

MATANUSKA-SUSITNA BOROUGH

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

BOROUGH MAYOR

Vern Halter

BOROUGH CLERK

Lonnie R. McKechnie, CMC

BOROUGH MANAGER

John Moosey

BOROUGH ATTORNEY

Nicholas Spiropoulos



BOROUGH ASSEMBLY

Jim Sykes, District 1
Matthew Beck, District 2
George McKee, District 3
Steve Colligan, District 4
Dan Mayfield, District 5
Barbara J. Doty, District 6
Randall Kowalke, District 7

ASSEMBLY AGENDA ASSEMBLY CHAMBERS 350 EAST DAHLIA AVENUE, PALMER

REGULAR MEETING

6 P.M.

TUESDAY, JUNE 7, 2016

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. PLEDGE OF ALLEGIANCE

V. MINUTES OF PRECEDING MEETINGS

- A. Special Assembly Meeting: 05/05/16
- B. Special Assembly Meeting: 05/09/16
- C. Special Assembly Meeting: 05/12/16
- D. Special Assembly Meeting: 05/17/16
- E. Regular Assembly Meeting: 05/17/16

VI. REPORTS/CORRESPONDENCE

A. AGENCY REPORTS (MSB 2.12.082; Seven minutes per person.)

- 1. Reports From Cities
- 2. Matanuska-Susitna Borough School District

B. COMMITTEE REPORTS

- 1. Joint Assembly/School Board Committee On School Issues
- 2. Assembly Public Relations

C. MANAGER COMMENTS

1. State/Federal Legislation
2. Strategic Planning Issues
3. Alaska Division of Air Quality
4. Matanuska Telephone Association — Michael C. Burke, Chief Executive Officer

D. ATTORNEY COMMENTS

E. CLERK COMMENTS

F. CITIZEN AND OTHER CORRESPONDENCE

1. MSB Board/Committee Minutes:
 - a. Agriculture Advisory Board: 02/17/16, Resolution Nos. 16-02, 16-03
 - b. Aviation Advisory Board: 10/08/15
 - c. Fairview RSA Board of Supervisors: Resolution No. 16-01
 - d. Greater Talkeetna RSA Board of Supervisors: 02/11/16
 - e. Local Emergency Planning Committee: 12/16/15
 - f. Local Road Service Area Advisory Board: 03/17/16
 - g. MSB Fish and Wildlife Commission: 02/18/16, 03/17/16
 - h. Parks, Recreation, and Trails Advisory Board: 11/30/15, 03/21/16, Resolution No. 16-01
 - i. Planning Commission: 08/17/15, 09/21/15, 04/18/16, 05/02/16
 - j. Platting Board: 04/07/16
 - k. Port Commission: 12/21/15
 - l. South Colony RSA Board of Supervisors: 09/16/15, 10/14/15, 02/09/16
 - m. Transportation Advisory Board: 12/16/15, 01/27/16, 03/23/16
 - n. Wastewater & Septage Advisory Board: 01/14/16
 - o. West Lakes FSA Board of Supervisors: 03/14/16, 04/11/16
 - p. Willow FSA Board of Supervisors: 03/10/16, 04/14/16
2. Community Council Minutes:
 - a. Glacier View Community Council: 02/11/16, 03/31/16
 - b. Lazy Mountain Community Council: 08/13/15
 - c. Meadow Lakes Community Council: 01/13/16, 03/09/16
 - d. North Lakes Community Council: 02/26/15, 04/30/15
 - e. Point MacKenzie Community Council: 02/11/16
 - f. South Knik River Community Council: 02/18/16
 - g. Sutton Community Council: 01/27/16, 02/24/16
 - h. Talkeetna Community Council: 02/01/16, 03/07/16, 04/04/16

- i. Trapper Creek Community Council: 01/21/16, 02/18/16, 03/17/16
- j. Willow Area Community Organization: 01/04/16, 04/02/16

G. INFORMATIONAL MEMORANDUMS

- 1. **IM No. 16-126:** Reporting Of Conclusion Of Contract For Bid No. 14-148B To QAP For Seldon Road And Lucille Street Upgrades In The Final Contract Amount Of \$4,978,467.35.

