDING: (Thousands of Dollars)

General Fund						
Federal Funds						
Other <u>Land management</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>
TOTAL	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>	<u>*</u>

POSITIONS:

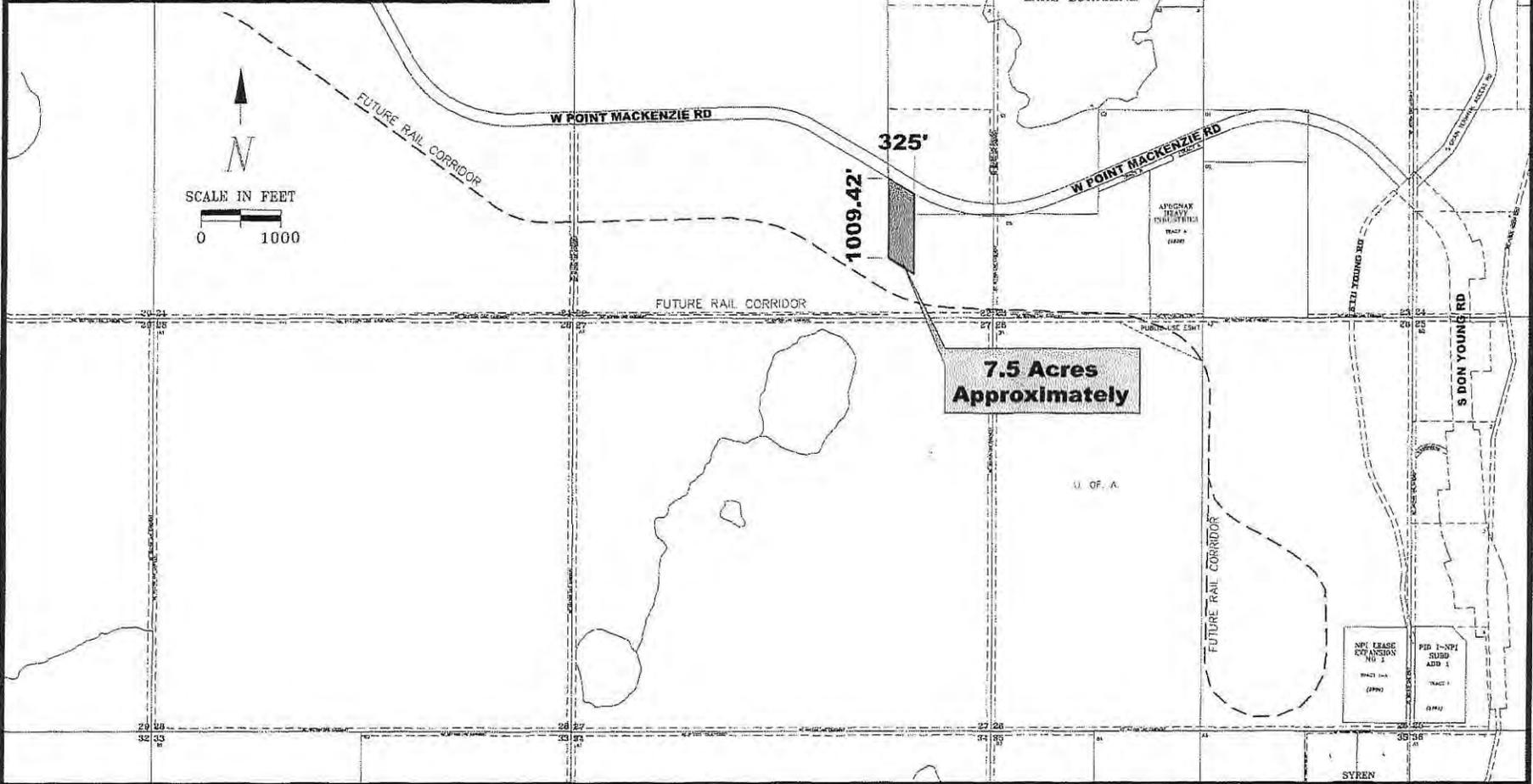
Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary) \* This amount cannot be determined at this time as will be dependent upon the fair market value.

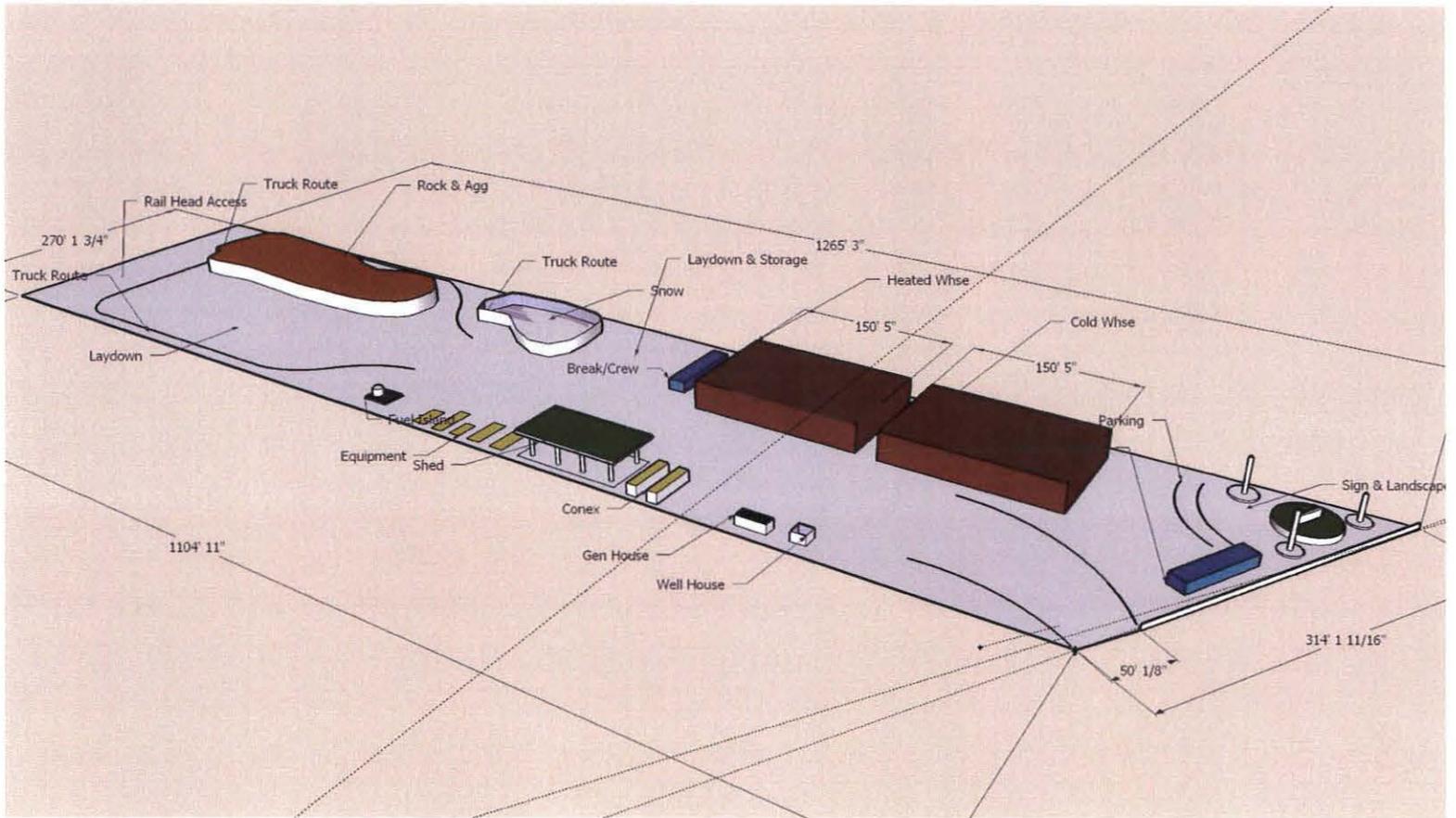
PREPARED BY: \_\_\_\_\_ Phone: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ Date: \_\_\_\_\_  
 APPROVED BY: [Signature] Date: 5/23/15



**MSB #006891**  
**Application for Lease of**  
**Borough Owned Property**  
 Sec. 22, T14N, R04W, S.M.  
 Tax Map PM06



Im15-115  
 DR15-083





**Matanuska-Susitna Borough**  
**Community Development Department**  
350 East Dahlia Avenue • Palmer, AK 99645  
Phone (907) 745-9869 • Fax (907) 745-9635

## LEASE FOR PORT DISTRICT UPLANDS

**MSB006891**

**THIS LEASE FOR PORT DISTRICT UPLANDS** (the "Lease") is entered into this 16th day of June 2015, by and between:

**MATANUSKA SUSITNA BOROUGH** (hereinafter "Lessor"), a municipal corporation formed under the laws of the State of Alaska, whose mailing address is 350 E. Dahlia Avenue, Palmer, Alaska 99645;

and

WestPac Logistics, LLC, a Limited Liability Company (hereinafter "Lessee"); whose mailing address is 35114 83rd Avenue South, Roy, Washington 98580.

### Section 1. Subject Matter.

- 1.1 Lessor desires to lease to Lessee, and Lessee desires to lease from Lessor, a parcel of land located within the uplands area of the Port MacKenzie District, more specifically described and depicted on **Exhibit A** attached to and for all purposes made a part of this Lease.
- 1.2 The parties desire to adopt this Lease as a complete and final statement of all of the promises, covenants, terms and conditions in effect and binding between them.
- 1.3 Lessor is entering into this Lease as land owner, exercising its power to manage its own lands under Alaska Statute 29.35.010(8), and the applicable provisions of the Matanuska-Susitna Borough Code ("MSB Code") Section 1.10.010(A)(9), Title 23, and Assembly

Ordinance Serial approving the execution of this lease. The Matanuska-Susitna Borough Community Development Department, Land and Resource Management Division is responsible for management of borough-owned real property, timber, and gravel resources including lease origination, management, oversight, and enforcement, pursuant to Sections 23.05.010, 23.05.050, 23.05.070, and 23.10.180 of MSB Code.

In so acting, Lessor is not waiving, and Lessor is explicitly reserving unto itself, all of its governmental authority, sovereignty and power to enact and enforce laws and regulations governing land use and development, or the conduct of any business or activity, anywhere within the Borough, including the Port MacKenzie District. Nothing in this Lease shall waive or otherwise diminish Lessor's governmental authority, sovereignty and power with respect to leased land or Lessee's use or occupancy of it.

- 1.4 As a material inducement to this lease, the Matanuska-Susitna Borough cannot, and does not, through this Lease, make any express or implied representations, warranties or guarantees as to the future results of any land use permits, applications, tax rates, tax exemptions, or proposals which are governed by Matanuska-Susitna Borough Code.
- 1.5 The reservations contained in sections 1.3 and 1.4 above, and the terms of Section 9 below are part of the material inducement for the Matanuska-Susitna Borough to enter into this lease. But for these terms, the Matanuska-Susitna Borough would not enter this lease.

**Section 2. Premises Leased.**

- 2.1 Leased Premises. Lessor, reserving the rights above, for and in consideration of the rents, covenants, conditions, and terms hereinafter specified to be paid, performed, and observed by Lessee, leases to Lessee, and Lessee leases from Lessor, land situated in the uplands area of Port MacKenzie District. The leased land is more particularly described and depicted on **Exhibit A** with reference to the Record of Survey recorded in the Palmer Recording District. The leased land, together with all rights, easements, privileges and appurtenances attaching or belonging to the described land, but subject to the reservation contained in Section 2.2 below, is referred to hereafter as the "Leased Premises."
- 2.2 Reservation of Minerals and Resources. All oil, gas, coal, other hydrocarbons, geothermal resources, rock, sand, gravel, peat, timber, and minerals of whatever nature on, in or under the above-described land are excluded from the Leased Premises and reserved to Lessor. Lessor may, nevertheless, grant Lessee a permit to make use of the timber, rock, sand or gravel found on the Leased Premises in Lessee's development of the Leased Premises, which may require Lessee to obtain and pay for the required permit as is specified in Section 9.4 below. Lessor has not promised or obligated itself to providing any such permit to Lessee. If Lessor mines and/or extracts any of the reserved minerals or resources, Lessor agrees that the mining and/or extraction shall not interfere with Lessee's business and activities on the Leased Premises or its access to the Leased Premises.

- 2.3 Dock/Ferry Terminal Use. Refer to Section 10.12. Lessee must obtain a separate land use and/or facility permit for use of land within the barge dock area or Terminal Building and must separately comply with any applicable contract, dockage, wharfage, or tariff requirements.

### **Section 3. Term.**

- 3.1 Lease Term. This Lease shall be and continue in full force and effect for an initial term of twenty-five (25) years (the "Initial Term") commencing as of June 16, 2015, and expiring at 11:59 p.m. on June 15, 2040 unless earlier terminated as provided in this Lease; provided however that so long as Lessee is not in default under the Lease and is still in possession of the Leased Premises, Lessee shall have the right to terminate the Lease at any time between the twenty-fourth (24th) and fifty-ninth (59th) months of the Lease by providing Lessor with ninety (90) days advance written notice. Simultaneously with delivery of the early termination notice, Tenant shall pay an early termination fee of twenty thousand dollars (\$20,000.00). If Lessee exercises the option hereunder, the Lease shall terminate as of the last day of the applicable month, whereupon rights and obligations will continue as stipulated for any other type of termination.
- 3.2 Option to Renew. Lessee may apply to renew this Lease for up to two (2) additional periods of up to five (5) years each (the "Renewal Term"). To effectively exercise an option to renew, Lessee must not be in default of any of its obligations at the time of the exercise or at the time of the commencement of any Renewal Term. Lessee must give Lessor written notice of the exercise of an option to renew no later than one hundred eighty (180) days prior to the expiration of the Initial Term or the preceding Renewal Term, as the case may be. Time is of the essence in giving written notice of the exercise of an option to renew; the options to renew shall lapse and be void if Lessee fails to give timely notice of their exercise. During the Renewal Term(s), all of the provisions of this Lease shall remain in full force and effect, except that the rent Lessee shall pay to Lessor shall be adjusted as is provided for below.
- 3.3 "Term" Defined. Whenever used in this Lease, the word "Term" shall mean and include both the Initial Term and any Renewal Term(s).

### **Section 4. Rent.**

Rent for the initial 5 years of the Lease as set forth below has been negotiated to allow economic development incentive and computed from the appraised fair market value of the Leased Premises as determined by a Consultation and Analysis Report prepared by a qualified consultant/appraiser selected by the Lessor, pursuant to MSB 23.05.010(B).

- 4.1 Basic Rent. Lessee shall pay the following rent (the "Basic Rent") to Lessor, without deduction and without prior notice or demand. Although stated as an annual rent, the Basic Rent may be paid in equal monthly installments. The monthly installments shall be paid in advance on or before the first day of each calendar month during the Term, with partial periods prorated on a daily basis. The Basic Rent shall be as follows:

- 4.1.1 During the first twelve (12) months of the Lease, Basic Rent will be zero dollars (\$0).
- 4.1.2 Beginning in the thirteenth (13th) month of the Lease and continuing through the twenty-fourth (24th) month of the Lease, the annual Basic Rent will be nineteen thousand dollars (\$19,000), with a monthly installment of Basic Rent being one thousand five hundred eighty-three and 33/100 dollars (\$1,583.33).
- 4.1.3 Beginning in the twenty-fifth (25th) month of the Lease and continuing through the thirty-sixth (36th) month of the Lease, the annual Basic Rent will be thirty-eight thousand dollars (\$38,000.00), with the monthly installment of Basic Rent being three thousand one hundred sixty-six and 66/100 dollars (\$3,166.66).
- 4.1.4 Beginning in the thirty-seventh (37th) month of the Lease and continuing through the forty-eighth (48th) month of the Lease, the annual Basic Rent will be fifty-two thousand dollars (\$52,000.00), with the monthly installment of Basic Rent being four thousand three hundred thirty-three and 33/100 dollars (\$4,333.33).
- 4.1.5 Beginning in the forty-ninth (49th) month of the Lease and continuing through the sixtieth (60th) month of the Lease, the annual Basic Rent will be sixty-five thousand dollars (\$65,000.00), with the monthly installment of Basic Rent being five thousand four hundred sixteen and 66/100 dollars (\$5,416.66).
- 4.1.4 During Lease Year 5, and then during lease year 10 and 15, , a leasehold appraisal will be obtained to determine Fair Market Value with Basic Rent to be adjusted, effective as of Lease Year 6, 11 and 16 respectively, to equal the annual "fair market value rent" as determined under Section 5.1 below.
- 4.1.5 At the commencement of any Renewal Term (if Lessee exercises any available option to renew), the Basic Rent shall be adjusted to equal the annual "fair market value rent" as determined under Section 5.1 below. However, the annual Basic Rent payable during any Renewal Term shall never be less than the annual Basic Rent payable during the Lease year immediately preceding the commencement of the Renewal Term.

4.2 Adjustments for Lessor's Improvements. If, at any time during the Term, Lessor constructs or installs any infrastructure or similar improvements that benefit or otherwise increase the fair market value of the Leased Premises (such as, but not limited to, the installation of access roads or the provision of utility services to the Leased Premises), the Basic Rent under Section 4.1 above shall, as of the date of substantial, be adjusted to take the increased value into account. The increase shall be calculated in the following manner: an appraisal of the fee simple interest shall be obtained pursuant to Section 4.1 and the resulting fair market value shall be multiplied by the land lease rate percentage stated in Section 4.1.2, with the resulting amount becoming the new Basic Rent.

- 4.3 Net Rent Intended. The Basic Rent provided for under this Lease shall be absolutely net to Lessor so that this Lease shall yield, net to Lessor, the rent specified during the Term of this Lease, not reduced in any way by any costs, expenses, taxes, assessments and/or obligations relating to Lessee's use or occupancy of the Leased Premises, which may arise or become due during the Lease Term, except as otherwise expressly provided in this Lease.
- 4.4 Place of Rent Payment. All payments of Basic Rent shall be delivered to the following address, accompanied by a reference to the MSB Lease Number shown on the front page of this Lease, unless Lessor gives Lessee written notice of a different address for rent payments:

Matanuska Susitna Borough  
Land and Resource Management Division  
350 East Dahlia Avenue  
Palmer, Alaska 99645

Payments shall be effective on the date of Lessor's actual receipt.

- 4.5 Late Payment. Any payment of Basic Rent not made within ten (10) days after the date it is due shall be assessed a late fee of \$100, or 10% of the amount due, whichever is greater. The late fee is not a penalty but is intended to compensate Lessor for the additional costs Lessor will incur as a result of the late payment, the exact amount of such additional costs being extremely difficult and impracticable to ascertain.

