


SUBJECT: A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING THE PERMANENT LOCATION OF MIDNIGHT SUN FAMILY LEARNING CENTER AT MIDNIGHT SUN TRACT A, THE CURRENT LOCATION OF THE SCHOOL.

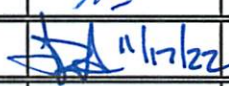






AGENDA OF: December 8, 2022

Assembly Action:

Approved Under the Consent Agenda 12-8-22 

MANAGER RECOMMENDATION: Present to the Assembly for consideration.

APPROVED BY MICHAEL BROWN, BOROUGH MANAGER: 

Route To:	Department/Individual	Initials	Remarks
	Originator - A. Bradway	MB	
	Public Works Director		
	Planning and Land Use Director		
	Community Development Director		
	Finance Director		
	Borough Attorney		
	Borough Clerk	 10/28/22 	

ATTACHMENT (S): Fiscal Note: YES _____ NO x

Vicinity Map (1 pp)

Matanuska-Susitna School Board Resolution No. 23-001 (1 pp)

Staff Memorandum Package 2004 (13 pp)

Matanuska-Susitna Borough Schools Site Selection Committee Resolution No. 04-02 (2 pp)

Planning Commission Resolution 04-25 (2 pp)

Resolution Serial No. 04-102 (2 pp)

Resolution Serial No. 22-112 (3 pp)

SUMMARY STATEMENT:

BACKGROUND:

In 2004 the Matanuska-Susitna Borough School District (District)

requested the identification of a new site to house Midnight Sun Family Learning Center (Midnight Sun). Midnight Sun requested a lease/build option for the lease of a new facility constructed on a leased parcel. The Matanuska-Susitna Borough initiated a formal site selection process and a formal request for proposals. The attached materials detail the process and deliberations from 2004; materials include a staff report, Matanuska-Susitna Borough Schools Site Selection Committee Resolution No. 04-02, Planning Commission Resolution 04-25, and Assembly Resolution No. 04-102. Midnight Sun's existing location was selected as the result of the 2004 process and a contract approved for the construction of the school.

The District and Midnight Sun have leased the real property known as Midnight Sun Tract A, the current location of the school, for over 17 years. To date, Midnight Sun has paid over \$6,589,200 in lease payments with a current annual lease cost of \$387,600. Midnight Sun also provided \$150,000 for the purchase of the adjacent 14.9 acre parcel in 2016. In addition, they invested resources into the improvement of parking and access on the leased property. Midnight Sun has operated effectively as a charter school promoting family involvement and academic rigor. Midnight Sun anticipates continued success and operations for the foreseeable future. Midnight Sun currently has 188 students enrolled.

Discussion:

In accordance with MSB 19.08.020 a charter school that has been in existence for five or more years may request permanent facilities. On September 7, 2022, the Matanuska-Susitna Borough School Board approved Resolution 23-001, *A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH SCHOOL BOARD IN SUPPORT OF INITIATING THE FORMAL PROCESS REQUIRED TO PURCHASE THE REAL PROPERTY KNOWN AS MIDNIGHT SUN TRACT A FOR THE ONGOING OPERATIONS OF THE MIDNIGHT SUN FAMILY LEARNING CENTER*. The resolution indicated that Midnight Sun's current facility fits the school's size and long-term educational needs, and requests the initiation of the formal process for the acquisition of a permanent facility. Ultimately, Midnight Sun seeks approval to move towards acquisition of the real property known as Midnight Sun Tract A. Midnight Sun is presently only interested in pursuing the acquisition of their current facility and does not request the consideration of other sites.

In accordance with MSB 19.08.020, the Assembly shall determine the permanent location of charter school buildings with due consideration of the recommendation of the school board, planning commission, and school site selection committee. Midnight Sun is only interested in the acquisition of its current facility, which was vetted by the appropriate site selection criteria and approved through the formal site selection process in 2004. Staff believes that the 2004 process satisfies MSB code requirements for review by

the Borough Area School Site Selection Committee and Planning Commission and does not believe that the needs of the school or the character of the surrounding area have changed substantially enough to warrant a revised site selection process. As an example, the average daily traffic on Pittman Road near Midnight Sun has decreased from 4076 trips per day in 2012 to 3730 trips per day in 2021 (AKDOT&PF).