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. 16-065:** An Ordinance Authorizing The Issuance Of State Of Alaska Lease Revenue Refunding Bonds, Series 2016 (Goose Creek Correctional Center Project) In An Amount Not To Exceed \$65,000,000; Approving The Form And Substance Of A Second Supplement To Trust Indenture, A Third Amendment To Lease Purchase Agreement, A Refunding Trust Agreement, And A Bond Purchase Agreement; Authorizing An Offering Document; Making Certain Findings And Determinations; Authorizing The Execution Of Documents And Instruments Necessary Or Convenient To Accomplish The Foregoing; And Containing Other Provisions Relating To The Subject.
 - a. IM No. 16-101
- 2. **Ordinance Serial No. 16-021:** An Ordinance Adopting MSB 8.41, Marijuana Related Facilities License Referrals.
(Sponsored By Assemblymember Sykes)
 - a. IM No. 16-027
- 3. **Ordinance Serial No. 16-022:** An Ordinance Amending MSB 15.24.030, Adopting The Matanuska-Susitna Borough Metropolitan Planning Organization Self-Assessment.
 - a. IM No. 16-034
- 4. **Ordinance Serial No. 16-066:** An Ordinance Reappropriating \$25,000 To A Security Card Upgrade Project Fund.
 - a. **Resolution Serial No. 16-048:** A Resolution Approving

The Scope Of Work And Budget For A Security Card Upgrade Project.

(1) IM No. 16-099

5. **Ordinance Serial No. 16-067:** An Ordinance Accepting And Appropriating \$16,988.40 In Project Income For The Rail Extension From Port Mackenzie To The Mainline, Project No. 75001.

a. **Resolution Serial No. 16-049:** A Resolution Approving The Scope Of Work And Budget For Project Income On The Rail Extension From Port Mackenzie To The Mainline Project.

(1) IM No. 16-102

6. **Ordinance Serial No. 16-068:** An Ordinance Reappropriating \$230,000 To An Information Technology Strategic Plan Support Project Fund.

a. **Resolution Serial No. 16-050:** A Resolution Approving The Scope Of Work And Budget For An Information Technology Strategic Plan Support Project Fund.

(1) IM No. 16-103

7. **Ordinance Serial No. 16-069:** An Ordinance Amending MSB 2.47, Boroughwide Records Management Program.

a. IM No. 16-105

8. **Ordinance Serial No. 16-070:** An Ordinance Reappropriating \$95,000 From The Capital Projects Department Fiscal Year 2016 Operating Budget, Fund 100, To Project No. 47048, Fund 490, For Engineering, Environmental, And Survey Work For Fiscal Year 2017 Capital Projects Throughout The Borough.

a. IM No. 16-107

C. AUDIENCE PARTICIPATION (Three Minutes Per Person.)

D. CONSENT AGENDA

1. RESOLUTIONS

a. **Resolution Serial No. 16-052:** A Resolution Approving The Amended Budgets And Transfer Of Funds From Seldon Road And Lucille Street Upgrades, Project No. 35406, To Collector Road Access To Machetanz Elementary (Also Known As “Trunk Road Extension South”), Project No. 35402, In The Amount Of \$300,487, And Old Glenn Highway Paved Pathway In The

Butte, Project No. 35412, In The Amount Of \$150,000 For A Total Amount Of \$450,487.

(1) IM No. 16-127

2. ACTION MEMORANDUMS

- a. **AM No. 16-043:** Vacate The Western Section Of The 60-Foot Wide Public Use Easement, Known As West Olympic Circle, Within Lot 3D Of Olympic Subdivision, Plat No. 2006-214, Located In Section 12, Township 17 North, Range 2 West, Seward Meridian.
- b. **AM No. 16-044:** Extension Of Contract No. 04-098 With North Star Group In An Amount Not To Exceed \$75,000 For Federal Lobbyist Services.
- c. **AM No. 16-045:** Vacate That Portion Of The 20-Foot Wide Platted Right-Of-Way Between Lots 8 And 14, Barry's Finger Lake No. 2, Plat No. 61-56, Lying South Of Bogard Road and East Of Cottonwood Creek, Located Within Section 33, Township 18 North, Range 1 East, Seward Meridian.
- d. **AM No. 16-046:** Approval Of Agreement With Global Diving Inc. In An Amount Not To Exceed \$187,331 For The Recovery And Inspection Of The Cathodic Protection System Anode Sleds For Warranty Investigation/Repairs.