## **Section 5. Fair Market Rent Determination.**

- 5.1 Fair Market Value Rent. The annual "fair market value rent" upon which Lessee's obligation to pay Basic Rent under Section 4.1.2 or Section 4.1.3 above is based, shall be determined as follows:

- 5.1.1 Appraisal of Fee Simple Interest. Lessee shall select an appraiser from a list of qualified appraisers compiled by Lessor that shall be kept available for inspection at Lessor's offices. Lessor shall use good faith efforts to keep appraisers on the list who are by profession an M.A.I. certified real estate appraiser who has been active over five (5) years in the appraising of undeveloped commercial properties in Alaska. The appraiser shall determine, as of a date within one hundred twenty (120) days before or after the beginning of the applicable rent period, the fair market value of the fee simple interest in the Leased Premises, unencumbered by this Lease, and including improvements owned by Lessor, but excluding improvements owned by Lessee. The appraiser shall value the Leased Premises as if the land being appraised is unaffected by any environmental contaminants. The appraisal shall be prepared in accordance with the requirements of Section 23.10.060(B) of the MSB Code, or any successor MSB Code provisions, that are then in effect. Lessee shall bear the cost of the appraiser's report prepared at year 10, 15, and renewal term(s), (if any) and the

Matanuska-Susitna Borough shall bear the cost of the appraisals prepared at year 5 and prepared pursuant to Section 4.2 above.

5.1.2 Fair Market Value Rent. The annual "fair market value rent" shall be the product derived from multiplying: (a) the fair market value of the Leased Premises (established in accordance with Section 5.1.1 above), by (b) ten percent (10%).

5.2 Rent Adjustment Disputes. In the event either Lessor or Lessee disagrees with the appraisal of the fee simple value of the Leased Premises made pursuant to Section 5.1.1, the disputing party shall give notice of the dispute in writing to the other party within ten (10) days of receiving the appraisal report. Time is of the essence in providing notice under this section and failure to give timely notice of disputing an appraisal made under Section 5.1.1 shall constitute a waiver of the right to dispute such an appraisal. If either Lessor or Lessee gives timely notice of a dispute, the disputing party shall then appoint another appraiser from Lessor's approved list of appraisers to provide a second appraisal of the fee simple interest in the Leased Premises. The second appraisal shall value the fee simple interest, unencumbered by this Lease, and including Lessor's Improvements and excluding Lessee's Improvements. The appraisal shall be prepared in accordance with the requirements of Section 23.10.060(B) of the MSB Code, or any successor MSB Code provisions that are then in effect. The disputing party will use best efforts to ensure that the second appraisal will be provided to the parties no later than sixty (60) days after the written notice of dispute is given. The disputing party shall be responsible for the cost of the second appraiser's report.

If the second appraiser gives an opinion of fair market value that differs by two percent (2%) or less from the value given by the first appraiser, then the higher of the two appraisals shall be used to determine fair market value.

If the second appraiser gives an opinion of fair market value that differs by more than two percent (2%) from the value given by the first appraiser, then the two appraisals shall be averaged to determine the fair market value.

5.3 Retroactive Adjustments. Until a change in Basic Rent is determined, Lessee shall pay the same Basic Rent as was in effect in the previous year. When the adjusted Basic Rent has been determined, and Lessee notified, such Basic Rent as so determined shall be due and payable to Lessor retroactive to the commencement of the Lease year for which such rent adjustment is applicable, and any deficiency resulting from such rent adjustment shall be payable within thirty (30) days after the giving of such notice to Lessee.

5.4 Failure on the part of the Lessor to establish a new annual rent by the Adjustment Date does not preclude the Lessor from doing so then or thereafter.

## **Section 6. Security Deposit.**

6.1 Deposit as Security for Lessee's Performance. Lessor requires a security deposit that Lessee shall pay to Lessor at the execution of this Lease. The security deposit at the time

of lease execution is the amount of Five Thousand dollars (\$5,000.00). The required deposit will increase, as the basic rent increases, to the equivalent amount equaling three months' rent. This deposit is security for Lessee's full and faithful performance of all its obligations under this Lease. The security deposit shall be returned to Lessee within sixty (60) days after the expiration of this Lease if Lessee has fully and faithfully performed all the covenants and terms of this Lease that Lessee is obligated to perform. If Lessee fails to fully perform all its obligations, Lessor, at its sole option, may apply the security deposit against any costs or damages resulting from Lessee's failure to perform. In the event all or part of the security deposit is so applied during the lease term, Lessee shall, within ten (10) days of Lessor's demand, pay to Lessor the amount necessary to replenish the security deposit to its original amount.

- 6.2 Deposit Transferable. In the event of a sale or transfer of Lessor's fee title in the Leased Premises, Lessor shall have the right to transfer the security deposit to the purchaser or transferee under the terms of this Lease. With Lessor's transfer of the security deposit to the purchaser or transferee and the written assumption of the Lease by the purchaser or transferee, Lessor shall be automatically released from all liability for the return of the security deposit to Lessee.
- 6.3 Rights Regarding Deposit. Lessor's obligations with respect to the security deposit are those of a debtor and not a trustee. Lessor can commingle the security deposit with Lessor's general funds or the deposits of other tenants. Lessor shall not be required to pay Lessee any interest on the security deposit. Lessee may not assign or encumber the money deposited as security, and neither Lessor nor its successors or assigns shall be bound by any such purported assignments or encumbrances.

## **Section 7. Condition of Leased Premises at Commencement; Delivery of Possession.**

- 7.1 Accepted in Present Condition. Lessee acknowledges that it has had an opportunity to inspect the Leased Premises and conduct any studies or assessments of the Leased Premises that Lessee desired prior to entering into this Lease. Lessee accepts the Leased Premises "AS IS" and "WITH ALL FAULTS." Lessor shall have no obligation to install, construct or pay for any improvements of any kind or nature on the Leased Premises for Lessee's benefit at or prior to the commencement of the Term.
- 7.2 No Representations or Warranties. Lessor is making no representation or warranty, express or implied, regarding the Leased Premises or their suitability for Lessee's purposes. Without limiting the foregoing, Lessee specifically acknowledges that Lessor has not warranted or made any representation regarding the social, economic, or environmental aspects of the Leased Premises, or the acreage, soil conditions, utility services, water drainage, physical access, availability of wood supplies now or in the future, natural or artificial hazards that may or may not exist, or the merchantability, suitability or profitability for any use or purpose.
- 7.3 No Liability. Lessor shall have no liability to Lessee, or to Lessee's employees, agents or contractors, or to anyone claiming by, under or through Lessee, regarding the physical

condition of the Leased Premises any time during the Term. Lessor has no responsibility for any subsurface conditions, whether known or unknown, natural or man-made, to Lessee, specifically including any adverse soil conditions and any washout, subsidence, avulsion, reliction or settling that may occur to Leased Premises. In consideration for Lessor entering into this Lease, Lessee is expressly assuming the risk of any latent or patent defects or deficiencies in, on or under the Leased Premises, whether the same now exist or arise hereafter. In no event shall Lessee be entitled to any damages whatsoever against Lessor with respect to the physical condition of the Leased Premises, including, but not limited to, actual, special, consequential, lost-profits, or any other category of damages.

- 7.4 Delivery of Possession. Lessor shall deliver possession of the Leased Premises to Lessee on the commencement date of the Initial Term. However, if Lessor is not able to deliver possession on that date for any reason (whether the cause is beyond Lessor's reasonable control or not), this Lease shall not be then void or voidable, nor shall Lessor be liable to Lessee for any loss or damage resulting from the failure to deliver possession. In that event, the commencement of the Initial Term shall be delayed until Lessor is able to deliver possession of the Leased Premises to Lessee, and the rent payable under this Lease shall be abated during the period of delay in the delivery of possession. In addition, the Initial Term of this Lease shall be extended to equal the period of delay in the delivery of possession so that Lessee has the benefit of the Leased Premises for the full period of time provided for in this Lease. If the delay in delivering possession extends beyond one hundred twenty (120) days, then Lessee may cancel this Lease upon giving written notice of cancellation to Lessor, so long as Lessee has not taken possession of the Leased Premises as of the date of giving notice of cancellation. Cancellation shall be Lessee's sole and exclusive remedy in the event of a delay in the possession beyond sixty (60) days. Upon such a cancellation, Lessor shall refund any security deposit to Lessee, both Lessor and Lessee shall be excused from all their obligations under this Lease, and neither Lessor nor Lessee shall have other or further liability with respect to this Lease or the transaction contemplated by this Lease.

## **Section 8. Governmental Authority Retained.**

- 8.1 No Waiver of Governmental Power. Nothing in this Lease is intended to, or shall have the effect of, waiving or releasing any power or authority that Lessor has as a governmental body. Lessor has not promised or represented that it will exercise or not exercise its governmental power or authority in any way for the benefit of Lessee or Lessee's interests or the Leased Premises. Lessee also specifically acknowledges that, regardless of the title or position that a person holds with Lessor, no person acting or purporting to on Lessor's behalf has the authority to waive or release the Lessor's power or authority to act as a local government of the State of Alaska.
- 8.2 Lessee and Leased Premises Subject to MSB Code. Lessee and Lessee's use and occupancy of the Leased Premises shall at all times be subject to the applicable provisions of the MSB Code, as the MSB Code may be amended from time to time. Lessor has not promised or represented that no new provisions will be added to the MSB

Code, or that no existing provisions will be revised or repealed in any way. Lessor likewise has not promised or represented that any provisions of the MSB Code will be relaxed or not enforced for Lessee's benefit. Without limiting the foregoing, Lessee specifically acknowledges and agrees that:

- 8.2.1 The Leased Premises are subject to all applicable land use provisions of the MSB Code, including Titles 8, 17, 18, 23, and 27, and any additions to or amendments of those provisions; and
- 8.2.2 The Leased Premises and Lessee's use of the Leased Premises are subject to all applicable building, fire, health, safety and environmental provisions of the MSB Code, as they presently exist or as may be hereafter adopted; and
- 8.2.3 Lessee must obtain a Port Mackenzie Development Permit pursuant to MSB Code 17.23.150(B), which is a process independent from this Lease. The issuance of a Port Mackenzie Development Permit has not been promised to Lessee and nothing in this Lease obligates Lessor to issue the permit.

## **Section 9. Improvements.**

- 9.1 Right to Improve. Lessee, when not in default of its obligations under this Lease, shall have the following rights, during the Term, to the extent Lessee deems advisable, subject however to the satisfaction of the other requirements of this Lease and, when specified, subject to the condition that Lessor's prior approval be obtained:
  - 9.1.1 To construct, place or install on the Leased Premises, buildings, structures, fill, paving, landscaping, and other improvements (each an "Improvement and collectively the "Improvements"); and
  - 9.1.2 To make such alterations, additions and repairs to the Leased Premises as Lessee may desire.

All Improvements that Lessee constructs, places or installs on the Leased Premises shall remain Lessee's separate property for the duration of the Term of this Lease except as provided for in Section 13.6.1.

- 9.2 Performance Standards. Any Improvements that Lessee constructs, places, or installs upon the Leased Premises, and all work done with respect to such Improvements, must be in compliance with the Performance Standards attached as **Exhibit B** to this Lease. Tenant commits to the commencement and completion dates and the schedule set out in the Performance Standards as material consideration. Time is of the essence in meeting the Performance Standards.
- 9.3 Site Work. Prior to the commencement of any site work on the Leased Premises (including any gravel use, timber clearing, grading or driveway placement), Lessee must: (1) obtain a Port Mackenzie Development Permit as referenced in Section 8.2.3 above, and (2) provide Lessor a site plan and technical drawings. The site plan is required to be

signed and sealed by an Alaskan registered professional land surveyor, civil engineer, architect, or landscape architect.

- 9.4 Clearing and Site Materials. With regard to timber, rock, sand, or gravel that is within the Leased Premises, Lessee may apply to use such material for on-site preparation. Any extraction for off-site use, prior to conducting any timber clearing on the Leased Premises, and prior to extraction or making use of any rock, sand, or gravel found on the Leased Premises, Lessee shall comply with permitting requirements and purchase requirements of the Land & Resource Management Division. The issuance of these permits is not guaranteed and may require the approval of the Matanuska-Susitna Borough Assembly. Lessee's application for such permits will have to be evaluated on its own merits in accordance with the established procedures for such permits. Lessor has not promised that Lessee will receive such permits and Lessor will have no liability to Lessee if Lessee fails to qualify for the permits.

Lessee will be required to pay fair market value for any and all resources extracted from Leased Premises, with exception only for those resources used for on-site development of Leased Premises.

All activities shall be conducted in a manner that complies with all applicable federal, state, and local laws and does not interfere with the quiet enjoyment of any other tenants.

9.5 Significant Work.

- 9.5.1 Definition. "Significant Work" as used in this Section 9.5 means all work on the Leased Premises with a value of more than one hundred thousand dollars (\$100,000) cumulatively for the planning or design of such work and the labor, materials, equipment of the work, where the work involves the excavation, filling, or other alteration of the grade or drainage of the Leased Premises, and/or involves the construction, demolition, alteration or removal of any Improvement on or from the Leased Premises.

- 9.5.2 Approval Required. In addition to the requirements of Sections 9.2, 9.3 and 9.4 above, Lessee shall not begin any Significant Work without first obtaining Lessor's prior written approval of the preliminary plans for such work, if any, and of the final plans and specifications for such work. The preliminary plans and the final plans and specifications shall be prepared by a licensed architect or engineer and shall include, but not be limited to, a detailed plot plan, a landscaping plan, appropriate cross sections, elevations, and floor plans indicating building heights, bulk, density, functions, materials, and utility systems, an itemized estimate of the total cost of such work, and a timetable for completion. Upon delivery of the either the preliminary or final plans to Lessor, Lessor shall have forty-five (45) working days to either approve the submitted plan or provide the reasons for the failure to approve in writing, and if Lessor fails to timely respond the plan shall be deemed approved. No approval by Lessor or by its architects or engineers of such preliminary plans or final plans and specifications shall be deemed a warranty or

other representation by any of them that the Improvements or other work contemplated thereby are legal, safe, or sound or constitute the highest and best use of the Leased Premises. All of such work by Lessee on the Leased Premises shall be supervised by a licensed architect or engineer. Lessee acknowledges that, except as provided in Section 18 with respect to removal of Improvements upon expiration of the Term or earlier termination of this Lease, Lessor has not authorized or required, and Lessor does not authorize or require, Lessee to improve the Leased Premises in any manner that permits Lessor's interest in and title to the Leased Premises to become subject to the liens of Lessee's mechanics and materialmen.

- 9.5.3 Payment and Performance Bonds. Before commencing any project involving any Significant Work, Lessee must furnish to Lessor payment and performance surety bond in the amount to cover the full expected cost or the contract price of the project. Lessor shall be named as the obligee of the bonds and the bonds must be issued by one or more corporate sureties that are reasonably acceptable to Lessor. The furnishing of the payment and performance bonds shall not limit or modify Lessee's obligation to protect Lessor and the Leased Premises from any liens, as is specified below.
- 9.6 Utilities. To the extent Lessor desires to have utility services at the Leased Premises that are not already available on the commencement date of the Term, Lessee shall pay for all the costs of bringing and installing utility services to and on the Leased Premises (including electric, telephone, gas, cable, water, solid waste and sewage disposal). Lessee shall obtain Lessor's prior written approval with respect to the location of any utility services on the Leased Premises which approval shall be given within forty-five (45) working days or Lessor shall provide the reasons for the failure to approve in writing, and if Lessor fails to timely respond to the proposed location of any utility services shall be deemed approved.
- 9.7 Amendments to Plans. In performing any work on the Leased Premises, Lessee shall not deviate from Lessor's approved or issued Performance Standards, site plan, Port District Use Permit, timber and gravel permits, and construction plans and specifications. Any deviation from the approved or issued plans, permits, or designs shall require Lessor's prior written authorization and, where appropriate, a signed amendment to this Lease or the governing standards or permits.
- 9.8 Construction Completion. In completing any project involving the construction of Improvements on the Leased Premises, Lessee shall provide to Lessor at Lessee's expense a set of as-built drawings for the completed project. The as-built drawings shall be provided in accordance with the deadline set in the Performance Standards. In completing any project on the Leased Premises, Lessee shall remove all construction debris from the Leased Premises and also provide site revegetation and erosion control of the unimproved construction area if no development of such unimproved area is anticipated in the next eighteen (18) months and not included in the Performance Standards (if any), provided that areas to be revegetated are gravel. If areas to be

revegetated are soil, seeding will occur at the conclusion of construction. Lessee shall provide to Lessor a written plan utilizing methods outlined in *A Revegetation Manual for Alaska*, by Stony J. Wright, Alaska Plant Materials Center, Division of Agriculture, Department of Natural Resources, State of Alaska. Lessee's written plan for site monitoring shall include methods to preclude the introduction of species of the State of Alaska list of Prohibited and Restricted Noxious Weeds, a copy of which will be provided to Lessee. If no revegetation occurs in an area being seeded within ninety (90) days, Lessee shall reseed the area without vegetation. To preclude introducing prohibited and noxious weeds on the Leased Premises, Lessee will use a product which is certified to not include those species.

- 9.9 Liens. Lessee shall not permit any mechanics', laborers' or materialmen's liens to stand against the Leased Premises or any Improvements for any labor, materials or equipment furnished to Lessee or claimed to have been furnished to Lessee or to Lessee's agents, or contractors in connection with work of any character performed or claimed to have been performed on the Leased Premises or Improvements by or at the direction or sufferance of Lessee. Lessee, however, shall have the right to contest the validity or amount of any such lien or claimed lien. In the event of a lien contest, Lessee shall give Lessor such reasonable security as Lessor may demand to insure payment of the lien or claimed lien and prevent the sale or foreclosure of the Leased Premises or Improvements. The security need not exceed one and one-half times the amount of the lien or Lessee may record the bond contemplated by AS 34.35.072. In any lien contest proceedings, Lessee shall immediately pay any judgment rendered with all proper costs and charges and shall have the lien released or judgment satisfied at Lessee's own expense.

## **Section 10. Use and Occupancy.**

- 10.1 Quiet Enjoyment. Upon Lessee's timely payment of all of rents and other sums required to be paid by Lessee under this Lease, and upon Lessee's full and faithful observance and performance of all of its obligations contained in this Lease, and so long as such observance and performance continues, Lessee shall peaceably hold and enjoy the Leased Premises during the Term without hindrance or interruption by Lessor or anyone lawfully claiming by, through, or under Lessor.
- 10.2 Use of Leased Premises. Lessee specifically agrees that, for the Term, it shall use the Leased Premises for no purpose other than marine and surface transportation, warehousing, logistical support, marine terminal operator services, laydown area, and related office areas. Any change in use will require the prior written approval of Lessor which may be granted or withheld in lessor's sole and absolute discretion
- 10.3 Repair and Maintenance. Lessee shall, at Lessee's expense and without notice from Lessor at all times during the Term, keep the Leased Premises and all Improvements now existing or hereafter built on the Leased Premises (including but not limited to exterior building walls, windows, doors, fences, signs, landscaping and yard areas, refuse disposal equipment and facilities, pavement, curbs, gutters, exterior lighting, and drainage

facilities), in good order, condition, maintenance, operability, and repair and of a neat, clean, appearance reasonably satisfactory to Lessor.