Funding for the acquisition of Midnight Sun Tract A is not currently allocated and no formal negotiations related to acquisition cost have been initiated. Midnight Sun, the District, and the Borough Assembly may need to reach further agreement depending on the source of funding. Assembly approval of Midnight Sun Tract A as the permanent site for the school will allow the District to move forward with negotiations and funding.

Once the site is approved, a purchase price is set, and funding is determined, the District intends to contact the owners to make an offer to purchase the property. Borough Land Management will assist with the appraisal, required inspections, title insurance, and closing documentation.

RECOMMENDATION OF ADMINISTRATION:

Staff respectfully recommends Assembly adoption of Resolution 22-112.

Midnight Sun Family Learning Center - Vicinity Map





MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT

OFFICE OF THE SCHOOL BOARD

MATANUSKA-SUSITNA BOROUGH SCHOOL BOARD RESOLUTION 23-001

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH SCHOOL BOARD IN SUPPORT OF INITIATING THE FORMAL PROCESS REQUIRED TO PURCHASE THE REAL PROPERTY KNOWN AS MIDNIGHT SUN TRACT A FOR THE ONGOING OPERATIONS OF THE MIDNIGHT SUN FAMILY LEARNING CENTER.

WHEREAS, for over 17 years, the Matanuska-Susitna Borough School District has been leasing the real property known as Midnight Sun Tract A, located at 7275 W Midnight Sun Circle, Wasilla, for the purpose of housing the operations of the Midnight Sun Family Learning Center; and

WHEREAS, Midnight Sun Family Learning Center has continued to thrive and excel by promoting family involvement and rigor in academic programs; and

WHEREAS, Midnight Sun Family Learning Center provided \$150,000 for the purchase of 14.9 acres of land adjacent to the leased property in 2016, and invested additional resources in 2021 to expand the parking area and construct a driveway on the purchased land for safer arrival and dismissal of students; and

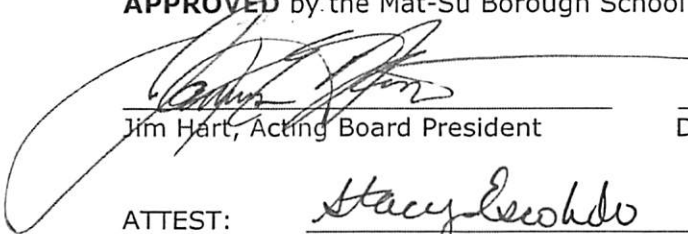
WHEREAS, the purchased property, Midnight Sun 2013 Tract A, serves as a recreational, physical education, and science area for students of Midnight Sun Family Learning Center and the public; and

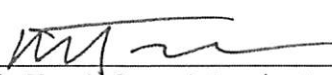
WHEREAS, the building and grounds fit the school size and long-term educational needs of Midnight Sun Family Learning Center; and

WHEREAS, Midnight Sun Family Learning Center has already paid \$6,589,200 to lease the facility, currently pays \$387,600 per year to lease the facility, and would like to use the resources being expended for lease towards funding the purchase of the property.

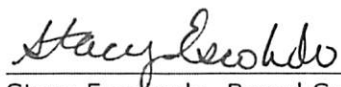
THEREFORE BE IT RESOLVED that the Matanuska-Susitna Borough School Board supports the purchase of the real property known as Midnight Sun Tract A, for the purpose of housing the ongoing operations of the Midnight Sun Family Learning Center, and requests that the Matanuska-Susitna Borough initiate the formal process necessary to purchase the property.

APPROVED by the Mat-Su Borough School Board this 7th day of September 2022.


Jim Hart, Acting Board President


Dr. Randy Trani, Superintendent

ATTEST:


Stacy Escobedo, Board Secretary



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

350 East Dahlia Avenue • Palmer, AK 99645

Phone (907) 745-9850 • Fax (907) 745-9876

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— 1964-2004 —

STAFF MEMORANDUM

DATE: April 12, 2004

TO: Matanuska-Susitna Borough Area Schools Site Selection Committee

THRU: Murph O'Brien
Chief of Planning *(MME)*

FROM: Eileen Probasco
Planner II *(EProbasco)*

SUBJECT: Midnight Sun Family Learning Center (charter school)
Site and facility recommendation

INTRODUCTION

The Matanuska-Susitna Borough School District has requested the identification of a site for a new Midnight Sun Family Learning Center (charter school).