VIII. UNFINISHED BUSINESS

- A. **Resolution Serial No. 16-023:** A Resolution To Adopt The Fiscal Year 2017 Schedule Of Rates And Fees Effective July 1, 2016, In Order To Have A Single Document For All Rates And Fees In The Matanuska-Susitna Borough.
 1. IM No. 16-046
- B. **Ordinance Serial No. 16-053:** An Ordinance Accepting And Appropriating September 2012 Southcentral Flood Disaster Relief Monies In The Amount Of \$336,640 From The Alaska State Division Of Homeland Security And Emergency Management And The Federal Emergency Management Agency To Fund 445, Project No. 55017.
 1. **Resolution Serial No. 16-043:** A Resolution Amending The Budget For The September 2012 Southcentral Flood Disaster Relief Monies, Project No. 55017.
 - a. IM No. 16-079

IX. VETO

X. NEW BUSINESS

A. INTRODUCTIONS (For public hearing – 06/21/16, Assembly Chambers)

1. **Ordinance Serial No. 16-072:** An Ordinance Appropriating \$150,000 From The Sale Proceeds Of Tract B In Fund 203, Fund Balance To Fund 480, Project No. 20283, For Future Engineering And Possible Relocation Of The Veterans Memorial Wall Of Honor.
 - a. IM No. 16-104

2. **Ordinance Serial No. 16-073:** An Ordinance Accepting And Appropriating \$30,000 From The Alaska State Department Of Environmental Conservation, Division Of Water, And Reappropriating \$20,000 From The Fiscal Year 2015 Areawide Grant Match Appropriation To Fund 480, Project No. 47514, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.
 - a. **Resolution Serial No. 16-053:** A Resolution Approving The Scope Of Work And Budget And Authorizing The Manager To Enter Into A Grant Agreement With The Alaska State Department Of Environmental Conservation, Division Of Water, For The Purpose Of Conducting A Stormwater Analysis On Cottonwood Creek.
 - (1) IM No. 16-106

3. **Ordinance Serial No. 16-074:** An Ordinance Approving The Removal Of Specific Dollar Amounts For Rates And Fees From Code And Replacing Them With Reference To The Assembly's Power To Set Rates And Fees By Resolution.
 - a. IM No. 16-112

4. **Ordinance Serial No. 16-075:** An Ordinance Providing For The Sale Of Certain Boroughwide Real Property Acquired Through Tax Foreclosure For Delinquent Real Property Tax Years 2006 And Prior, 2008 And Prior, 2009 And Prior, 2010 And Prior, And Delinquent Special Assessment For The Year 2011 And Prior, And Not Needed For Public Purpose.
 - a. IM No. 16-113

5. **Ordinance Serial No. 16-076:** An Ordinance Reappropriating \$55,000 From Land And Resource Management Division, Fiscal Year 2016 Operating Budget, Fund 203, Land Management Fund, To Fund 480, Non-Lapsing/Non-Capital Projects, Project No. 15013, Parks And Recreation Comprehensive Plan,

Reappropriating \$16,000 From The Community Development Department Fiscal Year 2016 Operating Budget, Fund 100, Areawide Fund To Fund 440, Cultural And Recreational Capital Projects For Project No. 15015, Trail Development, Authorizing The Borough Manager To Enter Into A Grant Agreement With The Talkeetna Community Council For The Ridge Trail Plan And A Grant To The Mat-Su Trails And Parks Foundation.

- a. **Resolution Serial No. 16-054:** A Resolution Approving The Scopes Of Work And Budgets For The Government Peak Recreation Area Master Plan, The Ridge Trail Management Plan, Project No. 15013, And For Trail Development, Project No. 15015.
(1) IM No. 16-114

6. **Ordinance Serial No. 16-077:** An Ordinance Amending MSB 5.25.028 And Placing On The Ballot Of The October 4, 2016, Regular Borough Election, The Annexation Of A Parcel Into The Lazy Mountain Road Service Area.

- a. **Resolution Serial No. 16-055:** A Resolution Finding The Annexation Of A Parcel Located At The End Of East T & T Lane On Lee Circle Into The Lazy Mountain Road Service Area No. 19 Serves The Public Interest And Placing It Before The Voters In The October 4, 2016, Regular Borough Election. *(Sponsored by Assemblymember Beck)*
(1) IM No. 16-116

7. **Ordinance Serial No. 16-078:** An Ordinance To Classify Borough Land As General Purpose Lands And Enter Into A Lease Of Borough-Owned Real Property To Construct, Install, Maintain, Repair, Operate, And Manage A Communication Site (MSB007139).