- 10.4 Compliance with Laws. Lessee, at all times during the Term, at its own expense, and with all due diligence, shall observe and comply with all laws, ordinances, rules, and regulations that are now in effect or that may later be adopted by any governmental authority (including Lessor), and that may be applicable to the Leased Premises or any Improvement on it or any use of it.
- 10.5 Authorized Representative. Immediately after the execution of this Lease, Lessee shall provide Lessor with the name and contact information (including cell phone number and e-mail address) for Lessee's principal point of contact for Lessee's operations on the Leased Premises. Lessor shall be entitled to directly communicate with the named individual for all matters under this Lease. Lessee shall promptly notify Lessor of any change in the person acting as Lessee's Authorized Representative for the Leased Premises.
- 10.6 Supervision. Lessee shall maintain reasonable and adequate on-site supervision of the Leased Premises to insure that the terms and conditions of this Lease and all applicable federal, state and borough laws, rules, and regulations governing operations within the Leased Premises are enforced.
- 10.7 Signage. Lessee shall not place on the Leased Premises any signage that is unrelated to any business Lessee is operating on the Leased Premises. Lessee's signage for its business shall be limited to one sign visible from the roadway, which must not exceed thirty-six inches (36") in height and seventy-two inches (72") in length. No electioneering or campaign signs of any kind shall be placed upon the Leased Premises.
- 10.8 Utilities. Lessee shall pay for all utility services consumed or used on the Leased Premises.
- 10.9 Waste and Wrongful Use. Lessee shall not commit or suffer any strip or waste of the Leased Premises, or engage in any unlawful activity, or engage in any unauthorized activity that is unsafe, results in any public or private nuisance thereon, or adversely affects the value, character or utility of Lessor's surrounding property.
- 10.10 Setbacks. Lessee shall observe all setback lines applicable to the Leased Premises and shall not construct or maintain any building or other structure whatever between any road or other specified rights-of-way boundary of the Leased Premises and any setback along such boundary, except as allowed by law. Lessor reserves the right to make use of, and to grant utility or railroad easements and other rights to third parties in, the setback areas of the Leased Premises.
- 10.11 Inspection and Repair by Lessor. Lessee shall repair, maintain and make good all conditions required under the provisions of this Lease, permit requirements and applicable laws within a time frame provided for curing a default under the terms of this

Lease. In the event of an emergency, Lessor's notice may be verbally given and followed after-the-fact by written notice. If Lessee refuses or neglects to provide reasonable and necessary repairs or maintenance for the Leased Premises as required under the terms of this Lease to the reasonable satisfaction of Lessor after written demand, then Lessor, without prejudice to any other right or remedy it has under this Lease or otherwise, may perform such reasonable and necessary maintenance work or make such repairs without liability to Lessee for any loss or damage that may accrue to Lessee's merchandise or other property or Lessee's business by reason thereof. Upon completion of any such repair or maintenance, and no later than thirty (30) days after presentation of an invoice therefore, Lessee shall pay as additional rent Lessor's reasonable costs for making such necessary repairs or performing such maintenance, plus fifteen percent (15%) of the repair cost to cover Lessor's overhead.

- 10.12 Notwithstanding anything to the contrary set forth in this Lease, as material inducement to Lessee to enter into this Lease, Lessor hereby agrees that Lessee:
- 10.12.1 Will have nonexclusive, nonpreferential access to and use of the Port MacKenzie dock as long as the lease is in good standing.
  - 10.12.2 Will be required to obtain a Terminal Operator Permit and schedule use of the docks through a formal Berthing Application.
  - 10.12.3 Will be required to comply with current published Port Tariffs.

## **Section 11. Taxes and Assessments.**

- 11.1 Property taxes and Assessments. Lessee shall pay all real property taxes, assessments, special assessments or other charges of every description for which the Leased Premises, or any Improvement thereon or any use thereof, are now or during the Term may be assessed or become liable, whether made by governmental authority or by any public utility or community service company, and whether assessed to or payable by Lessor or Lessee, subject to Lessee's option to pay in installments where installment payments are permitted. If such tax or assessment is payable by Lessor, Lessee shall reimburse Lessor within thirty (30) days after Lessee's receipt of a copy of Lessor's receipt for the payment. Payments of real property taxes and assessments due during the first and last years of the Term shall be prorated as of the dates the Term begins and ends. Upon Lessor's request, Lessee shall promptly provide to Lessor true and complete copies of receipts for such real property taxes and assessments evidencing their timely payment.
- 11.2 New Taxes, Assessments and Charges. If at any time during the Term any new or additional taxes, assessments or any other charges not existing on the effective date of this Lease are assessed against the Leased Premises, or any Improvement thereon, Lessee shall pay before they become delinquent, all of such new taxes, assessments and charges.
- 11.3 Contesting Taxes. Nothing contained in this Lease will prevent Lessee from contesting in good faith the validity or the amount of such real property taxes or assessments by appropriate proceedings commenced before such real property taxes or assessments

become delinquent; provided, however, that Lessee will give written notice to Lessor of Lessee's intention to do so.. Lessee shall not be deemed in default under this Lease because of its failure to pay any property taxes or assessments when the taxes or assessments are subject to a pending appeal.

- 11.4 Installment Payments. If there is an option given to pay assessments or special assessments in installments, Lessee may elect to pay for such installments as shall accrue during the Term of this Lease. As to permitted installment payments for which at least the first installment fell due before commencement of the Term, Lessee shall pay all installments falling due during the Term and Lessor shall reimburse Lessee within thirty (30) days for any amount greater than Lessee's prorated portion of the installment.

## **Section 12. Hazardous Materials and Environmental Matters.**

- 12.1 Observance of Environmental Laws. Lessee must, at its own expense, comply with all laws, ordinances, regulations and administrative agency or court orders relating to health, safety, noise, environmental protection, waste disposal, hazardous or toxic materials, and water and air quality. In the event any discharge, leakage, spillage, emission or pollution of any type occurs upon or from the Leased Premises during the Term or any holdover thereafter, Lessee shall immediately notify Lessor and shall, at Lessee's own expense, clean and restore the Leased Premises to the reasonable satisfaction of Lessor and any governmental body or court having jurisdiction of the matter. **Under no circumstance shall any hazardous material be improperly stored or disposed of on the Leased Premises by Lessee.**
- 12.2 Hazardous Materials on Leased Premises. Lessee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the Leased Premises by Lessee, its agents, employees, contractors or invitees without the prior written consent of Lessor, which Lessor shall not unreasonably withhold as long as Lessee demonstrates to Lessor's reasonable satisfaction that such Hazardous Material is necessary or useful to Lessee's business and will be used, kept and stored in a manner that complies with all laws regulating any such Hazardous Materials.
- 12.3. Disclosure. At the beginning of the Initial Term of this Lease and on July 1 of each year thereafter, including the year in which this Lease expires or is terminated, Lessee shall inventory and disclose an inventory list to Lessor with the names and amounts of all Hazardous Materials or any combination thereof that were stored or used on the Leased Premises, or that Lessee intends to store or use on the Leased Premises. Lessee shall keep an updated inventory list at all times and disclose to the Lessor any types of changes to the inventory list throughout the year.
- 12.4 Environmental Control Measures. As a part of the development of the Leased Premises, Lessee shall provide to Lessor, for Lessor's review and approval, a Hazardous Materials control plan. The control plan shall specify the materials, equipment and procedures that Lessee will utilize in handling Hazardous Materials and in seeking to prevent and respond to any spill, release, or discharge of Hazardous Materials. All containers on the

Leased Premises holding Hazardous Materials (e.g. tanks, drums, supply sources for equipment) shall be marked with the contents and Lessee's name. Lessee shall install and maintain secondary containment or a surface liner under all container and vehicle fuel tank inlet and outlet points, hose connections, and hose ends during fueling or other transfers of Hazardous Materials. For this purpose, "secondary containment" means an impermeable diked area or portable impermeable containment structure capable of containing one hundred ten percent (110%) of the volume of the largest container; and "surface liner" means any safe, non-permeable containment designed to catch and hold fluids for the purpose of preventing spills and sized to accommodate a worst-case spill risk. Lessee shall keep at hand during all fueling and all transfers of Hazardous Materials appropriate spill response equipment to respond to a spill.

- 12.5 Environmental Indemnity. Lessee shall indemnify and defend Lessor against all liability, cost and expense (including, without limitation, any fines, penalties, diminution in value of the Leased Premises, assessment and clean-up costs, judgments, litigation costs and attorneys' fees) incurred by or levied against Lessor as a result of Lessee's breach of this Section 12 or as a result of any discharge, leakage, spillage, emission or pollution on or discharged from the Leased Premises, without regard to whether such liability, cost or expense arises during or after the Term of this Lease; provided, however, that Lessee shall not be required to indemnify Lessor under this Section 12.5 if the parties agree or a court of competent jurisdiction determines that such liability, cost or expense is caused directly and solely by the active negligence of Lessor. The foregoing indemnity shall survive the expiration or earlier termination of this Lease.
- 12.6 "Hazardous Material" Defined. For purposes of this Lease, the term "Hazardous Material" means any hazardous or toxic substances, material or waste, including but not limited to: (1) oil, petroleum products and byproducts, gasoline, diesel fuel, stove oil, kerosene and other hydrocarbons; (2) those substances, materials and wastes listed in the U.S. Department of Transportation Hazardous Materials Table (49 CFR § 172.101) or by the U.S. Environmental Protection Agency as hazardous substances (40 CFR Part 302), and amendments thereto; (3) all materials the release of which must be reported under Title 46 of the Alaska Statutes; and (4) any such other substances, materials and wastes that are or become regulated under any applicable local, state or federal law.
- 12.7. Environmental Assessments and Testing. Either prior to or within three months after the date this Lease is executed, Lessee, at its sole cost, shall obtain a Phase I environmental site assessment of the Leased Premises from a professional engineering firm that is acceptable to Lessor. The Phase I environment assessment shall be provided to Lessor upon completion and it shall be used to establish the baseline for the condition of the Leased Premises at the commencement of the Term.

Thereafter during the Term, Lessee, upon Lessor's periodic request (which shall not occur any more frequently than once every five years), shall have environmental site assessments (Phase I and if recommended Phase II) performed on the Leased Premises by a professional engineering firm reasonably acceptable to Lessor to determine the condition of the Leased Premises with respect to any contamination. Lessee shall pay for

the cost of all such environmental assessments. Lessee shall provide Lessor with copies of the reports of all environmental assessments as they are completed.

In addition, Lessee shall be responsible for all reasonable costs and expenses associated with the performance of environmental testing of the Leased Premises, which may be required in Lessor's reasonable discretion, upon the expiration or other termination of this Lease, subject to Lessee's reasonable approval of the scope of the testing. Such environmental testing, conducted by an engineering firm acceptable to Lessor and approved by Lessee, shall be the basis for determining the extent of any environmental impairment caused by the Lessee's use and occupancy of the Leased Premises.

12.8 Lessor's Environmental Expenses. In the event Lessor shall make any expenditures or incur any obligations for the payment of money in connection with this Section 12 including, but not limited to, reasonable attorneys' fees for instituting, prosecuting or defending any action or proceeding, such sums paid, obligations incurred and costs, all with interest at the rate of ten and one-half percent (10.5%) per annum, shall be deemed to be additional rent due under this Lease and shall be paid by Lessee to Lessor within thirty (30) days of the receipt by Lessee of an invoice with supporting receipts from Lessor. Notwithstanding the above, Lessee shall not be responsible for any attorney fees of Lessor in any action or proceeding by third parties against Lessor unless Lessor first tenders defense of such action to Lessee and Lessee fails or refuses to accept such tender of defense.

12.9 Environmental Insurance. In addition to the insurance Lessee is required to provide under Section 14 below, Lessee shall obtain, pay for and keep in effect throughout the Term insurance coverage against environmental pollution or contamination as are specified on **Exhibit C**. Lessee shall provide proof of such insurance in accordance with Section 14.5 below.

## **Section 12. Default and Remedies.**

13.1 Events of Default. Each of the following events shall be a default by Lessee and breach of this Lease:

13.1.1 Failure to Perform Lease Obligations. Lessee's abandonment or surrender of the Leased Premises or of the leasehold estate, or failure or refusal to pay when due any installment of Basic Rent or additional rent or any other sum required by this Lease to be paid by Lessee, or to perform as required by any other obligation, covenant or condition of this Lease.

13.1.2 Failure to Perform Permit or Dock Obligations. Lessee's failure to perform any obligation, covenant or condition imposed under any permit or license issued in connection with this Lease, specifically including but not limited to the Port Mackenzie Development Permit, or a timber or rock use permit.

- 13.1.3 Appointment of Receiver. The appointment of a receiver or trustee to take possession of the Leased Premises or improvements or of the Lessee's interest in the leasehold estate or of Lessee's operations on the Leased Premises for any reason.
- 13.1.4 Insolvency, Bankruptcy. An assignment by Lessee for the benefit of creditors or the filing of a voluntary or involuntary petition by or against Lessee under any provision of the U. S. Bankruptcy Code.
- 13.2 Notice. As a precondition to pursuing any remedy for an alleged default by Lessee after expiration of any applicable cure period, Lessor shall, before pursuing any remedy, give notice of the default to Lessee. Each notice of default shall state the alleged event of default and the cure or intended remedy, but the identification of the intended remedy shall not limit Lessor's right to seek or use any other available remedy not identified in the notice. Lessor shall give notice of default to Lessee at its address for notices specified in this Lease. Notice shall be by personal delivery or by mailing by certified mail (return receipt requested) to Lessee.
- 13.3 Lessee's Right to Cure Defaults. Lessee shall have the right to cure any default as provided below:
- 13.3.1 Payment Default. If the alleged default is nonpayment of rent, taxes, or other sums to be paid by Lessee under this Lease, Lessee shall have thirty (30) days after the notice is given to cure the default.
- 13.3.2 Immediate Correction. If, in the reasonable opinion of Lessor, the alleged default substantially endangers either the person or property of Lessor or a third party, or human health or the environment, Lessee shall commence curing the default immediately upon receipt of the notice and complete the cure within such reasonable time period as is imposed by Lessor or any governmental body having jurisdiction in the matter.
- 13.3.2 Other Default. For the cure of any other default, Lessee shall promptly and diligently commence curing the default and shall have sixty (60) days after notice is received by Lessee to complete the cure, and so long thereafter as Lessee continues to diligently cure the default, but in no event longer than one hundred twenty (120) days after receipt of notice
- 13.4 Nonwaiver. Lessor's acceptance of any rents, whether Basic Rent or additional rent, shall not be deemed to be a waiver of any breach by Lessee of any of its covenants or obligations contained in this Lease or of the right of Lessor to reenter the Leased Premises or to declare a forfeiture for any such breach. Waiver by Lessor of any breach by Lessee shall not operate to extinguish the covenant the breach of which is so waived, nor be deemed to be a waiver of the right of Lessor to declare a forfeiture for any other breach thereof or of any other covenant.

13.5 Right of Lessor to Protect Against Default. If Lessee fails to observe or perform any of its obligations contained in this Lease, Lessor, after giving the notices required in Section 13.3 and expiration of the applicable cure period, at any time thereafter and without notice, shall have the right, but not the obligation, to observe or perform the same for the account and at the expense of Lessee, and shall not be liable to Lessee or anyone claiming by, through, or under it for any loss or damage by reason thereof to the occupancy, business, or property of any of them, All reasonable costs and expenses paid or incurred by Lessor in observing or performing such covenant shall constitute additional rent that Lessee shall pay to Lessor with thirty (30) calendar days of Lessee's receipt of an invoice therefore.

13.6 Lessor's Remedies. If any default by Lessee shall continue uncured, following notice of default as required by this Lease, for the cure period applicable to the default under Section 13.3 of this Lease, Lessor shall have the following remedies in addition to all other rights and remedies provided by law or equity or other provisions of this Lease, to which Lessor may resort cumulatively or in the alternative. The election of one remedy for any one default shall not foreclose an election of any other remedy for another default or for the same default at a later time.

13.6.1 Termination. Lessor may, at Lessor's election, terminate this Lease by giving Lessee notice of termination. On the giving of the notice, all Lessees' rights in the Leased Premises and in all Improvements thereon shall terminate, unless Lessor at the time construction of the Improvements was initially approved, Lessor expressly and in writing advised Lessee that specified Improvements were required to be removed by Lessee at termination, in which event Lessee's rights shall continue in the Improvements required to be removed. Promptly after notice of termination, Lessee shall surrender and vacate the Leased Premises and all Improvements not required to be removed in a clean and leasable condition, and Lessor may reenter and take possession of the Leased Premises and all remaining Improvements and eject all parties in possession, or eject some and not others, or eject none. Termination under this Section 13.6.1 shall not relieve Lessee, or any of its guarantors, insurers, or sureties, from the obligation to make payment of any sum then due to Lessor or from any claim for damages previously accrued or then accruing against Lessee.

13.6.2 Re-entry Without Termination. Lessor may, at Lessor's election, reenter the Leased Premises, and, without terminating this Lease, at any time and from time to time relet the Leased Premises and Improvements, or any part or parts of them, for the account and in the name of Lessee or otherwise. Lessor may, at Lessor's election, eject all persons or eject some and not others or eject none. Any reletting may be for the remainder of the Term or for a longer or shorter term. Lessor may execute any leases made under this provision either in Lessor's name or in Lessee's name, and Lessor shall be entitled to all rents from the use, operation, or occupancy of the Leased Premises or Improvements or both. Lessor shall apply all rents from reletting as provided in Section 13.8 of this Lease. Lessee shall nevertheless pay to Lessor on the due dates specified in this Lease,

the equivalent of all sums required of Lessee under this Lease, plus Lessor's expenses, less the proceeds of any reletting. No act by or on behalf of Lessor under this provision shall constitute an acceptance of a surrender or a termination of this Lease unless Lessor gives Lessee specific notice of acceptance of a surrender or termination.