BACKGROUND INFORMATION

The existing Midnight Sun Family Learning Center is located in a space at the Rainbow Center, located at 7362 West Parks Highway. There are currently 106 students who attend the school. The goal of the parents and staff of the school is to be able to accommodate 166 students. As it exists, the current space is inadequate to serve even the existing enrollment, and is restricted also from any type of outdoor recreational area. The staff and parents are concerned about the access to the facility being so near a busy intersection and located in a business mall, and would like some type of visual buffering from the roadway.

The MSB Purchasing Division advertised for proposals to provide land and construct a facility to lease for the new school facility. Five proposals were received.

MSB 19.08.023 outlines the site approval process for lease of charter school facilities. It states that the site locations will be evaluated using the following criteria:

1. compatibility with existing land use in surrounding vicinity;
2. accessibility during all times of the year and weather conditions;
3. proximity to fire response equipment;

4. central to student population being served;
5. access to outdoor recreation and learning;
6. appropriate road access based on number of students and faculty members anticipated with good sight distances at driveways, adequate road maintenance, adequate parking, a safe drop-off and pick-up area, safe pedestrian access from off-site and on-site
7. proximity to environmental hazards or nuisances including noise, unregulated storage or disposal of hazardous materials, heavy traffic; as well as natural hazards such as flood hazard or mass wasting areas; and
8. availability of reliable water and waste water systems.

The borough evaluation team consisted of staff members from the purchasing division, planning division, public works engineering division and the school district. In addition to the borough evaluation team, a team of parents and faculty from the school performed an independent evaluation of the top two proposals. The evaluation teams reached the same conclusion on those two proposals, ranked as shown below:

1. Criterion General, Inc.
2. Loon Lake, LLC

Staff believes that the proposal from Criterion General, Inc. best meets all of the criteria required in MSB 19.08.023. In addition to the criteria listed above, staff agrees that the proposal best meets the evaluation criteria on preliminary design of the facility, as follows:

9. Overall structure and design plan is in compliance with specifications in proposal documents.

RECOMMENDATION

Planning staff recommends that the committee adopt Resolution 04-02, recommending that the planning commission forward the proposal from Criterion General, Inc. to the borough assembly as the preferred proposal for the new Midnight Sun Family Learning Center.

Final Initial Rating Scores (MSB Personnel)

Evaluation Criteria	Kennedy & Co.	Loon Lake, LLC	Bolshio Misha, Inc. (Savanna)	Criterion Gen., Inc.	Bolshio Misha, Inc. (Rainbow Ctr)
1) Site Suitability 35 How well suited is the site proposed for use as a school? What type of development exists in the adjacent areas? What type of traffic patterns are present in the area? Does the offer include the required space as indicated in the proposal documents? Does the site offer water/sewer compatible with the proposal documents? Does the site comply with other items specified in the proposal document in relation to site suitability?	11.37	26.25	17.5	25.375	11.375
2) Location 25 How will access to the site be effected by winter weather and traffic loads? Does the location suit itself to serve the student population? Will there be conflicts with other users in the area in terms of traffic? i.e. Bus traffic in mornings and afternoons?	8.125	15.625	11.875	20.625	10.625
3) Availability of services 20 Does the site offer the required electrical service? Does the site offer well/septic, or have a provision for these services?	3	14.5	10	16	17
4) Preliminary Design 20 Overall design compliance with specifications contained in the proposal documents? For existing structure, preliminary design plan to bring building in compliance with specifications.	0	12	4.5	18	5
TOTAL	22.495	68.375	43.875	80	44

IM 22-237
RS 22-112

Site Selection

The Site offered within our proposal was carefully selected and meets or exceeds the base criteria established within the **Site Suitability** section of RFP No. 04-108.