- a. IM No. 16-117

8. **Ordinance Serial No. 16-079:** An Ordinance Authorizing The Matanuska-Susitna Borough To Cause To Be Executed And Delivered And To Sell Not To Exceed \$5,000,000 Fire Station Lease Certificates Of Participation, 2016B; Authorizing The Execution And Delivery Of A Lease, A Lease Purchase Agreement And Trust Indenture, And A Deed Of Trust, Assignment Of Leases And Rents, And Security Agreement To Secure The Certificates; Authorizing The Execution Of A Certificate Purchase Agreement; And Providing For Related Matters.

- a. IM No. 16-118

9. **Ordinance Serial No. 16-080:** An Ordinance Authorizing The Matanuska-Susitna Borough To Cause To Be Executed And Delivered And To Sell Not To Exceed \$5,700,000 Fire Station Lease Certificates Of Participation, 2016A; Authorizing The Execution And Delivery Of A Lease, A Lease Purchase Agreement And Trust Indenture, And A Deed Of Trust, Assignment Of Leases And Rents, And Security Agreement To Secure The Certificates; Authorizing The Execution Of A Certificate Purchase Agreement; And Providing For Related Matters.
 - a. IM No. 16-119
10. **Ordinance Serial No. 16-081:** An Ordinance Amending MSB 15.24.030 And Adopting The Louise Susitna Tyone Lakes Comprehensive Plan Updating The Lake Louise Comprehensive Plan.
 - a. IM No. 16-120
11. **Ordinance Serial No. 16-082:** An Ordinance Approving A Reappropriation Of \$214,000 From The Talkeetna Sewer And Water Fiscal Year Operating Fund, Fund 293, To Fund 415, Project No. 25053, For Talkeetna Sewer And Water.
 - a. IM No. 16-121
12. **Ordinance Serial No. 16-083:** An Ordinance Amending MSB 5.25.142, To Annex Property Located In And Around Creekside Perch Subdivision Area Into The Greater Palmer Consolidated Fire Service Area No. 132.
 - a. **Resolution Serial No. 16-056:** A Resolution Finding The Annexation Of Properties Located In And Around Creekside Perch Subdivision Area Into The Greater Palmer Consolidated Fire Service Area No. 132 Serves The Public Interest Without The Placement Of The Question On The Ballot. *(Sponsored by Assemblymember Doty)*
 - (1) IM No. 16-123
13. **Ordinance Serial No. 16-084:** An Ordinance Approving The Deputy Borough Manager Position And Establishing The Powers Granted.
 - a. IM No. 16-124
14. **Ordinance Serial No. 16-085:** An Ordinance Relating To The Construction, Acquisition, Improvement, And Equipping Of Parks And Recreational Capital Facilities And Related Capital Improvements In The Matanuska-Susitna Borough, Authorizing The Issuance Of Areawide General Obligation Bonds Of The Borough, In One Or More Series, In The Aggregate Principal Amount Of Not To Exceed \$22,160,000, To Finance The Cost, In

Whole Or In Part, Of Such Parks And Recreational Capital Facilities And Related Capital Improvements, And Providing For The Submission To The Voters Of The Borough Of A Proposition Ratifying The Authorization Of Such Bonds At The October 4, 2016, Borough Regular Election.

a. IM No. 16-125

15. **Ordinance Serial No. 16-086:** An Ordinance Enacting An Areawide Retail Sales Tax On Marijuana And Marijuana Products And Placing The Question Before The Voters At The October 4, 2016 Regular Borough Election.

a. IM No. 16-130

16. **Ordinance Serial No. 16-087:** An Ordinance Authorizing The Matanuska-Susitna Borough To Cause To Be Executed And Delivered And To Sell Not To Exceed \$3,000,000 Animal Care Facility Lease Refunding Certificates Of Participation, 2016C; Authorizing The Execution And Delivery Of A First Supplement To Lease Purchase Agreement And Trust Indenture, And A Refunding Trust Agreement To Secure The Certificates; Authorizing The Execution Of A Certificate Purchase Agreement; And Providing For Related Matters.

a. IM No. 16-131

B. MAYORAL NOMINATIONS AND APPOINTMENTS

1. VACANCY REPORT

C. OTHER NEW BUSINESS

D. REFERRALS (For Referral To The Planning Commission For 90 Days Or Other Date Specified By The Assembly)

XI. RECONSIDERATION

XII. MAYOR, ASSEMBLY, AND STAFF COMMENTS

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT

**Disabled Persons Needing Reasonable Accommodation In Order To Participate At An Assembly Meeting
Should Contact The Borough ADA Coordinator At 861-8432 At Least One Week In Advance Of The Meeting.**