- 13.6.3 Recovery of Rent. Lessor shall be entitled, at Lessor's election, to each installment of rent or to any combination of installments for any period before termination, plus late charges and interest at the rate of eight percent (8%) per annum from the due date of each installment or the maximum rate allowed by law, whichever is greater. If Lessor elects to relet the Leased Premises without terminating this Lease, the proceeds of such reletting shall be applied, when received, as provided in Section 13.8 of this Lease.
- 13.6.4 Lessee's Property. Lessor may, at Lessor's election, use Lessee's personal property and trade fixtures on the Leased Premises, or any of such property and fixtures, without compensation and without liability for use or damage, or store them for the account and at the cost of Lessee; provided however, in the event of a termination other than at the expiration of the term of the Lease, Lessee shall have ten (10) working days to remove Lessee's personal property after the termination of the Lease.
- 13.6.5 Damages. Lessor shall also be entitled, at Lessor's election, to damages as follows: (1) all amounts that would have fallen due as rent between the time of termination and the time the property is relet, if it is relet; provided that Lessor shall exert reasonable efforts to relet the property at prevailing market value; and (2) the amount, if any, by which the Basic Rent under this Lease exceed the rents under any subsequent lease upon reletting calculated over the Term; and (3) all reasonable administrative, marketing, brokerage, repair, cleaning and similar costs incurred by Lessor and necessary to reletting the Leased Premises or placing it in reasonable marketable condition.
- 13.7 Application of Sums Collected by Lessor. Lessor shall apply all proceeds of reletting as follows: first, to the payment of reasonable expenses (including attorneys' fees and brokers' commissions or both) paid or incurred by or on behalf of Lessor in recovering possession, placing the Leased Premises and Improvements in reasonable condition, and reasonable and necessary costs for preparing or altering the Leased Premises or Improvements for reletting; second, to the reasonable expense of securing new tenants; third, to the fulfillment of Lessee's covenants and obligations to the end of the Lease Term; and fourth, to Lessee.

#### **Section 14. Insurance**

- 14.1 Duration and Requirement. During the entire Term, Lessee shall keep in full force and affect a policy or policies of liability insurance, property insurance, environmental insurance, worker's compensation, and other applicable insurance that include coverages

reasonably acceptable to Lessor as are specified and attached on **Exhibit C** of this Lease with respect to the Leased Premises and the business operated by Lessee. Required policies shall include, but not be limited to, workers' compensation, liability insurance and property insurance.

- 14.2 Workers' Compensation. Lessee shall ensure that, with respect to all personnel performing work on the Leased Premises, Lessee maintains in effect at all times during the term of this Lease, coverage or insurance in accordance with the applicable laws relating to workers' compensation and employer's liability insurance.
- 14.2 Liability Insurance. Lessee shall keep in full force and affect a policy or policies of general liability insurance that includes bodily injury, property damage, and personal injury coverages reasonably acceptable to Lessor with respect to the Leased Premises and the business operated by Lessee. The policy or policies purchased pursuant to this Section 14.2 shall name both Lessor and Lessee as insureds, with respect to the Leased Premises and the business operated by Lessee on the Leased Premises.
- 14.3 Property Insurance. Lessee shall keep all Improvements now or hereafter erected or placed on the Leased Premises insured against loss or damage on an all risk basis in an amount equal to the full replacement cost of all such Improvements and shall pay all premiums thereon at the time and place the same are payable. Every policy shall be made payable in case of loss or damage to Lessee and Lessor jointly and shall be distributed according to their interests in the Improvements unless otherwise specified by this Section 14. All compensation, indemnity or other monies paid on account of any loss or damage, other than rental value insurance, shall with all convenient speed be paid out in rebuilding, repairing or otherwise reinstating the same Improvements or in constructing different Improvements, unless Lessee exercises its option not to rebuild under Section 16.1.4 of this Lease.
- 14.4 Policy Provisions. Each policy of comprehensive general liability or property insurance described in Sections 14.2 and 14.3 of this Lease shall:
- 14.4.1 Provide that the liability of the insurer shall not be affected by, and that the insurer shall not claim, any right of setoff, counterclaim, apportionment, proration, or contribution by reason of any other insurance obtained by or for Lessor, Lessee, or any person claiming by, through, or under any of them;
- 14.4.2 Provide that such policy requires thirty (30) days notice to Lessor of any proposed cancellation, expiration, or change in material terms thereof and that such policy may not be canceled, whether or not requested by Lessee, unless the insurer first gives not less than thirty (30) days' prior written notice thereof to Lessor; and
- 14.4.3 Contain a waiver by the insurer of any right of subrogation to proceed against Lessor or against any person claiming by, through, or under Lessor,

14.5 Proof of Insurance. Lessee shall deliver to Lessor certificates of insurance on or before the commencement date of the Initial Term of this Lease or at such other date as agreed to in writing by Lessor. Additionally, Lessee shall deliver to Lessor photocopies of the policy or policies of insurance, certificates of insurance, or copies of endorsements as requested by the Lessor from time to time.

## **Section 15. General Indemnification and Recovery of Costs.**

15.1 Lessee's Indemnity Obligation. Lessee shall indemnify Lessor, its elected and appointed officials and officers, agents, and employees from and against any and all claims arising from (1) Lessee's use of the Leased Premises, or from the conduct of Lessee's business, or from any activity, work or things done, permitted or suffered by Lessee in or about the Leased Premises or elsewhere; (2) any breach or default in the performance of any obligation on Lessee's part to be performed under the terms of this Lease; (3) any conduct of Lessee, or any of Lessee's agents, contractors, customers, employees, or any person claiming by, through or under Lessee; and (4) any accident on or in connection with the Leased Premises, or any fire thereon, or any nuisance made or suffered thereon. Lessee shall further indemnify Lessor from and against all reasonable costs, attorneys' fees, expenses and liabilities incurred in the defense of any proceeding brought against Lessor by reason of any such claim. Lessee, upon notice from Lessor, shall defend any of the above-described claims at Lessee's expense by counsel reasonably satisfactory to Lessor. Lessee, as a material part of the consideration to Lessor, hereby assumes all risk of damage to or destruction of property or injury to or death of persons, in, upon or about the Leased Premises, arising from any cause and Lessee hereby waives all claims in respect thereof against Lessor. The provisions of this Section 14.1 shall not apply if the parties agree or a court of competent jurisdiction determines that such claims or liabilities are caused by the sole negligence of Lessor.

15.2 Costs and Expenses of Lessor. Lessee shall pay to Lessor all costs and expenses, including reasonable attorneys' fees, which are (1) paid or incurred by Lessor but are required to be paid by Lessee under any provision of this Lease; (2) paid or incurred by Lessor in enforcing any covenant of Lessee contained in this Lease, in protecting itself against or remedying any breach thereof, in recovering possession of the Leased Premises or any part thereof, or in collecting or causing to be paid any delinquent rents, real property taxes, assessments, or rates; (3) incurred by Lessor in reviewing any matter for which Lessor's approval is sought and in processing such approval; or (4) incurred by Lessor in connection with any action in any respect related to this Lease, the Leased Premises, or Lessee's actions or omissions on the Leased Premises, other than a condemnation action filed by or against Lessee, to and in which Lessor is made a party but not adjudicated to be at fault. The term "costs and expenses" as used in this Lease shall include but not be limited to all of Lessor's out-of-pocket expenditures attributable to the matter involved. Except as otherwise expressly provided in this Lease, all costs and expenses of Lessor shall be payable by Lessee to Lessor within thirty (30) days after receipt of invoices therefore and shall bear interest from the date which is thirty (30) days after the date of such receipt at the rate of ten and one-half (10.5 %) per annum.

Such obligations and interest shall constitute additional rent due and payable under this Lease.

- 15.3 Other Indemnity and Cost Provisions Not Affected. The provisions of Section 15.1 regarding indemnity and the provisions of Section 15.2 regarding costs are intended to supplement, not supersede, the other provisions of this Lease that concern Lessee's indemnity obligations and Lessee's obligations to pay for Lessor's costs. Lessee shall fulfill all the indemnity and cost payment obligations owed to Lessor under any of the provisions of this Lease.

## **Section 16. Damage or Destruction to Improvements.**

- 16.1 Responsibility upon Damage to or Destruction of Property. In the event a building or any other Improvement situated on the Leased Premises is destroyed or damaged by fire or other casualty, Lessee shall comply in full with one of the following conditions within ninety (90) days of such destruction or damage (or within such other time period as is mutually agreed to in writing):
- 16.1.1 Restore to Same Condition. Lessee may repair, rebuild, or otherwise reinstate the damaged Improvement(s) in a good and substantial manner and in substantially the same form as it previously existed. In such event, the Lease shall continue in full force and effect without abatement of rents.
- 16.1.2 Rebuild to Different Condition. Lessee may repair, rebuild or otherwise reinstate the damaged Improvement(s) in a manner and style different from the previously existing Improvement(s), so long as the plans therefore are approved by Lessor as required under this Lease. In such event, the Lease shall continue in full force and effect without abatement of rents.
- 16.1.3 Clear Property. Lessee may remove the damaged Improvement(s), in which event Lessee must also place the Leased Premises in the condition specified in Section 18.2 of this Lease. In that event, the Lease shall continue in full force and effect without abatement of rents.
- 16.1.4 Last of Term. If the casualty occurs to the main building(s) or principal structure(s) on the Leased Premises and the casualty occurs within the last five years of the Initial Term, or during any Renewal Term, Lessee may elect to terminate the Lease by (1) giving written notice to Lessor of its intention to terminate, (2) removing the damaged Improvement(s) and placing the Leased Premises in the condition specified in Section 18.2, and (3) paying to Lessor the total amount of rents to come due during the remaining Term of the Lease, applying the rental rate then in effect to the remainder of the Lease Term.

## **Section 17. Eminent Domain.**

- 17.1 Definition. The terms "taking" and "to take" (in any of their forms) as used in this Section 17 refer to any competent authority (including Lessor) acquiring by the power of eminent domain, including inverse condemnation, all or any part of the Leased Premises or an interest in the Leased Premises, at any time during the Term. The transfer of title effectuating the taking may be either a transfer resulting from the recording of a final order in condemnation or a voluntary transfer or conveyance to the condemning agency or entity under threat of condemnation in avoidance of an exercise of eminent domain, whether made before or while condemnation proceedings are pending. The time of taking shall be determined by application of Alaska law.
- 17.2 Complete Taking. In the event of a taking of all or materially all of the Leased Premises, this Lease shall terminate on the earlier of the vesting of title in, or the taking of possession by, the condemner.
- 17.3 Partial Taking. Subject to the exception set out in Section 17.4 below, if less than materially all of the Leased Premises are taken (a "partial taking"), this Lease shall continue in effect unless the partial taking renders the remainder of the Leased Premises unsuitable for the purposes for which Lessee's Improvements were designed, in which event Lessee, upon sixty (60) day's written notice to Lessor may terminate this Lease. If no termination occurs, except as to the portion so taken or condemned, the rent to be paid by Lessee shall thereafter be reduced by the same ratio as the value of the portion of the Leased Premises so taken bears to the value of the Leased Premises before the taking. If no portion of the net usable area of the Leased Premises is taken, or if the portion thereof so taken is subterranean or aerial and does not interfere with the use of the surface, then Lessee shall not be entitled to any adjustment of rent under this Section 17.3.
- 17.4 Partial Taking in Last of Term. If a partial taking renders the remaining Leased Premises unsuitable for the purposes for which Lessee's Improvements were designed or occurs during the last five (5) years of the Initial Term of this Lease or any Renewal Term, then Lessee, upon sixty (60) days' written notice to Lessor and compliance with Section 18 of this Lease, and subject to the rights of any Qualified Mortgagee, may terminate this Lease after vesting of title in the condemner or taking of possession by the condemner. If Lessee does so, the rent and other charges under this Lease shall be apportioned as of the date of termination.
- 17.5 Disposition of Proceeds on Total Taking. In the event of a total taking, the rights of Lessor and Lessee to share in the net proceeds of any and all awards for land, buildings, or other Improvements and damages shall be in the following order of priority:
- 17.5.1 To Lessor, a sum equal to the fair market value of the fee simple interest in the Leased Premises unencumbered by this Lease or any sublease, and including Lessor's Improvements and excluding Lessee's Improvements.
- 17.5.2 To Lessee, a sum representing the fair market value of Lessee's Improvements. In no event shall Lessee be entitled to any claim for its leasehold interest, and any compensation therefore is hereby assigned to Lessor.

- 17.5.3 To Lessor, the balance of the award, excluding interest. Interest shall be allocated between the parties in proportion to their respective shares of the total award provided above. If the value of such respective interests of Lessor and Lessee have been separately determined in such condemnation proceeding, the values so determined shall be conclusive upon Lessor and Lessee. If such values have not been so determined, they may be fixed by agreement between Lessor and Lessee, or if the parties cannot agree, then by the Superior Court for the State of Alaska, Third Judicial District at Palmer.
- 17.6 Disposition of Proceeds on Partial Taking. In the event of a partial taking, Basic Rents shall be abated as provided in Section 17.3 and the net proceeds of the award shall be divided between Lessor and Lessee as follows:
- 17.6.1 To Lessor, a sum representing the fair market value of the fee simple interest of the part or parts of the Leased Premises so taken, unencumbered by this Lease, including Lessor's Improvements and excluding Lessee's Improvements; plus an amount representing consequential damages to the part or parts of the land remaining after such taking, considered as if vacant and unimproved.
- 17.6.2 To Lessee, the balance of the award, which shall be applied by Lessee first to restoration of Lessee's Improvements as nearly as reasonably possible to their condition before such taking, unless Lessee terminates this Lease as provided in Section 17.4 above.
- 17.7 Rights on Termination. Notwithstanding anything in this Lease to the contrary, if Lessee exercises its right to terminate the Lease under Sections 17.3 or 17.4 above, the award balance that is attributable to Lessee's Improvements, other than the principal balance (if any) and other proper charges due a Qualified Mortgagee, shall belong to Lessor, free of any claim of Lessee. In no event shall Lessee be entitled to any compensation for its Improvements if the taking occurs after expiration of the Term or termination of this Lease.
- 17.8 Temporary Taking. If the whole or any part of the Leased Premises, or of Lessee's interest under this Lease, is taken by any competent authority (including Lessor) for its temporary use or occupancy, this Lease shall not terminate by reason thereof and Lessee shall continue to pay all rental payments and other charges payable by Lessee hereunder, and to perform all other terms, covenants, and conditions contained in this Lease, except to the extent Lessee is prevented from so doing by the terms of the order of the taking authority. In the event of a temporary taking, Lessee shall be entitled to receive the entire amount of the award and if the award includes physical damages to the underlying land, then Lessee shall use so more or all of the award for physical damages to the Leased Premises excluding the value of Lessee's Improvements, to restore the Leased Premises excluding the value of Lessee's Improvements as nearly as may be reasonably possible to the condition in which they existed immediately prior to such taking; provided, however, that if the period of temporary use or occupancy extends beyond the expiration of the Term, the award shall be apportioned between Lessor and Lessee as of said date of

expiration, after Lessor shall have received the entire portion of the award attributable to physical damage to the Leased Premises (excluding Lessee's Improvements) and to the restoration thereof to the condition existing immediately prior to the taking or condemnation. Upon expiration of the temporary taking occurring after expiration of the Term of the Lease, Lessee shall have the rights and obligations provided in Section 18, including but not limited to removal of Lessee's Improvements within a reasonable time to be negotiated by Lessor and Lessee.

## **Section 18. Duties at Termination or Expiration**

- 18.1 Surrender of Leased Premises. Upon expiration or early termination of this Lease, Lessee shall surrender to Lessor the possession of the Leased Premises. Lessee shall leave the surrendered Leased Premises and any Improvements in a clean and leasable condition. If Lessee fails to surrender the Leased Premises at expiration or termination, Lessee shall defend and indemnify Lessor from all liability and expense resulting from the delay or failure to surrender, including but not limited to claims made by any succeeding tenant founded on or resulting from Lessee's failure to surrender. In the event of failure or refusal of Lessee to surrender possession of the Leased Premises, Lessor shall have the right to reenter the Leased Premises and remove therefrom Lessee or any person, firm or corporation claiming by, through or under Lessee and to obtain damages for trespass from Lessee.
- 18.2 Removal of Improvements upon Termination. Upon the expiration or termination of this Lease or any extension thereof, including termination resulting from Lessee's breach ("termination"), Lessee shall leave the Leased Premises in a reasonably clean and leasable condition, which shall include removal of all Improvements if Lessor at the time construction of the Improvements were initially approved by Lessor expressly and in writing advised Lessee that specified Improvements were required to be removed by Lessee at termination, in which event Lessee's rights shall continue in the Improvements required to be removed, and the foundations and footings to any Improvements, personal property, trash, vehicles, and equipment, except as noted in Section 18.3 below. Any excavation on the property, including reasonable excavation to remove Lessee's Improvements, shall be filled and compacted with material approved by Lessor.
- 18.3 Lessor's Option. Lessor may, at its option, allow Lessee to leave some or all of Lessee's Improvements on the Leased Premises upon termination. If Lessor so elects, such Improvements shall become the property of Lessor upon termination and Lessor shall have no obligation to compensate Lessee for the same.
- 18.4 Lessor's Improvements. Any improvements owned by Lessor at the commencement of this Lease, or added to the Leased Premises by Lessor after execution of this Lease, shall not be removed by Lessee.
- 18.5 Abandonment of Lessee's Property. All property that Lessee is not required or allowed to leave on the Leased Premises shall, on the tenth (10th) day following termination, be

conclusively deemed abandoned. Abandoned property shall, at the election of Lessor, become the property of Lessor or be destroyed or removed by Lessor.

- 18.6 Liability for Cleanup Expenses. Lessee shall be liable for all reasonable costs and expenses incurred by Lessor to remove or destroy abandoned property and Improvements not required or allowed to be left on the Leased Premises, and for the removal of trash or other debris left thereon. In addition, nothing in this Lease shall relieve Lessee of any obligation or liability for removal of Hazardous Materials or inappropriate fill material placed on the Leased Premises during the term of the Lease, regardless of when such Hazardous Materials or inappropriate fill material is discovered, provided that Lessor timely notifies Lessee within thirty (30) days after such discovery.