The 5 acre parcel of land, which the new MSFLC School has been strategically placed, is located approximately one (1) mile from the Parks highway and is directly up Pittman road. The Building site which borders Pittman is slightly elevated to the surrounding area which has allowed our proposed building to take full advantage of this sites exposure to all available natural sunlight and panoramic views.

The entire building site is covered with a well established mix of mature trees. Our intention is to selectively clear the site for the intend usage but also utilize the natural vegetation to provide the necessary buffers from adjacent roads and adjoining properties.

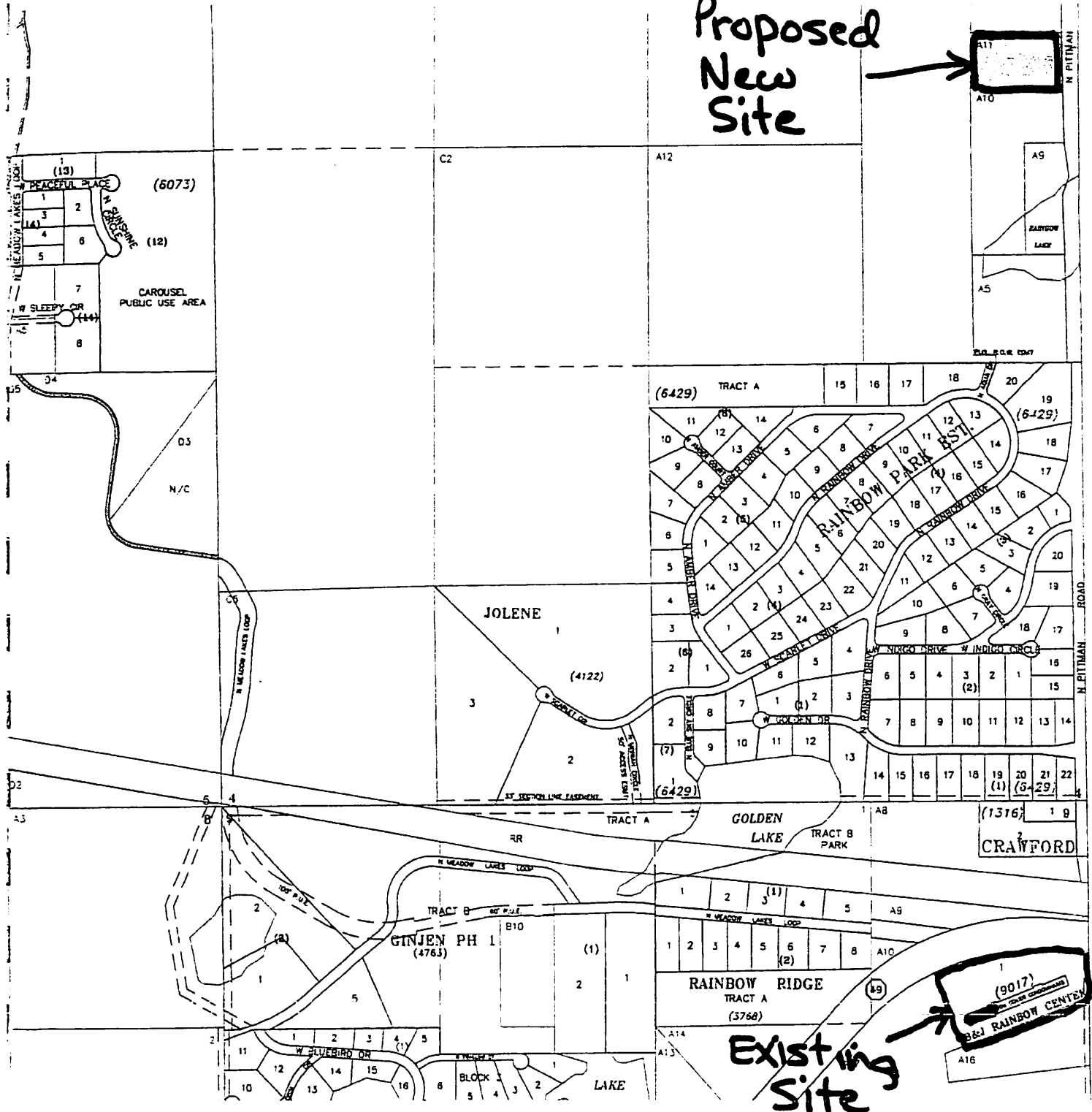
The new school facility has been placed slightly to the North (rear) of the property and along a new North/South road which will be constructed along the southern property boundary. This will allow for a single point of access off Pittman road. This single access point will provide unobstructed egress and regress views of approximately ½ mile in each direction along Pittman. Any stacking of vehicles which may occur during peak drop-off and pick-up times will be absorbed on the school premises and new road system. Since MSFLC students are transported individually and not via Mat-Su School District Bus service, our proposal includes two (2) separate drop-off and pick-up "zones" located at each classroom wing. Each individual zone includes a separate loop style turnaround as well as staff parking. Covered entry's to help facilitate the movement of students into and out off the School has also been provided. A main entry has also been provided and is located at the front of the building which will provide access for visitors/parking and can be monitored by an administrative offices located adjacent to the entry.