### **Section 19. Assignments, Subleasing and Mortgages.**

- 19.1 Limitations on Transfer. Lessee shall not voluntarily or by operation of law allow the assign, transfer, mortgage, sublet, or otherwise transfer or encumber all or any part of Lessee's interest in this Lease or in the Leased Premises, except in strict compliance with this Section 19. Any attempted assignment, transfer, mortgage, encumbrance or subletting without such compliance shall be void, and shall constitute a breach of this Lease.
- 19.2 Lessee's Right to Assign or Sublease. Lessee may have the right to assign, sublease or otherwise transfer Lessee's interest in this Lease and the estate created by this Lease only upon receiving prior written consent of the Lessor and not otherwise. Lessor may grant or withhold its consent in its sole and absolute discretion.
- 19.3 Request for Consent to Assignment or Sublease. To request Lessor's approval of any assignment, sublease or other transfer, Lessee shall give Lessor reasonable notice of the proposed assignment with appropriate documentation regarding the proposed assignee or subtenant, including (1) an application to assign that is accompanied by appropriate application fees and a certified financial statement prepared independently and in accordance with generally accepted accounting principles fairly representing the existing financial condition of the proposed assignee or subtenant, (2) the proposed assignee's or subtenant's prior year's income tax return, (3) the proposed assignee's or subtenant's business or operations plan for the Leased Premises; and (4) any other or further information Lessor shall reasonably request. Lessee shall also pay Lessor the costs and fees Lessor estimates it will incur in evaluating and investigating the proposed assignee's or subtenant's qualifications, which costs and fees shall not exceed two thousand dollars (\$2,000).
- 19.4 Liability on Assignment or Sublease. No assignment or sublease, even if the assignment or sublease is made with Lessor's consent, shall operate to relieve Lessee of any obligations under this Lease, whether the same arise before or after the effective date of the assignment or subleasing. Upon assignment, the assignee shall assume all rights and obligations of Lessee under this Lease, including unsatisfied obligations to cure any

delinquency in rent or other charges under this Lease or to perform any repairs or other work or action required by Lessor before the assignment.

19.5 Mortgage of Leasehold Interest. Lessee shall have the right at any time, and from time to time, to subject the leasehold estate and any or all of Lessee's Improvements situated on the Leased Premises to one or more mortgages, deeds of trust or assignments as security for a loan or loans or other obligation of Lessee (each of which is a "Leasehold Mortgage"), provided that:

19.5.1 Subordination. Any Leasehold Mortgage and all rights acquired under it shall be subject and subordinate to each and all the covenants, conditions, and restrictions stated in this Lease, and to all rights and interests of Lessor. **Under no circumstances will Lessor's fee simple interest in the Leased Premises, or Lessor's rights under this Lease or its reversionary interest, ever be subject to or subordinate to the lien or encumbrance of any Leasehold Mortgage. With respect to Lessor's interests, this Lease is specifically intended to be only an unsubordinated ground lease.**

19.5.2 Notice to Lessor. Lessee shall give Lessor prior notice of any such Leasehold Mortgage, and shall accompany the notice with a true copy of the note and the Leasehold Mortgage as proposed for execution. Upon Lessor's written consent to the Leasehold Mortgage and upon execution of the Leasehold Mortgage by all parties, the mortgagee shall become a Qualified Mortgagee as that term is used in this Lease.

19.6 Notice of Default and Opportunity to Cure. Upon any default on any of the terms of the Lease by Lessee, Lessor, in addition to notifying Lessee pursuant to Section 13.2, shall also notify each Qualified Mortgagee of the default. Upon receipt of a written notice of default, any such Qualified Mortgagee shall have the length of time set forth in Section 13.3 of this Lease to cure the default. Lessor shall accept any cure provided by a Qualified Mortgagee whether the cure is tendered in the name of or on behalf of Lessee or the Qualified Mortgagee.

19.7 Possession by Mortgagee. A Qualified Mortgagee may take possession of the Leased Premises and vest in the interest of Lessee in the Lease upon the performance of the following conditions:

19.7.1 The payment to Lessor of any and all sums due to Lessor under the Lease, including but not limited to accrued unpaid Basic Rent and additional rent;

19.7.2 The sending of a written notice to Lessor and Lessee of the Qualified Mortgagee's intent to take possession of the Leased Premises and assume the Lease; and

19.7.3 The curing of all defaults not remediable by the payment of money within an additional thirty (30) days of the date upon which such default was required to be cured by the Lessee under the terms of this Lease.

- 19.8 No Liability of Mortgagee Without Possession. A Qualified Mortgagee shall have no liability or obligation under the Lease unless and until it sends to Lessor the written notice described in Section 19.7(2) above. Nothing in this Lease nor in the taking of possession of the Leased Premises and assumption of the Lease by a Qualified Mortgagee or a subsequent assignee shall relieve Lessee of any duty or liability to Lessor under the Lease.
- 19.9 Subsequent Transfer. In the event a Qualified Mortgagee forecloses the Leasehold Mortgage, any subsequent assignee or transferee of the leasehold estate proposed by the Qualified Mortgagee must be approved by Lessor, whose discretion in the matter shall be complete.

## **Section 20. General Provisions.**

- 20.1 Lessor's Right to Entry, Inspection and Repair. Lessor or its authorized agents may enter and inspect the Leased Premises at any time during regular business hours, with or without the presence of Lessee or its authorized representative, after giving twenty-four (24) hours' advance notice to Lessee of such inspection, and shall be accompanied by a representative of Lessee except in the event of an emergency. Lessor is specifically authorized to enter the Leased Premises for the purposes of posting notices of non-responsibility for any construction work Lessee undertakes. Lessor's right to inspect shall include, but not be limited to, conducting reasonable tests for environmental contamination. All inspections will be conducted in a manner that does not unreasonably interfere with the operation of Lessee's business. In the event of an emergency, Lessor may enter and inspect the Leased Premises on reasonable notice under the circumstances (including no notice to Lessee if the circumstances reasonably warrant) and make such repairs or institute such measures, on the account and at the expense of Lessee, as may be necessary to avert or terminate the emergency. An emergency is any action, event, or condition, either extant or imminent, that threatens significant damage to property or injury to persons on or near the Leased Premises, including but is not limited to flood, fire, explosion, earthquake, uncontrolled or dangerous discharge or release of water or other fluids, unauthorized or illegal placement of hazardous or toxic materials on the Leased Premises, and shifting, settling or loss of earth or support on the Leased Premises.
- 20.2 Notices. Any notice to Lessor or Lessee required or permitted under this Lease shall be given in writing, mailed by express or certified mail, return receipt requested, and addressed to such party at its mailing address specified on the first page of this Lease, or at such other address as may be specified by the party in writing. In the alternative, any notice may be delivered personally within the State of Alaska to the party. Except as otherwise expressly provided in this Lease, any notice shall be conclusively deemed to have been given upon personal delivery or one working day after the date of mailing. If at any time during the Term Lessee is more than one person or entity, any notice given by Lessor to any of them shall constitute notice to all of them, and any agreement or approval with or in favor of Lessor made or given by any of them shall bind all of them.

- 20.3 Time of the Essence. Time is of the essence in the full and faithful observance and performance of all the obligations and covenants contained in this Lease.
- 20.4 Disputes; Forum Selection; Attorneys' Fees; Choice of Law. In the event of any dispute, the reconsideration procedure of MSB Code 23.05.090 shall be available. Lessor and Lessee shall attempt to resolve any dispute through non-binding mediation prior to litigation. Any litigation arising out of this Lease or related to it shall only be brought in the Superior Court for the State of Alaska, Third Judicial District at Palmer, and not elsewhere, and the laws of the State of Alaska shall apply. Lessor and Lessee consent to the jurisdiction of such court. In any litigation, the prevailing party shall be entitled to an award of its full, reasonable attorneys' fees in addition to any other relief the court grants. The parties specifically agree that this is not a maritime lease and maritime and/or admiralty law shall not apply to any aspect of this lease or any dispute thereunder.
- 20.6 Lessor's Conveyance. Lessor retains the absolute and unconditional right to convey its fee title in the Leased Premises, or an interest or estate therein.
- 20.7 Integration and Amendments. This Lease, the exhibits to it, and the provisions of the permits and licenses incorporated under it, contain and state the complete and final understanding of every agreement and representation made by or on behalf of Lessor and Lessee with respect to the Leased Premises. No implied covenant or prior oral or written agreement shall be held to vary or supplement the provisions of this Lease. Any modification of any provision of this Lease shall only be effective when it is made in a writing that specifically states it is an amendment of this Lease and that is signed by authorized representatives of both parties. Lessee acknowledges that only the Borough Manager and no representative of Lessor is authorized to modify this Lease unless the provisions of the MSB Code are satisfied, including, where necessary, the approval of the Matanuska-Susitna Borough Assembly which is not and cannot be guaranteed.
- 20.8 Severability. If any provision of this Lease is held to be void or otherwise unenforceable, the remaining provisions of this Lease shall remain in full force and effect.
- 20.9 Holdover Tenancy. Unless otherwise amended by Lessor, this Lease does not provide for any hold-over tenancy rights by Lessee. If Lessee remains in possession of the Leased Premises after expiration of the Term without the execution of a new lease or an extension of this Lease, or an amendment of this Lease, and if no notice of termination has been delivered by Lessor to Lessee, Lessee shall be deemed to occupy the Leased Premises only as a tenant at will, from month-to-month, upon and subject to all of the provisions of this Lease which may be applicable to a month-to-month tenancy; provided, however, that the Basic Rent payable during the any holdover tenancy shall be three hundred percent (300%) of the rental rate in effect immediately prior to expiration of the Term.
- 20.10 Execution and Counterparts. This Lease may be executed in two or more counterparts, each of which shall be an original, and all of which shall constitute one and the same instrument.

- 20.11 Recordation of Lease. This Lease shall be recorded, along with all Exhibits and attachments therefrom, and which recording expense shall be borne by Lessee.
- 20.12 Discriminatory Acts Prohibited. Lessee, in its use and occupancy of the Leased Premises, shall not discriminate against any person or class of persons by reason of sex, race, color, creed, or national origin and shall comply with all federal regulations and laws in regard to discrimination.
- 20.13 Section Headings. The section headings in this Lease are for conveniences only and have no other significance.
- 20.14 Authority. The Borough's Authorized Representative for purposes of this lease shall be only the following, or their Attorney, and no others unless the Borough notifies Lessee in writing of an additional or substitute Authorized Representative:

John Moosey  
 Borough Manager  
 350 E. Dahlia  
 Palmer, AK 99645  
 (907) 861-8689

Glenda Smith  
 Real Property Analyst  
 350 E. Dahlia  
 Palmer, AK 99645  
 (907) 861-7864

The Lessee's Authorized Representative for purposes of this lease shall be only the following, or their Attorney, and no others unless the Lessee notifies the Borough in writing of an additional or substitute Authorized Representative:

King Hufford III  
 WestPac Logistics, LLC  
 35114 83rd Avenue South  
 Roy, Washington 98580  
 e-mail:  
 telephone:

- 20.15 Binding Effect. This Lease shall be binding upon and shall inure to the benefit of Lessor and Lessee and their respective successors and assigns.

**IN WITNESS WHEREOF**, Lessor and Lessee have duly executed and acknowledged this Lease for Port District Uplands on the dates indicated below.

**MATANUSKA-SUSITNA BOROUGH**

Date: \_\_\_\_\_

\_\_\_\_\_  
By: John Moosey  
Its: Manager

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by John Moosey, the Manager of MATANUSKA-SUSITNA BOROUGH, on behalf of the municipal corporation.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

*Im15-115*  
*DR15-0236*

**WESTPAC LOGISTICS, LLC**

Date: \_\_\_\_\_

By: King Hufford, III  
Its: President

STATE OF ALASKA                    )  
  ) ss.  
THIRD JUDICIAL DISTRICT        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by King Hufford, III, the President of WESTPAC LOGISTICS, LLC on behalf of the limited liability corporation.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: \_\_\_\_\_

**EXHIBIT A**

The Leased Premises are legally described as follows:

Tract B-4, containing 7.5 acres, more or less, according to the Record of Survey recorded in the Palmer Recording District on May 20, 2011, as Plat 2011-28.

**EXHIBIT B** (Performance Standards)

The following improvements and milestones shall be completed as indicated below:

***Lease Year 1***

- Grubb and clear the lease lot, excluding the 10 foot side yard setbacks.
- Terminal Operators License, pending first project.

***Lease Year 2***

- Telephone and electric utilities buried to lease lot.
- Construct lay-down pad(s).
- Construct a shed and generator house.
- Construct the initial fuel island

***Lease Year 3***

- 50% construction of railhead/spur grade work (subject to Point MacKenzie Rail Extension completion) or agreement for unloading/loading from another specific Port site.

***Lease Year 4***

- Complete railhead/spur construction (subject to Point MacKenzie Rail Extension progress) or finalize agreement for other unloading/loading site.

***Lease Year 5***

- Construct any building(s) as needed for project criteria, pursuant to the approved Port MacKenzie Development Permit.

**EXHIBIT C** (Insurance requirements)

INSURANCE  
(Lessee/Permittee/Manager)

It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of the Agreement to create in the public or any member thereof a third party benefit hereunder, or to authorize anyone not a party to this Agreement to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of this Agreement.

It is highly recommended that the Lessee/Permittee/Manager confer with their respective insurance companies or brokers to determine if their insurance program complies with the Lessor's Insurance requirements.

The Lessee/Permittee/Manager shall procure and maintain the following insurance:

A. Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Insurance Services office form number CG 0001 (Edition 10/01) covering Commercial General Liability.
2. Insurance Services office form number CA 0001 (Edition 10/99) covering Automobile Liability, symbol 1 "any auto."
3. Worker's Compensation insurance as required by the State of Alaska and Employers Liability Insurance.
4. Builders risk for any leasehold development to cover:
  - a. building materials (installed and uninstalled) and supplies on the job site, in storage, and in transit;
  - b. temporary structures, foundations, and excavation sites;
  - c. equipment, scaffolding, and fences;
  - d. theft, flood, sinkholes, fire, earthquakes, and other weather-related damage; and
  - e. design error, faulty workmanship, changes in laws;
5. Protection and Indemnity Insurance if operating a vessel or engaged in any activities creating liability traditionally covered by maritime insurance, if applicable. Insurance shall cover crew and third-party liability and coverage shall not be less than \$5,000,000 per occurrence.
6. Longshoremen's and Harborworkers' Compensation insurance, if engaged in any activities which could result in liability covered by such insurance.
7. Environmental/Pollution Liability insurance to cover any activities arising out of the Lessee's operations.
8. Terminal Operators including Stevedore's and Wharfingers.
9. Charterer's Liability Insurance.

B. Minimum Limits of Insurance

Lessee/Permittee/Manager shall maintain limits no less than:

1. General Liability:

\$5,000,000 combined single limit per occurrence for bodily injury, property damage, personal injury, and advertising injury. The general aggregate limit shall be \$5,000,000 minimum. The general aggregate limits shall apply separately to each project and shall include, but not be limited to:

- Premises and Operating Liability
- Complete Operations Liability
- Products Liability
- Blanket Contractual Liability
- Owned, NonOwned, and Hired Auto Liability
- Personal Injury Liability
- Broad Form Property Damage
- Fire Legal Liability
- Independent Contractors Liability
- Advertising Liability

General liability insurance shall be maintained in effect throughout the term of the Agreement.

If the general liability insurance is written on a claim made form, the Lessee/Permittee/Manager shall provide insurance for a period of two years after termination or expiration of this Agreement. The policy(s) shall evidence a retroactive date, no later than the beginning of this Agreement.

2. Auto Liability:

\$5,000,000 combined single limit per accident for bodily injury and property damage.

3. Worker's Compensation and Employers Liability:

Worker's Compensation shall be statutory as required by the State of Alaska. Employer's liability shall be endorsed to the following minimum limits:

Bodily injury by Accident -	\$100,000 each accident
Bodily injury by Disease -	\$100,000 each employee
Bodily injury by Disease -	\$500,000 policy limit

4. Builders risk: See requirements under Section 4, Page 1 of Exhibit C, Page 33 of lease. Minimum would be determined by cost of project. This insurance may be provided by the Lessee or Lessee's contractor.

5. Protection and Indemnity (P&I)

If applicable, minimum \$5,000,000.

6. Longshoremen's and Harborworkers' Compensation Insurance:  
Longshoremen's and Harborworkers' Compensation insurance shall be statutory as required by the United States Code and associated regulations.

7. Environmental/Pollution Liability.

A policy providing coverage for claims involving transport, remediation, storage, disposal, or other handling of hazardous materials or waste arising out of the Lessee's operations. Such Pollution Liability policy shall provide at least \$1,000,000 per occurrence/aggregate coverage for bodily injury and property damage.

8. Terminal Operators including Stevedore's and Wharfingers

A policy shall be obtained to provide coverage for legal liability of the insured for their operations including berthing, docking, loading, and unloading vessels and their cargos. Such a policy shall provide at least \$5,000,000 per occurrence/aggregate coverage. The MSB shall be named as additional insured.

9. Charterer's Liability Insurance

Lessee shall procure and maintain Charterer's Liability insurance with combined single limits of not less than \$1,000,000 for any claim arising out of or related to activities in the chartering of a vessel.

10. Excess Liability:

In order to meet the required minimum limits of insurance it is permissible for the Lessee/Permittee/Manager to combine an excess liability or umbrella policy with the general liability, auto liability or employer's liability. In the instance where the Lessee/ Permittee/ Manager purchases

an excess liability or umbrella policy the occurrence limit and the aggregate limit may be of the same amount.

C. Deductibles and Self-Insured Retention

Prior to occupancy, any deductible or self-insured retention must be declared and approved by the Lessor. Lessee/Permittee/Manager may be requested to demonstrate how the deductible or self-insured retention will be funded in the event of a claim. At the option of the Lessor, the Lessee/Permittee/Manager shall reduce or eliminate such deductibles or self-insured retention as respects the Lessor, its officers, officials, employees and volunteers; or the Lessee/Permittee/Manager shall procure a bond guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

D. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability, Automobile Liability

- a. The Lessor, its Administrator, officers, officials, employees, and volunteers shall be covered as additional insured as respects: liability arising out of activities performed by or on behalf of the Lessee/Permittee/Manager; products and completed operations of the Lessee/Permittee/Manager; premises owned, occupied or used by the Lessee/Permittee/Manager or automobiles owned, leased, hired or borrowed by the Lessee/Permittee/Manager. The coverage shall contain no special limitation on the scope of protection afforded to the Lessor, its Administrator, officers, officials, employees, and volunteers.
- b. The Lessee/Permittee/Manager's insurance coverage shall be primary insurance as respects the Lessor, its Administrator, officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Lessor, its Administrator, officers, officials, employees, and volunteers shall be excess of the Lessee/Permittee/Manager insurance and shall not contribute to it.
- c. The Lessee/Permittee/Manager insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. Worker's Compensation and Employer's Liability

The insurer shall agree to waive all rights of subrogation against the Lessor, its Administrator, officers, officials, employees, and volunteers for losses arising from work performed by the Lessee/Permittee/Manager or any subcontractor of the Lessee/Permittee/Manager in relation to this Agreement.

3. All Insurance

Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after 30 days prior written notice for nonpayment of premium or fraud on the part of the Lessee/Permittee/Manager or 60 days prior written notice for any other reason by certified mail, return receipt requested, has been given to the Lessor. *Such notice shall be mailed to the attention of the Lessor's Land and Resource Management Division.*

E. Acceptability of Insurers

Insurance is to be placed with insurers with a Best's rating of no less than A-VII.

F. Verification of Coverage

Lessee/Permittee/Manager shall furnish the Lessor with certificates of insurance and with certified copies of all endorsements effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates are to be on forms acceptable to the Lessor. All certificates are to be received and approved by the Lessor before occupancy commences. The Lessor reserves the right to require complete, copies of all required insurance policies, at any time, but not more frequently than on renewal dates or annually.

G. Rights of Subrogation

All insurance policies shall waive their rights of subrogation against the MSB.

H. Subcontractors

Lessee/Permittee/Manager shall include all subcontractors and as insured under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all requirements stated herein.

I. Lapse in Insurance Coverage

A lapse in insurance coverage, any change that restricts, reduces insurance provided, or changes name of insured without Lessor approval is a material breach of this agreement, which shall result in immediate termination of the agreement.

**APPENDIX A**

**Lease rental rate and appraisal schedule**

**Will be attached at lease execution.**

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-083**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AUTHORIZING A FAIR MARKET VALUE LEASE OF BOROUGH-OWNED REAL PROPERTY TO WESTPAC LOGISTICS, LLC, FOR MARINE AND SURFACE TRANSPORTATION, LOGISTICS, AND TERMINAL OPERATOR SERVICES. (MSB006891)

WHEREAS, WestPac Logistics, LLC., has applied to the borough to lease 7.5 acres, more or less, of borough-owned land in the Port District to utilize for transportation and logistical support; and

WHEREAS, MSB 23.10.070 states any sale or other disposition of borough-owned real property or interest therein shall be subject to terms and conditions in this title, adopted procedures, or terms and conditions set forth in assembly ordinance or resolution when assembly approval is required by this title; and

WHEREAS, WestPac Logistics, LLC specializes in freight forwarding and project logistical support which would enhance services available through Port MacKenzie; and

WHEREAS, the Lease would be consistent with the Port Master Plan Port Industrial District; and

WHEREAS, The Matanuska-Susitna Comprehensive Plan and the Economic Development Strategic Plan both support development within the Borough which would provide private investment and enhanced employment opportunities; and

WHEREAS, the Matanuska Susitna Borough 2010 Economic Development Strategic Plan, Goal Three includes marketing of the port district for private investment and employment opportunities that appropriately maximize use of land, dock space, and rail at Port MacKenzie.

BE IT ENACTED:

Section 1: Classification. This is a non-code ordinance.

Section 2. Assembly Approval and Authorization for Manager Finalization. The lease is substantially in final form and Matanuska-Susitna Borough Assembly hereby authorizes the manager to finalize details as needed and enter into a fair market value Lease of borough-owned real property with WestPac Logistics, LLC, for purpose of marine and surface transportation, logistical support, and terminal operator services at Port MacKenzie.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_\_ day of \_\_\_\_\_, 2015

\_\_\_\_\_  
LARRY DEVILBISS, Borough, Mayor

ATTEST:

\_\_\_\_\_  
Lonnie R. McKechnie, CMC, Borough Clerk

(SEAL)

**MATANUSKA-SUSITNA BOROUGH INFORMATION MEMORANDUM IM No. 15-131**

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING \$194,800 FROM THE PLANNING DIVISION FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO FUND 480; AND A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 45005, 20384, 20387, 47036 AND 47011; EXTENDING THE TIME OF COMPLETION FOR THE PROJECT FUNDING AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BUILD-OUT ANALYSIS PROJECT, THE U-MED DISTRICT PROJECT, THE ARTIFACT INVENTORY AND RELOCATION PROJECT, THE PLANNING DEPARTMENT RECORDS MANAGEMENT PROJECT, THE CAB-LAB RELOCATION PROJECT, THE PLANNING OFFICE MODIFICATION PROJECT AND THE HOUSING ANALYSIS PROJECT.

**AGENDA OF: May 27, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator L Driscoll	<i>[Signature]</i>	
1	Planning and Land Use Director	EP	
2	Finance Director	<i>[Signature]</i>	5/19/15
3	Borough Attorney	NS	
4	Borough Clerk	<i>[Signature]</i>	5/26/15 (JU)

**ATTACHMENT(S):** Fiscal Note: NO  YES   
 Ordinance Serial No. 15-084 (3 pp)  
 Resolution Serial No. 15-059 (7 pp)

**SUMMARY STATEMENT:**  
 The planning department's fiscal year 2015 budget contained funding for a Planner II and an Administrative Secretary. The Administrative Secretary position was vacant for 22 weeks and

the Planner II position will be filled during the next budget year, having been left vacant for 44 weeks.

In addition, there are several project accounts that have remaining funding that will expire on June 30, 2015; this remaining funding will be moved, and the time of completion extended, so to ensure that the funding is not lost.

The planning division has identified projects that can be worked on when staffing levels increase and funding becomes available; as well as other tasks that need completed and are not currently funded, completion of these projects will not occur prior to June 30, 2015. As a result, it is necessary to reappropriate these funds into a non-lapsing capital project fund.

**Long Range Transportation Plan \$58,000:**

The Borough received a grant from the Alaska Department of Transportation and Public Facilities to complete the update of the Long Range Transportation Plan; the grant match for this project had been placed in the project account from previous years' operating budgets.

At the time of grant acceptance, and again at the time of contract award, the expiration date of the match funding was inadvertently overlooked, resulting in payments made to the contractor from funding that had expired and was no longer available, thus leaving the grant under matched and the contract under funded.

In order to correct this inadvertent error, and cover payments made between July 1, 2014 and the December 31, 2014 funding needs to be moved into the project account.

**Housing Analysis \$50,000:**

In early 2015 the Mat-Su Borough, in partnership with the Valley Board of Realtors, held a Housing forum; several community groups were formed from those in attendance to study several aspects of housing and work with stakeholders to develop new tools for use in the Mat-Su; this funding will be used to continue working with these groups and analyzing the current future housing needs in the borough.

**Build-out Analysis \$50,000:**

The Matanuska Susitna Borough, working with a consultant, developed the build-out analysis tool that is used in forecasting future land use growth. This tool has been used to assist the borough in locating schools, and emergency response

facilities around the borough. This tool, in order to remain effective, must be updated with current data, and maintained to ensure the best possible analysis. This funding will be used to update and expand this analysis, as needed.

**U-Med District \$50,564:**

The creation of a University-Medical District in the Mat-Su has been discussed numerous times over the last 10 years. It is now one of the items on the Assembly priority list.

This funding will be used to research and develop options for the creation of the University-Medical District in the Mat-Su.

**Artifact Inventory and Relocation Project \$30,000:**

With the retirement of our Cultural Resources Specialist and the need to reorganize the office prior to hiring a new one several items issues including a considerable number of boxes containing historically sensitive material and artifacts that require professional archiving. There is currently no borough employee with the knowledge necessary to determine what we have, and what we need to keep on hand.

This funding will be used to hire a contractor that can complete a detailed inventory of these artifacts, determine ownership of them, and assist in relocating them to the proper locations.

**Planning Department Records Management Project \$19,800**

In early 2014 the Assembly approved and reappropriated funding into a project account for the purposes of hiring temporary employees to assist with the backlog of records that need to be scanned, and cataloged into Trim, allowing for improved customer service. The current temporary employees have made a significant impact on this backlog, however, additional funding will allow for this project to continue.

This funding will be added to the original funding to continue this project.

**Cab/Lab Relocation Project \$25,000**

The Cultural Resources and Environmental Divisions of the Planning Department have a facility referred to as the Cab/Lab where the Cultural Resources Field workers and supplies are housed; as well as the Water Quality Technicians and the Lake testing equipment is located.

The funding needed to maintain the offsite facility has been removed from the FY2016 requested budget and the contents and

staff will be relocated back to the main borough building. This funding will be used to cover the expenses necessary to relocate everything within the Cab/Lab and the purchase an necessary furniture and shelving units.

**Planning Office Modification Project \$25,000**

With the proposed work on the Planning Department section of the DSJ Building there will be expenses associated with the temporary and permanent relocation of employees during the renovations. This funding will be used to offset some of those costs.

**RECOMMENDATION OF ADMINISTRATION:** Staff respectfully requests Assembly adoption of the legislation reappropriating \$194,800 from the planning division fiscal year 2015 operating budget, fund 100, to fund 480; and amending the budgets for Project Nos. 45005, 20384, 20387, 47036 and 47011 and a resolution extending the time of completion for project funding and approving the scope of work and budget for the Build-Out Analysis Project, the U-Med District Project, The Artifact Inventory and Relocation Project, the Planning Department Records Management Project, The Cab-Lab Relocation Project, The Planning Office Modification Project and the Housing Analysis Project.

MATANUSKA-SUSITNA BOROUGH - FISCAL NOTE

Agenda Date May 27, 2015

ORIGINATOR: Pamela Graham, Grant Coordinator

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING \$194,800 FROM THE PLANNING DIVISION FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO FUND 480; AND A RESOLUTION AMENDING THE BUDGETS FOR PROJECT NOS. 45005, 20384, 20387, 47036 AND 47011; EXTENDING THE TIME OF COMPLETION FOR THE PROJECT FUNDING AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BUILD-OUT ANALYSIS PROJECT, THE U-MED DISTRICT PROJECT, THE ARTIFACT INVENTORY AND RELOCATION PROJECT, THE PLANNING DEPARTMENT RECORDS MANAGEMENT PROJECT, THE CAB-LAB RELOCATION PROJECT, THE PLANNING OFFICE MODIFICATION PROJECT AND THE HOUSING ANALYSIS PROJECT.

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT? (YES) <input checked="" type="checkbox"/> NO <input type="checkbox"/>
AMOUNT REQUESTED \$ <u>308,364</u>	FUNDING SOURCE <u>Planning Oper. Budget</u>
FROM ACCOUNT # <u>480/475/000.000.4xx.xxx \$113,564</u> <u>100.130.130/33.4xx.xxx \$194,800</u>	PROJECT # <u>45005/20384/20387/47011/47036</u>
TO ACCOUNT # <u>480,000.000.4xx.xxx</u>	PROJECT # <u>20260/47047/47522/47046/47513/47521</u>
VERIFIED BY: <u>Barbara Baumgardner</u>	CERTIFIED BY:
DATE: <u>5/15/15</u>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2015	FY2016	FY2017	FY2018	FY2019	FY2020
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						
CAPITAL		<u>308.3</u>				
REVENUE						

FUNDING: (Thousands of Dollars)

General Fund						
Federal Funds						
Other		<u>308.3</u>				
TOTAL		<u>308.3</u>				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_  
 APPROVED BY: [Signature]

Phone: \_\_\_\_\_  
 Date: 5/19/15  
 Date: \_\_\_\_\_

RS 15-059

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-084**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY REAPPROPRIATING \$194,800 FROM THE PLANNING DIVISION FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO FUND 480; FOR THE BUILD-OUT ANALYSIS PROJECT, THE U-MED DISTRICT PROJECT, THE ARTIFACT INVENTORY AND RELOCATION PROJECT, THE PLANNING DEPARTMENT RECORDS MANAGEMENT PROJECT, THE CAB/LAB RELOCATION PROJECT, THE PLANNING OFFICE MODIFICATION PROJECT AND THE HOUSING ANALYSIS PROJECT.

WHEREAS, the planning department's fiscal year 2015 budget contained funding that was not used for its intended purpose due to staffing shortages and is available for other tasks; and

WHEREAS, several projects, including the Port Master Plan Implementation, Low Impact Develop, fiscal year 2014 Human Services Community Matching Grant, the Mat-Su 50TH Anniversary, and Archaeological Surveys (Fish Creek Townsite grant match funding) have been completed with funding remaining in the project accounts, that can now be used for other tasks; and

WHEREAS, the planning department has identified eight projects that are in need of funding, the U-Med District, the Housing Analysis, the Build-Out Analysis, the Long Range Transportation Plan, the Artifact Inventory & Relocation project, the Planning Department Records Management project, the Cab/Lab Relocation Project, and planning office modifications.

WHEREAS, it is necessary to reappropriate these funds into a non-lapsing capital project accounts in order to complete the projects.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Reappropriation source. The Matanuska-Susitna Borough Assembly does hereby reappropriate \$194,800 from the planning department fiscal year 2015 operating budget, fund 100, to fund 480, \$45,000 to project 47522 for the U-Med District, \$30,000 to project 47076 for the Artifact Inventory & Relocation Project, \$25,000 to project 47521 for the Cab/Lab Relocation Project, \$25,000 to project 47520 for the Planning Office Modification project, \$50,000 to project 47009 for the Build-Out Analysis Project, and \$19,800 to project 47513 for the Planning Department Records Management Project.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this -  
day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

Action:

**MATANUSKA-SUSITNA BOROUGH**  
**RESOLUTION SERIAL NO. 15-059**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AMENDING THE BUDGETS FOR PROJECT NOS. 45005, 20384, 20387, 47036 AND 47011 AND EXTENDING THE TIME OF COMPLETION FOR PROJECT FUNDING AND APPROVING THE SCOPE OF WORK AND BUDGET FOR THE BUILD-OUT ANALYSIS PROJECT, THE U-MED DISTRICT PROJECT, THE ARTIFACT INVENTORY AND RELOCATION PROJECT, THE PLANNING DEPARTMENT RECORDS MANAGEMENT PROJECT, THE CAB/LAB RELOCATION PROJECT, THE PLANNING OFFICE MODIFICATION PROJECT, AND THE HOUSING ANALYSIS PROJECT.

WHEREAS, several projects, including the Port Master Plan Implementation, Low Impact Develop, fiscal year 2014 Human Services Community Matching Grant, the Mat-Su 50TH Anniversary, and Archaeological Surveys (Fish Creek Townsite grant match funding) have been completed with funding remaining in the project accounts, that can now be used for other tasks; and

WHEREAS, the planning department's fiscal year 2015 budget contained funding that was not used for its intended purpose due to staffing shortages and is available for other tasks; and

WHEREAS, the planning department has identified eight projects that are in need of funding, the U-Med District, the Housing Analysis, the Build-Out Analysis, the Long Range Transportation Plan, the Artifact Inventory & Relocation project, the Planning Department Records Management project, the Cab/Lab Relocation Project, and planning office modifications.

WHEREAS, the Assembly reappropriated funds in the amount of

\$194,800 with Ordinance Serial No. 15-084 for these projects;  
and

WHEREAS, the Assembly is required to approve the scope of work and budget prior to any expenditures.

NOW THEREFORE BE IT RESOLVED that the Matanuska-Susitna Borough Assembly hereby approves the following scopes of work and budgets.

#### SCOPE OF WORK

**PROJECT 20280 LONG RANGE TRANSPORTATION PLAN:** Staff will work with the contractor on completing the Long Range Transportation Plan update.

**PROJECT 47047 HOUSING ANALYSIS:** Staff will continue working with the Valley Board of Realtors on compiling and analyzing housing data in the Mat-Su Borough.

**PROJECT 47522 U-MED DISTRICT:** Staff will work with consultants to research and develop options for the creation of a University-Medical District in the Mat-Su Borough.

**PROJECT 47046 ARTIFACT INVENTORY AND RELOCATION**

**PROJECT:** Staff will work with consultants to complete a detailed inventory of artifacts, determine artifact ownership, and facilitate artifact relocation for preservation purposes.

**PROJECT 47513 PLANNING DEPARTMENT RECORDS MANAGEMENT**

**PROJECT:** The Planning Department will hire temporary records technicians to increase permanent record accessibility and improve customer service in the planning department.

**PROJECT 47521 CAB/LAB RELOCATION PROJECT:** Staff will work to relocate the existing Cultural Resources and Environmental Divisions Cab/Lab from its existing location back into the Dorothy Swanda-Jones Building.

**PROJECT 47520 PLANNING OFFICE MODIFICATION PROJECT:** Staff will work to relocate existing planning department staff during the renovations to the Dorothy Swanda-Jones Building.

**PROJECT 47009 BUILD-OUT ANALYSIS:** Staff will continue working with the consultant on the updating and maintaining of the build-out analysis tool.