Five (5) individual **certified** soil reports have been completed on this 5 acre parcel. Percolation Test Data was completed to ensure this sites ability to provide means for an onsite septic system. All test holes indicated suitable gravely/sand material for the proposed engineered septic system. The test reports also indicated water was encountered at 14'. As an informational item, two existing wells currently exist on the adjoining parcel that the proposing entity for this project also owns.

Main Services of Natural Gas, Telephone, and Electricity are located along Pittman road and this parcels East property line.

Criterion Gen. Inc.
IM 22-237
RS 22-112

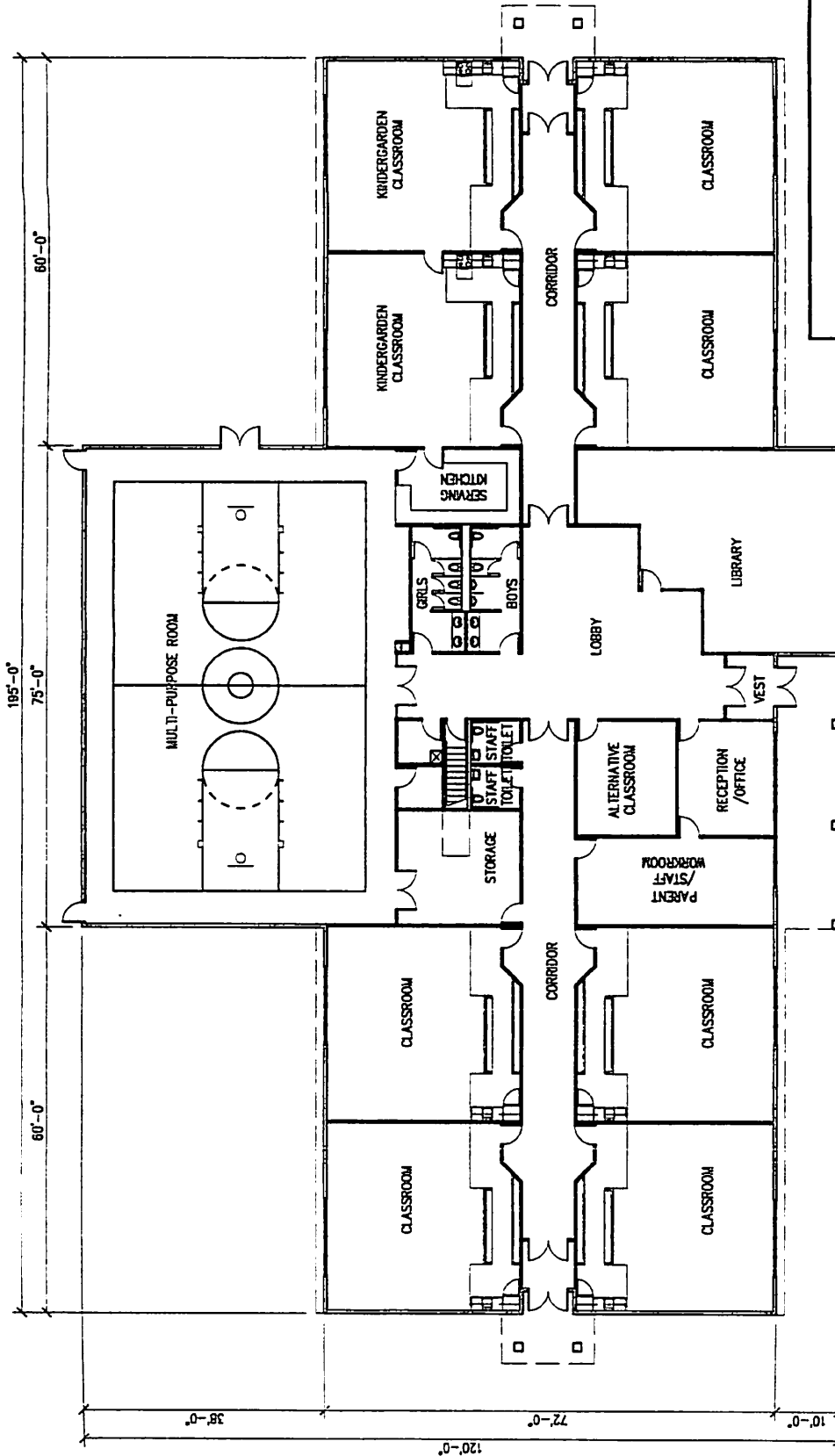
Proposed
New
Site



Existing
Site

Criterion Gen. Inc.

IM 22-237
RS 22-112



Midnight Sun
Family Learning Center

contractor
architect
Criterion Construction
Architects Alaska

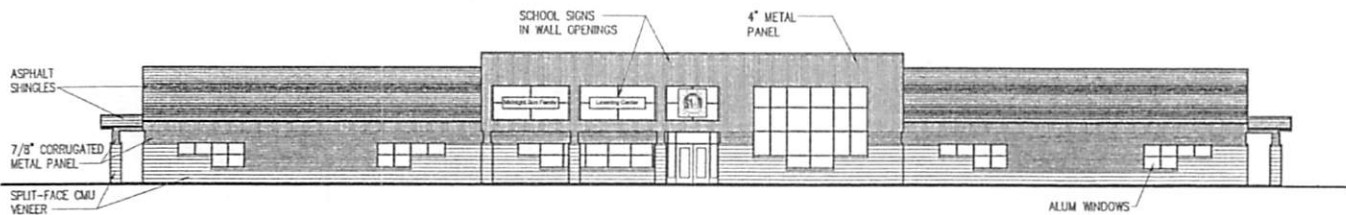
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FLOOR PLAN

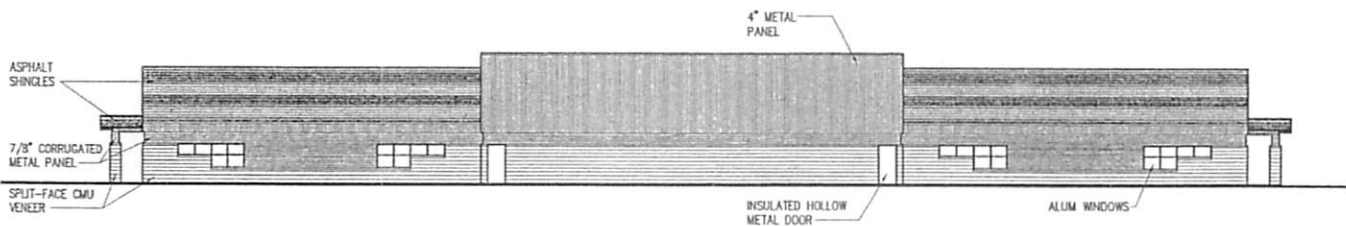
1/16" = 1'-0"

GROSS FLOOR AREAS
17,216 SQ. FT. FIRST FLOOR
2,000 SQ. FT. SECOND FLOOR (POTENTIAL)

IM 22-237
RS 22-112



FRONT ELEVATION
1/16" = 1'-0"