**BUDGET**

**AMENDED BUDGETS**

<u>Project/Account No.</u>	<u>Previously Approved Budgets</u>	<u>Amended Budgets</u>
Port Master Plan Implementation Project No. 45005-4200-4202		
Fiscal Year 2011 Areawide Planning Department Operating Budget Reappropriation	\$ 438,000	\$ 408,280

<u>Project/Account No.</u>	<u>Previously Approved Budgets</u>	<u>Amended Budgets</u>
Fiscal Year 2013 Areawide Planning Department Operating Budget Reappropriation	\$ 36,235	\$ -0-
<b>Low Impact Development</b>		
<b>Project No. 20384-1800-1801</b>		
Fiscal Year 2010 Areawide Capital Appropriation for Grant Match	\$ 10,000	\$ 1,327
<b>Human Services Community Matching Grant</b>		
<b>Project No. 20387-1800-1802</b>		
Fiscal Year 2014 Areawide Capital Appropriation for Human Services Grant Match	\$150,000	\$144,508
<b>Archaeological Surveys</b>		
<b>Project No. 47011-1800-1801</b>		
Fiscal Year 2008 Areawide Capital Appropriation for Grant Match	\$ 15,000	\$ - 0 -
<b>Mat-Su 50th Anniversary</b>		
<b>Project No. 47036-4200-4201</b>		
Fiscal Year 2013 Areawide Planning Department Operating Budget Reappropriation	\$ 20,000	\$ 1,556
<b>Total Amended Budgets</b>	<u><u>\$669,235</u></u>	<u><u>\$ 555,671</u></u>

**Budget**

**Long Range Transportation Plan**  
**Project No. 20280**

Fiscal Year 2004 Areawide Planning Department Operating Budget Reappropriation	\$ 23,612	\$ 23,612
Fiscal Year 2005 Areawide Planning Department Operating Budget Reappropriation	\$ 45,350	\$ 43,350

Fiscal Year 2011 Areawide Transportation Division Operating Budget Reappropriation	\$ 200,840	\$ 200,840
Fiscal Year 2014 Areawide Planning Department Operating Budget Reappropriation	\$ 44,200	\$ 44,200
Fiscal Year 2011 Areawide Planning Department Operating Budget Reappropriation	-0-	\$ 29,720
Fiscal Year 2013 Areawide Planning Department Operating Budget Reappropriation	-0-	\$ 28,280
Project 20280 - Total	<u>\$ 314,002</u>	<u>\$ 372,002</u>

**Housing Analysis**

**Project No. 47047**

Fiscal Year 2013 Areawide Planning Department Operating Budget Reappropriation	-0-	\$ 7,955
Fiscal Year 2010 Areawide Capital Appropriation for Grant Match	-0-	\$ 8,673
Fiscal Year 2014 Areawide Capital Appropriation for Human Services Grant Match	-0-	\$ 5,492
Fiscal Year 2008 Areawide Capital Appropriation for Grant Match	-0-	\$ 15,000
Fiscal Year 2013 Areawide Planning Department Operating Budget Reappropriation	-0-	\$ 12,880
Project - Total	<u>-0-</u>	<u>\$ 50,000</u>

**U-Med District**

**Project No. 47522**

Fiscal Year 2013 Areawide Planning Department Operating Budget Reappropriation	-0-	\$ 5,564
Fiscal Year 2015 Areawide Planning Department Operating Budget Reappropriation	-0-	\$ 45,000

Project - Total -0- \$ 50,564

**Artifact Inventory & Relocation Project**  
**Project No. 47046**

Fiscal Year 2015 Areawide Planning  
Department Operating Budget  
Reappropriation -0- \$ 30,000

Project - Total -0- \$ 30,000

**Planning Department Records Management Project**  
**Project No. 47513**

Fiscal Year 2014 Areawide Planning  
Department Operating Budget  
Reappropriation \$ 89,267 \$ 89,267  
Fiscal Year 2015 Areawide Planning  
Department Operating Budget  
Reappropriation -0- \$ 19,800

Project - Total \$ 89,267 \$ 109,067

**Cab/Lab Relocation Project**  
**Project No. 47521**

Fiscal Year 2015 Areawide Planning  
Department Operating Budget  
Reappropriation -0- \$ 25,000

Project - Total -0- \$ 25,000

**Planning Office Modifications**  
**Project No. 47520**

Fiscal Year 2015 Areawide Planning  
Department Operating Budget  
Reappropriation -0- \$ 25,000

Project - Total -0- \$ 25,000

**Build-Out Analysis**  
**Project No. 47009**

Fiscal Year 2008 Areawide Planning  
Department Operating Budget  
Reappropriation \$105,000 \$ 105,000  
Fiscal Year 2010 Areawide Planning  
Department Operating Budget  
Reappropriation \$185,000 \$ 185,000

Fiscal Year 2015 Areawide Planning Department Operating Budget Reappropriation	- 0 -	\$ 50,000
 Project - Total	 <u>\$ 290,000</u>	 <u>\$ 340,000</u>
<b>Total Budget</b>	 <b><u>\$ 693,269</u></b>	 <b><u>\$1,001,633</u></b>

NOW THEREFORE BE IT FURTHER RESOLVED that the Matanuska-Susitna Borough Assembly hereby extends the time of completion on the project funding to June 30, 2018.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DEVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** Appropriation of \$114,000 from Gold Trail Road Service Area No. 28 fund balance, Fund 282, to Fund 410, Project No. 30048, for Gold Trail Road Service Area No. 28 Capital Projects.

**AGENDA OF: June 2, 2015**

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *[Signature]*

Route To:	Department/Individual	Initials	Remarks
	Originator	<i>Jdy</i>	<i>5/12/15</i>
	Public Works Director	<i>TJD</i>	<i>18 May 15</i>
	Finance Director	<i>JCC</i>	<i>5/20/15</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>SM</i>	<i>5/26/15</i> <i>(J)</i>

**ATTACHMENT(S):** Ordinance Serial no. 15-085 (2pp)  
Fiscal Note: Yes x No \_\_\_\_\_  
Resolution 15-01 from the Road Service Area No. 28, Board of Supervisors.  
Road Maintenance & Repair Capital Projects List for RSA 28, approved with AM 15-013, 2 pp

**SUMMARY STATEMENT:** The Gold Trail Road Service Area No. 28 Board of Supervisors and the Public Works Department would like to ensure adequate funding for all items on the approved Capital List and support as many future capital upgrades projects as possible. Excess funds from the RSA No. 28 fund balance can be used to fund Capital Improvement Projects. To subsidize start up for any additional projects, Public Works and the Road Service Area Board of Supervisors would like to transfer \$114,000 from the Gold Trail Road Service Area No. 28 fund balance, Fund 282, to Project No. 30048, Fund 410 for Gold Trail Road Service Area No. 28 Capital Projects.

**RECOMMENDATION OF ADMINISTRATION:** Approve an appropriation of \$114,000 from Gold Trail Road Service Area No. 28 fund balance, Fund 282, to Fund 410, Project No. 30048, for Gold Trail Road Service Area No. 28 Capital Projects.

**MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE**

Agenda Date: June 2, 2015

SUBJECT: Appropriation of \$114,000 from Gold Trail Road Service Area No. 28 fund balance, Fund 282, to Fund 410, Project No. 30048, for Gold Trail Road Service Area No. 28 Capital Projects.

ORIGINATOR: Public Works, Operations & Maintenance

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED *\$114,000	FUNDING SOURCE RSA FUND BALANCE
FROM ACCOUNT # 282.272.000	PROJECT #
TO ACCOUNT : 410.000.000.4xx.xxx	PROJECT # 30048
VERIFIED BY: <i>Barbara Baumgardner</i>	CERTIFIED BY:
DATE: <i>5-18-15</i>	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY12	FY13	FY14	FY2015	FY2016	FY2017
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL				<i>114</i>		
---------	--	--	--	------------	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

General Fund						
State/Federal Funds						
Other				<i>114</i>		
TOTAL				<i>114</i>		

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: \*The estimated remaining amount in fund balance, Fund 282 is \$50,744 with this appropriation, if adopted.

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: \_\_\_\_\_  
 APPROVED BY: *[Signature]* DATE: *5/20/15*

**A RESOLUTION OF THE ROAD SERVICE AREA #28, GOLD TRAIL BOARD OF SUPERVISORS REQUESTING THE TRANSFER OF \$114,000 FROM THE FUND BALANCE TO THE CAPITAL IMPROVEMENTS PROGRAM.**

WHEREAS, the Road Service Area #28, Gold Trail Fund Balance has a balance of approximately \$164,744; and

WHEREAS, it is the desire of the Road Service Area #28, Gold Trail Board of Supervisors to add funding to the capital projects list; and

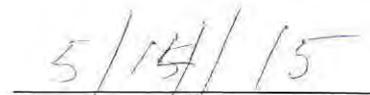
WHEREAS, the excess funds from the RSA #28, Gold Trail Fund Balance can be used to fund Capital Improvement Projects; and

WHEREAS, the RSA #28, Gold Trail Board of Supervisors request \$114,000 be transferred to the Capital Improvement Projects Program;

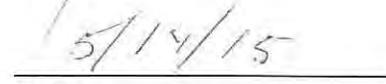
NOW, THEREFORE, BE IT RESOLVED, that the Road Service Area #28, Gold Trail Board of Supervisors requests the Matanuska-Susitna Borough Assembly approve the transfer of \$114,000 from Fund Balance 282.272.000 to Capital Improvements Project 30048.6600

APPROVED by the Road Service Area #28, Gold Trail Board of Supervisors:

  
\_\_\_\_\_  
RSA #28 Supervisor

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
RSA #28 Supervisor

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
RSA #28 Supervisor

\_\_\_\_\_  
Date

MATANUSKA-SUSITNA BOROUGH  
 PUBLIC WORKS DEPARTMENT  
 ROAD MAINTENANCE & REPAIR CAPITAL PROJECTS  
 SUMMER 2015

ASSEMBLY PERSON: Dist 4 Steve Colligan  
 ASSEMBLY PERSON: Dist 6 Jim Colver  
 RSA SUPER: Scott Sanderson  
 PRIMARY: Joy Fearn-Condon  
 ALT: Kenneth Widmer  
 ALT: VACANT

ROAD SERVICE AREA: 28 Gold Trails PROJECT # 30048

APPROX AVAILABLE FUNDING \$742,639  
 APPROX AVAILABLE GRANT FUNDING \$118,750

PRIORITY STATUS	PROJECT LOCATION	DESCRIPTION OF WORK	TOTAL EST COST	RSA	MSB	GRANTS	GRANT DETAILS	FUND: YES/NO
1	RSA ROADS	CALCIUM PURCHASE 25% MSB Match Summer 2015	\$11,250	\$8,438	\$2,813			N/A
2	RSA ROADS	CALCIUM APPLICATION 25% MSB Match Summer 2015	\$15,000	\$11,250	\$3,750			N/A
3	RSA ROADS 30048.	RECONDITION ROADS	\$95,000	\$95,000				YES
4	RSA ROADS 30048.	PAVEMENT MAINTENANCE	\$0					YES
5	Sitze Road (.20)	Upgrade (.20)	\$118,750			2014 SOA Legis Grant	\$118,750	YES
6	Wildwood Dr (.35) Highwood Dr (.07)	Design / Upgrade (.42)	\$250,000	\$250,000				YES
7	That Road (.44)	Design / Upgrade (.44)	\$325,000	\$325,000				YES
8	Jasper Drive (.37)	Pave w/ 2" A.C. (.37) 50% MSB Match	\$111,000	\$55,500	\$55,500			YES
9	Patsy Street (.44)	Pave w/ 2" A.C. (.44) 50% MSB Match	\$137,000	\$68,500	\$68,500			YES
10	Snowgoose Circle (.13)	Pave w/ 2" A.C. (.13) 50% MSB Match	\$42,000	\$21,000	\$21,000			YES
<b>TOTAL FUNDED PROJECTS</b>			<b>\$1,105,000</b>	<b>\$834,688</b>	<b>\$151,563</b>		<b>\$118,750</b>	
11	Pintail Dr N Pintail Dr	Upgrade	\$275,000	\$275,000				NO

Im19-134  
 0615-085

					FUNDING NOT YET IDENTIFIED			NO
12	Silver Dr (.46) Wisdon (.13)	Design / Upgrade (.59)	\$280,250					NO
					FUNDING NOT YET IDENTIFIED			
13	N Sasbo Bluff Lp (.91)	Design / Upgrade (.91)	\$432,250					NO
					FUNDING NOT YET IDENTIFIED			
14	Talgach View Dr (.57)	Design / Upgrade (.57)	\$270,750					NO
					FUNDING NOT YET IDENTIFIED			
15	Tattler Drive (.28) Tattler Court (02) Tattler Circle (.05)	Design / Upgrade (.35)	\$166,250					NO
					FUNDING NOT YET IDENTIFIED			
16	Lochcarron Dr (.42) Montrose Ct (.08) Kintry Lane (.10) N Marilyn Cir (.07) Melrose Court (.05)	Pave w/2" A.C. (.72) 50% MSB Match	\$216,000					NO
					FUNDING NOT YET IDENTIFIED			
17	Tamar Rd. (.80) Brocton Ave. (.45)	Pave w/2" A.C. (1.25) 50% MSB Match	\$300,000					NO
					FUNDING NOT YET IDENTIFIED			
<b>TOTAL UNFUNDED PROJECTS</b>			<b>\$1,940,500</b>					

	Source	Grant # / Account Code	Grant Amount				
Line	2014 SOA Grant	14-DC-094 / 30048.9204	\$118,750	Sitze Road Drainage Improvements			

In 15-134  
 OR 15-085

NON-CODE ORDINANCE

By: Borough Manager  
Introduced:  
Public Hearing:  
Action:

MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-085

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING AN APPROPRIATION OF \$114,000 FROM GOLD TRAIL ROAD SERVICE AREA NO. 28 FUND BALANCE, FUND 282, TO FUND 410, PROJECT NO. 30048, FOR GOLD TRAIL ROAD SERVICE AREA NO. 28 CAPITAL PROJECTS.

---

WHEREAS, the Gold Trail Road Service Area No. 28 Board of Supervisors and the Public Works Department would like to ensure all approved projects on the Capital List are fully funded; and

WHEREAS, the Gold Trail Road Service Area No. 28 Board of Supervisors and the Public Works Department would like to support as many future capital projects as possible; and

WHEREAS, transferring funds to the capital projects will ensure all projects on the capital projects list have adequate funding and support additional future capital projects; and

WHEREAS, excess funds from the RSA No. 28 Gold Trail fund balance can be used to fund Capital Improvement Projects; and

WHEREAS, the Gold Trail Road Service Area No. 28 Board of Supervisors and the Public Works Department would like to transfer \$114,000 from Gold Trail Road Service Area No. 28 fund balance, Fund 282, to Fund 410, Project No. 30048, for the Gold Trail Road Service Area No. 28 Capital Projects.

BE IT ENACTED:

Section 1. Classification. This is a non-code ordinance.

Section 2. Appropriation source. The Matanuska-Susitna Borough Assembly hereby approves the appropriation of \$114,000 from Gold Trail Road Service Area No. 28, fund balance, Fund 282, to Fund 410, Project No. 30048, Gold Trail Road Service Area No. 28 Capital Projects.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

---

LARRY DEVILBISS, Borough Mayor

ATTEST:

---

LONNIE R. MCKECHNIE, CMC, Borough Clerk

(SEAL)

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 3.04.095 GENERAL FUND BALANCE POLICY AND RESERVATIONS.

**AGENDA OF:** June 2

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** *John Moosey*

Route To:	Department/Individual	Initials	Remarks
	Originator	NS	For V. Halter
	Finance Director	<i>guc</i>	<i>called; + now change IN ORD - to 15-085 is here.</i>
	Borough Attorney	<i>NS</i>	
	Borough Clerk	<i>guc</i>	<i>5/26/15</i>

**ATTACHMENT (S):** Fiscal Note: NO X YES  
 Ordinance Serial No. 14-086 (2 pp)

**SUMMARY STATEMENT:** This ordinance is coming forward at the request of Assemblymember Halter.

Borough code currently provides for a reserve of the general fund balance in an amount equal to a minimum of 22.2 percent of all annual budgeted operating expenditures excluding the budgeted operating expenditures of the school district. In Ordinance Serial No. 15-015, the Matanuska-Susitna Borough Assembly adopted the budget for Fiscal Year 2016. Notwithstanding Borough code, in Ordinance Serial No. 15-015 the Assembly set a general fund balance reserve in the amount of \$25,000,000. There was discussion about making this amount a permanent part of code for 3 years, but concerns over the impact of the adjustment after 3 years and discussions with the sponsor have resulted in the current draft ordinance.

The ordinance here amends code to provide that the reserve of the general fund balance will be the lesser amount of either 22.2 percent all budgeted operating expenses (excluding the school district) or \$25,000,000 in future years.

**Recommendation of Administration:** Adoption of the legislation.

CODE ORDINANCE

Sponsored by: Borough Manager  
Introduced:  
Public Hearing:  
Action:

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15-086**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING  
MSB 3.04.095 GENERAL FUND BALANCE POLICY AND RESERVATIONS.

WHEREAS, Borough code currently provides for a reserve of the general fund balance in an amount equal to a minimum of 22.2 percent of all annual budgeted operating expenditures excluding the budgeted operating expenditures of the school district; and

WHEREAS, in Ordinance Serial No. 15-015, the Matanuska-Susitna Borough Assembly adopted the budget for Fiscal Year 2016; and

WHEREAS, notwithstanding Borough code, in Ordinance Serial No. 15-015 the Assembly set a general fund balance reserve in the amount of \$25,000,000; and

WHEREAS, there was discussion about making changes to the general fund balance reservation in borough code; and

WHEREAS, the ordinance here amends code to provide that the reserve of the general fund balance will be the lesser of 22.2 percent or \$25,000,000, in future years.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a continuing and permanent nature and shall become part of borough

code.

Section 2. Amendment of Section. MSB 3.04.095(A) is hereby amended as follows:

(A) A reserve of the general fund balance shall be maintained in an amount equal to a minimum of either 22.2 percent of all annual budgeted operating expenditures excluding the budgeted operating expenditures of the school district or \$25,000,000, whichever is less. The purpose of this reserve shall be to maintain the borough's credit worthiness, provide liquidity and protect essential borough programs and requirements during periods of economic downturn or catastrophic loss.

Section 3. Effective date. This ordinance shall take effect immediately.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2015.

\_\_\_\_\_  
LARRY DeVILBISS, Borough Mayor

ATTEST:

\_\_\_\_\_  
LONNIE R. McKECHNIE, CMC, Borough Clerk

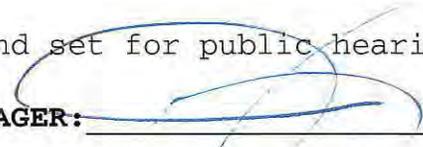
(SEAL)

**SUBJECT:** RE-APPROPRIATION OF FUNDS FROM THE FINANCE DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET TO THE DSJ PHASE II PROJECT FOR UPGRADES AND FURNISHING FOR THE FINANCE SECTION.

**AGENDA OF:** June 2, 2015

**ASSEMBLY ACTION:**

**MANAGER RECOMMENDATION:** Introduce and set for public hearing.

**APPROVED BY JOHN MOOSEY, BOROUGH MANAGER:** 

Route To:	Department/Individual	Initials	Remarks
1	Originator - Fin. Dir.	TC	
2	Finance Director	JCL	5/21/15
3	Attorney	CA for N.S.	5/21/15
4	Borough Clerk	JLM	5/26/15

**ATTACHMENT(S):** Ordinance Serial No. 15-087 (2pp)

Fiscal Note: Yes  No

**SUMMARY STATEMENT:**

Before you is an ordinance to re-appropriate funds from the Finance Department fiscal year 2015 Operating Budget for the upgrades and furnishing for the DSJ Phase II project for the Finance Section. Members of the Finance Department had to relocate to another building when construction began on the DSJ Phase I addition. After many delays, it was anticipated that the employees would be moving back to the DSJ building in fiscal year 2015. However, that will not occur. The section for the Finance Department is now expected to be completed in fiscal year 2016. Funds were originally budgeted for upgrades and furnishings for the Finance Section in the fiscal year 2015 budget which will now lapse at June 30, 2015. As such it is necessary to re-appropriate those funds to a non-lapsing capital project.

**Recommendation of Administration:** Approve the re-appropriation of funds from the Finance Department fiscal year 2015 operating

budget to the DSJ Phase II project for upgrades and furnishings for the Finance Section.

MATANUSKA-SUSITNA BOROUGH  
FISCAL NOTE

Agenda Date: June 2, 2016

SUBJECT: REAPPROPRIATION OF FUNDS FROM THE FINANCE DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET TO DSJ PHASE II PROJECT FOR UPGRADES AND FURNISHINGS

ORIGINATOR: FINANCE

FISCAL ACTION (TO BE COMPLETED BY FINANCE)	FISCAL IMPACT <input checked="" type="radio"/> YES <input type="radio"/> NO
AMOUNT REQUESTED 70,000	FUNDING SOURCE FY 2015 Areawide Fund
FROM ACCOUNT # 100-120-113 & 120-4xx	PROJECT #
TO ACCOUNT : 435-000-000-3xx	PROJECT #
VERIFIED BY:	CERTIFIED BY:
DATE:	DATE:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY2014	FY2015	FY2016	FY2017	FY2018	FY2019
Personnel Services						
Travel						
Contractual						
Supplies						
Equipment						
Land/Structures						
Grants, Claims						
Miscellaneous						
TOTAL OPERATING						

CAPITAL		70				
---------	--	----	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

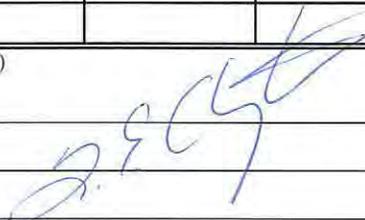
FUNDING: (Thousands of Dollars)

General Fund		70				
State/Federal Funds						
Other						
TOTAL		70				

POSITIONS:

Full-Time						
Part-Time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

PREPARED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 DEPARTMENT: \_\_\_\_\_ DATE: 5/21/15  
 APPROVED BY:  DATE: \_\_\_\_\_

Non-code Ordinance

By: BOROUGH MANAGER  
Introduced:  
Public Hearing:  
Adopted:

MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 15- 087

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY RE-APPROPRIATING \$70,000 FROM THE FINANCE DEPARTMENT FISCAL YEAR 2015 OPERATING BUDGET, FUND 100, TO PROJECT 10057, FUND 435, FOR UPGRADES AND FURNISHINGS FOR THE DSJ PHASE II PROJECT FOR THE FINANCE SECTION.

---

WHEREAS, members of the Finance Department have been displaced due to the construction of the DSJ Phase I addition going on four years; and

WHEREAS, it was anticipated that Phase II would be completed this fiscal year; and

WHEREAS, it is now anticipated that the portion of the project for the Finance Department will be complete in fiscal year 2016; and

WHEREAS, funds originally budgeted for upgrades and furnishings in the fiscal year 2015 operating budget will lapse at June 30, 2015; and

WHEREAS, it is now necessary to re-appropriate the funds to a non-lapsing capital project.

BE IT ENACTED:

Section 1. Classification. This Ordinance is a non-code ordinance.

Section 2. Re-appropriation Source. The Matanuska-Susitna

Borough Assembly does hereby re-appropriate \$70,000 from the Finance Department fiscal year 2015 Operating Budget, Fund 100, to Project No. 10057, Fund 435 for the upgrades and furnishings for the DSJ Phase II project for the Finance Section.

Section 3. Effective date. This ordinance shall take effect upon adoption by the Matanuska-Susitna Borough Assembly.

ADOPTED by the Matanuska-Susitna Borough Assembly this \_\_\_ day of \_\_\_\_\_, 2015.

---

Larry DeVilbiss, Borough Mayor

ATTEST:

---

Lonnie McKechnie, CMC, Borough Clerk

(SEAL)

**BOARD AND COMMISSION VACANCY REPORT     June 02, 2015**

**N = New Application    R = Reappointment    \*\*\*Vacant since 12/31/2012    \*\*Vacant since 12/31/2013    \*Vacant since 12/31/2014**

<b>Board - Applicant</b>	<b>Applicants Under Consideration by Mayor</b>	<b>Mayor's Appointments for Confirmation by the Assembly</b>
<b>Agriculture Advisory Board</b> <i>12 members/12 vacancies</i> 01 Palmer Soil/Water Conservation District 02 Wasilla Soil/Water Conservation District 03 Upper Susitna Soil/Water Conservation District 04 Alaska Farm Bureau – Mat-Su Chapter 05 Palmer Center for Sustainable Living 06 Knowledge/Experience Production of Wool, Qiviut, Fiber, Hair, Feathers, etc. 07 Knowledge/Experience Livestock, Alternative Livestock, Dairy, Grazing, Hay 08 Knowledge/Experience Field Crops (potatoes, carrots, etc.) 09 Knowledge/Experience Floriculture, Horticulture, Greenhouse/Hoop House, Beekeeping 10 Knowledge/Experience Agricultural Economic Development, Prepared Foods and Value-Added Product Industry 11 At-Large Member .....James Skinner - N 12 Non-Voting Youth Intern		
<b>Animal Care &amp; Regulation Board</b> <i>5 members/1 alt. – 1 vacancy</i> Animal Interest		
<b>Aviation Advisory Board</b> <i>9 members – 1 vacancy</i> Member 8		
<b>Board of Adjustment and Appeals</b> <i>5 members/3 alt. - 2 vacancies – (3) 3 year terms</i> ***Alternate 1 ***Alternate 2		
<b>Board of Equalization</b> <i>15 members - 7 vacancies - (3) 3 year terms</i> **Member 4 Member 5 *Member 6 **Member 7 Member 12		

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
<b>Board of Equalization (continued)</b> **Member 13 **Member 14		
<b>Board of Ethics</b> <i>5 members - 11 vacancies</i> *Member 2 *Member 5 **Member 7 **Member 8 **Member 9 ***Member 10 **Member 11 *Member 12 ***Member 13 **Member 14 **Member 15		
<b>Borough Area Schools Site Selection Committee</b> <i>7 or 8 members/3 alt. - 4 vacancies</i> Assembly Alternate Assembly Representative 2 *Community At-Large Planning Commission Rep 2		
<b>Commission on Salaries and Emoluments</b> <i>5 members - 5 vacancies</i> ***Member 1 (Business Executive) ***Member 2 (General Public) ***Member 3 (Experience in Public Admin) ***Member 4 (Labor Organization) ***Member 5 (Any 1-4 Qualifications)		
<b>Emergency Medical Services Board</b> <i>13 members/8 alt. - 8 vacancies</i> *Dive Rescue ***Palmer Ambulance Alternate Sutton Ambulance Alternate **Talkeetna Ambulance Alternate **Trapper Creek Ambulance Alternate *West Lakes Ambulance *West Lakes Ambulance Alternate *Willow Ambulance		

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
<b>Enhanced 911 Advisory Board</b> <i>5 members/5 alt. – 3 vacancies</i> **City of Houston Alternate Matanuska Susitna Borough Matanuska Susitna Borough Alternate		
<b>Health and Social Services Board</b> <i>13 members - 2 vacancies</i> Member 5-At-Large 4 Member 8-At-Large 5		
<b>Historical Preservation Commission</b> <i>9 members - 1 vacancies</i> Member 3 .....	Lisa Schwarzburg - N	
<b>Jt. Assembly/School Board Committee on School Issues</b> <i>6 members – 1 vacancy</i> Assembly Member 2		
<b>Labor Relations Board</b> <i>5 members - 2 vacancies</i> Member 2 Member 4		
<b>Library Board</b> <i>9 members – 2 vacancies</i> ***Palmer *Wasilla		
<b>Local Emergency Planning Committee</b> <i>33 members – 9 vacancies</i> **Alaska Railroad **Borough Government City of Houston (non law enforcement) **City of Wasilla (non law enforcement) Civil Defense ***Elected Official **Law Enforcement Houston Police *Law Enforcement Palmer Police Public Utility – Gas		
<b>Marijuana Advisory Committee</b> <i>34 members – 7 vacancies</i> Member 02A – Non-Marijuana Farming Operation Alternate Member 05A - Local Business Organization Alternate Member 06A - Law Enforcement Alternate Member 08A - Education Community Alternate		

Board - Applicant	Applicants Under Consideration by Mayor	Mayor's Appointments for Confirmation by the Assembly
<b>Marijuana Advisory Committee (continued)</b> Member 09A - Planning/Zoning Type Experience Alternate Member 10A - Sales/Marketing Advertising Alternate Member 16A - City Government of Wasilla Alternate .....	Alyssa Farrar - N	
<b>Office of Administrative Hearings</b> <i>5 members – 3 vacancies (2 year terms)</i>  ***Seat A ***Seat C ***Seat E		
<b>Parks, Recreation, and Trails Advisory Board</b> <i>11 members – 2 vacancies</i>  *District 4 *District 5		
<b>Platting Board</b> <i>7 members/2 alt. – 2 vacancies</i> District 4 District 7		
<b>Butte FSA # 2</b> <i>3 members – 3 vacancies</i> ***Member 1 ***Member 2 ***Member 3		
<b>Sutton FSA # 4</b> <i>3 members – 3 vacancies</i> ***Member 1 ***Member 2 ***Member 3		
<b>Talkeetna FSA # 24</b> <i>3 members – 3 vacancies</i> **Member 1 **Member 2 *Member 3		
<b>Bogard RSA # 25</b> <i>3 members – 1 vacancy</i> Member 3		
<b>Gold Trail RSA # 28</b> <i>3 members – 1 vacancy</i> Member 3		
<b>Knik RSA # 17</b> <i>3 members – 1 vacancy</i> Member 2		
<b>Lazy Mountain RSA # 19</b> <i>3 members – 1 vacancy</i> *Member 1		
<b>North Colony RSA # 23</b> <i>3 members – 2 vacancies</i> ***Member 1 ***Member 2		



**RECEIVED**  
DATE RECEIVED:  
**MAY 15 2015**  
**CLERKS OFFICE**

**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

**Complete and sign the application.** Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

**Board and position for which I am applying:** Agriculture Advisory Board / AT-large member  
(For example, Board of Equalization, Member 3)

**Applicant Name:** James E. Skinner

**Residence Address:** HC 89 Box 1780 E Amundsen Ave W, 11 w AK 99688

**Mailing Address:** same as above

**Home phone:** 907-495-1186      **Work phone:** \_\_\_\_\_      **Email:** onthego89bc@gmail.com

**Name and Address of Employer:** Retired

**Can you regularly attend meetings?** Yes  No  (Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")

**Do you or any family member have a personal or financial interest with the Borough?** Yes  No

**If yes, list positions and or interest:** \_\_\_\_\_  
(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)

**How long have you lived in the Borough?** 20 yrs.

**Briefly explain, why you are you interested in serving on the board in which you are applying?** It is my desire that the citizens of the MSB become more aware involved in agriculture

**List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications:** green house, beekeeping, logging, forest Stewardship gardening, nursery, employed in Oregon Fruit Orchard.

**List three professional or personal references:**

Name: <u>Terry Banker</u>	Phone: <u>495-6311</u>
Name: <u>BROOK Isaacs</u>	Phone: <u>244-4505</u> Cell
Name: <u>Jenny Hall</u>	Phone: _____

**Applicant Signature:** James E. Skinner      **Date:** 5-13-2015

**(N)**

<b>Office Use Only:</b> Precinct: <u>10-030</u> Assembly District: <u>7</u> Service Area: <u>NA</u>
Position on Board: <u>AGAB 11 - AT-LARGE member</u> Term Ends: <u>12/31/2016</u>
Residence Checked: <input checked="" type="checkbox"/> Yes      Map Checked: <input checked="" type="checkbox"/> Yes      Code Checked: 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/> (N)

Applicant Name: James E. Skinner

---

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?  NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?

NO  YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845



**BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM**

**INSTRUCTIONS**

**Complete and sign the application. Do not leave any blank fields.** Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to **debra.wetherhorn@matsugov.us** or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Historic Preservation Commission, Anthropologist  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Lisa L. Schwarzburg

Residence Address: 9317 Polaris Ln Wasilla AK 99623

Mailing Address: PO Box 870573 Wasilla AK 99687

Home phone: 907.373.5503

Work phone: same

Email: lisa@schwarzburg.org

Name and Address of Employer: UAA MatSu Campus Palmer AK

Can you regularly attend meetings? Yes  No  *(Pursuant to MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 12 years

Briefly explain, why you are you interested in serving on the board in which you are applying? \_\_\_\_\_

I am interested in helping the HP commission with its goals, and hope my skills in cultural anthropological research, especially regarding rural and indigenous cultures, would be of use to that end.

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: PhD in Cross-Cultural Studies, specializing in Rural & Indigenous populations; teach university Anthropology classes: Intro to Anthropology, Natives of Alaska, and Cultural Anthropology

List three **professional or personal** references:

Name: <u>Dr. Erik Hirschmann</u>	Phone: <u>907-745-9733</u>
Name: <u>Mr. Mike Swanson</u>	Phone: <u>907-745-9762</u>
Name: <u>Dr. Diane Hanson</u>	Phone: <u>907 786-6842</u>

Applicant Signature: *Lisa L. Schwarzburg, Ph.D.*

Date: 13 May 2015

Office Use Only: Precinct: <u>OB-150</u>	Assembly District: <u>5</u>	Service Area: <u>N/A</u>
Position on Board: <u>HIS member 3</u>	Term Ends: <u>12/31/2015</u>	
Residence Checked: <input checked="" type="checkbox"/> Yes	Map Checked: <input checked="" type="checkbox"/> Yes	Code Checked: 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/>



Applicant Name: Lisa L. Schwarzburg

---

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?     NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

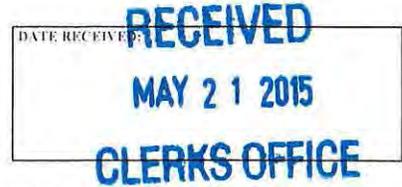
---

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845



BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Mat-Su Cannabis Commission (alternate to L. Carden)  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Alyssa Farrar

Residence Address: 1962 West Destiny Circle, Wasilla, Alaska 99654

Mailing Address: same

Home phone: \_\_\_\_\_ Work phone: (907) 373-9055 Email: afarrar@ci.wasilla.ak.us

Name and Address of Employer: City of Wasilla, 290 East Herning Avenue, Wasilla, Alaska 99654

Can you regularly attend meetings? Yes  No  *(Pursuant to (MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: \_\_\_\_\_  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? April 2012 to present

Briefly explain, why you are you interested in serving on the board in which you are applying? To represent the City of Wasilla's interest, on behalf of the Mayor of Wasilla, as the alternate to Lyn Carden, Deputy Administrator.

List professional or personal experiences that qualify you for membership on the board? You may attach a brief resume to highlight your qualifications: Alternate appointment by Mayor Bert L. Cottle

List three professional or personal references: Name: Bert Cottle Phone: (907) 373-9055  
Name: Lyn Carden Phone: (907) 373-9057  
Name: Archie Giddings Phone: (907) 373-9018

Applicant Signature:  Date: 05/21/2015

Office Use Only: Precinct: <u>10-010</u>	Assembly District: <u>6</u>	Service Area: <u>NA</u>
Position on Board: <u>MAC member 16A - Wasilla AIT</u>	Term Ends: <u>6/30/2018</u>	
Residence Checked: <input checked="" type="checkbox"/> Yes	Map Checked: <input checked="" type="checkbox"/> Yes	Code Checked: 1 <sup>st</sup> <input checked="" type="checkbox"/> 2 <sup>nd</sup> <input checked="" type="checkbox"/>

Applicant Name: Alyssa Farrar

---

1. Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?     NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

2. Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

MATANUSKA-SUSITNA BOROUGH - CLERK'S OFFICE  
350 E. Dahlia Avenue Palmer, AK 99645  
Phone: 861-8683 Fax: 861-7845

RECEIVED  
DATE RECEIVED: MAY 04 2015  
CLERKS OFFICE

BOARD, COMMISSION, AND COMMITTEE APPLICATION FORM

INSTRUCTIONS

Complete and sign the application. Do not leave any blank fields. Type or print legibly in ink. Specify exactly what board and position you are seeking. Completed applications may be emailed to [debra.wetherhorn@matsugov.us](mailto:debra.wetherhorn@matsugov.us) or delivered or mailed to the Borough Clerk's Office, 350 E. Dahlia Avenue, Palmer, or faxed to 861-7845. If you have questions, please call 861-8683.

Board and position for which I am applying: Trapper Creek RSA #30 Position 3  
*(For example, Board of Equalization, Member 3)*

Applicant Name: Donna A Massay

Residence Address: 35201 S Oilwell Road, Trapper Creek, AK

Mailing Address: PO Box 13250, Trapper Creek, AK 99683

Home phone: 733-4348 Work phone: \_\_\_\_\_ Email: dmassay@gmail.com

Name and Address of Employer: Retired

Can you regularly attend meetings? Yes  No  *(Pursuant to MSB 4.05.030, "A vacancy occurs on the board when the member is absent from three (3) consecutive regular board meetings without the board excusing the absence for good cause.")*

Do you or any family member have a personal or financial interest with the Borough? Yes  No

If yes, list positions and or interest: Adult daughter employee of Animal Care & Regulation  
*(For example: employee, emergency responder, RSA or FSA area supervisor, board member, contractor etc.)*

How long have you lived in the Borough? 43 years

Briefly explain, why you are you interested in serving on the board in which you are applying? I have enjoyed my year on the board and believe I have much to contribute.

List professional or personal experiences that qualify you for membership on the board? You may **attach a brief resume** to highlight your qualifications: Please see resume brief

List three professional or personal references: Name: Talis Colberg Phone: 745-9721  
Name: Eric Blomskog Phone: 232-8869  
Name: Dale Zirkle Phone: 355-1447

Applicant Signature: Donna Massay **(N)** Date: May 4, 2015

Office Use Only: Precinct: 10-040 Assembly District: 7 Service Area: RSA-Trapper Creek  
Position on Board: RSA 30 member 3 Term Ends: 12/31/2017  
Residence Checked:  Yes Map Checked:  Yes Code Checked: 1<sup>st</sup>  2<sup>nd</sup>  JW

Applicant Name: Donna Massay  
RSA #30 Trapper Creek Position 3

Do you have any civil judgment against you within the last 10 years, whether monetary, non-monetary, declarative, injunctive, or any other form or manner?     NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Do you have any judgments against you in a criminal case within the last 10 years, whether upon finding of guilt, plea of no contest, suspended, or any form of judgment other than dismissal or not guilty?  
 NO     YES

If yes, please provide on a separate page the following: (1) case name, (2) nature of action, (3) year of judgment, and (4) a brief description of the judgment entered and/or sentence imposed.

---

Donna A Massay  
Resume Brief

- Served on RSA #30 Board from Nov 2013 to Dec 2014
- Assisted in building the original roads in several subdivisions including Cottonwood Shores and Shorewood Subdivision (1970's)
- Assisted in fulfilling the maintenance contract for maintaining the Skwentna airstrip (1980's)
- Realtor (1990's)
- Associate of Applied Science degree in HVAC & R (heating, ventilation, air conditioning, and refrigeration)
- Board of Directors, Iditarod Trail Committee (1980-88)
- Small business owner in the tourism industry (1996 -2011)
- Board of Directors, Mat-Su Visitors and Convention Bureau (1990's)
- Employed in the physical plant at Mat Su College. Work included snow removal and college road and parking lot maintenance