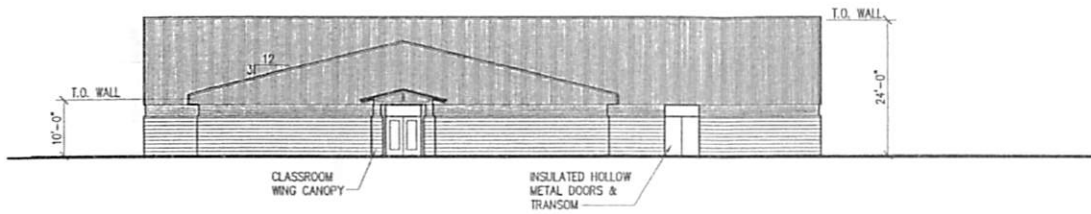
REAR ELEVATION
1/16" = 1'-0"

Midnight Sun
Family Learning Center

contractor Criterion Construction
architect Architects Alaska

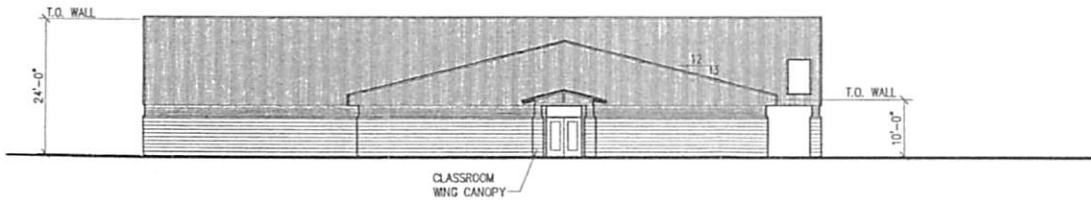
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IM 22-237
RS 22-112



RIGHT ELEVATION

1/16" = 1'-0"

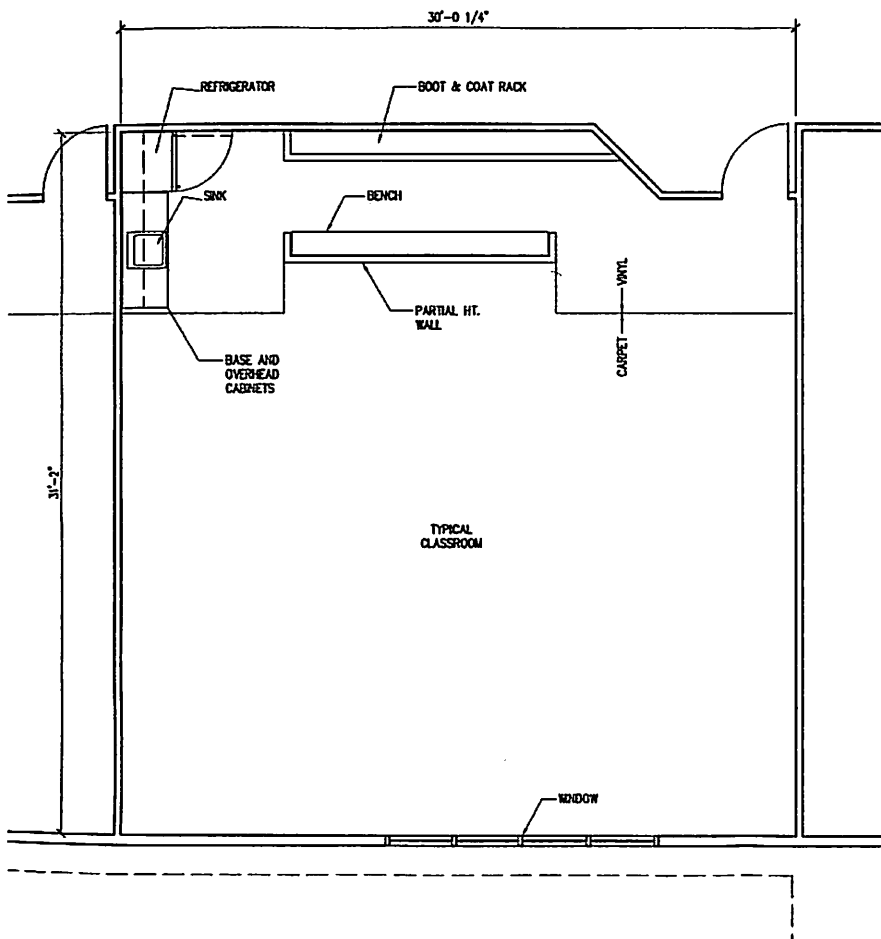



LEFT ELEVATION

1/16" = 1'-0"

Midnight Sun Family Learning Center	
contractor	Criterion Construction
architect	Architects Alaska
3	

IM 22-231
RS 22-112




TYPICAL CLASSROOM PLAN
 1/4" = 1'-0"

Midnight Sun
Family Learning Center

contractor **Criterion Construction**
 architect **Architects Alaska**

4

IM 22-237
 RS 22-112



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

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— 1964-2004 —

STAFF MEMORANDUM

DATE: May 3, 2004

TO: Matanuska-Susitna Borough Area Schools Site Selection Committee

THRU: Murph O'Brien
Chief of Planning

FROM: Eileen Probasco
Planner II

SUBJECT: Midnight Sun Family Learning Center Update

INTRODUCTION

The Matanuska-Susitna Borough School District has requested the identification of a site for the Midnight Sun Family Learning Center (charter school). The request involves lease of a parcel and construction of a facility on the parcel, also intended for lease, with the option to eventually purchase the property and facility.

UPDATE

The MSB Purchasing Division issued an RFP. Five proposals were received. At the site selection committee meeting on April 5, the committee adopted Resolution 04-02 recommending the selection of the proposal from Criterion General, Inc.

In response to a proposal protest filed on April 14, 2004, the Matanuska-Susitna Borough performed a review of the solicitation. Due to concerns addressed in the procedures involved in the selection of charter schools sites, the decision was made to reject all offers and re issue the solicitation at a later date.

The RFP has been re-advertised, and bids are due in the MSB purchasing office by May 12.



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

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— 1964-2004 —

MEMORANDUM

DATE: September 9, 2004

TO: Borough Assembly

THRU: John Duffy
Manager

THRU: Murph O'Brien
Acting Director

FROM: Eileen Probasco
Planner II

SUBJECT: Update on School Site Selection Committee

FILE COPY

Following is an update on the status of the seven school site selection requests that were identified in Ordinance 04-008, which established the special school site selection committee:

Nutritional Services Facility – COMPLETE – the committee recommended the selection of a site, which is currently leased from the City of Palmer and houses the school district warehouse. The parcel is located on Cope Industrial Way, near Palmer Jr. Middle School, and is large enough to accommodate both facilities. The recommendation was forwarded to the planning commission, school board, and approved by the assembly via resolution 04-062 on April 20, 2004.

Mid Valley High – COMPLETE – a site was recommended on Sylvan Road (17N02W09A018) by the committee, forwarded to the planning commission and school board for consideration, and approved by the assembly via resolution 04-101 on June 15, 2004.

Midnight Sun Charter School - COMPLETE – the committee clarified and approved the make-up of the evaluation committee (per MSB 19.08.023 Site approval process for lease of charter school facilities), which consisted of the 2 assembly members on the site selection committee, 2 charter school representatives, and 2 school district representatives (any MSBSD employee with district-wide responsibilities, as appointed by the chief school administrator).

The evaluation committee ranked the proposals (#1 North Pittman Road, Criterion General; #2 West Hawk Lane, Loon Lake LLC; #3 West Buttercup Drive, Bolshio Misha Inc.) and forwarded the recommendation to the planning commission, then to the assembly. The assembly approved the recommendation via resolution 04-102 on June 15, 2004.

Beryozova - COMPLETE – the committee recommended that the borough retain ten acres of a nearby borough owned parcel (68+ acres) on Crystal Lake Road (19N05W25C003) for the potential future site of the Beryozova School. The assembly adopted resolution 04-102 on June 15, 2004 classifying that parcel as appropriate for Reserved Use/Residential. The Land Management division has the committee request on file, and will proceed accordingly prior to any land sale actions for the parcel.

Valley Pathways - PENDING. The lease on the existing site for Valley Pathways has been extended until approximately June 30, 2005. Discussion is taking place between the City of Palmer, the borough and the state for acquisition of a portion of a state owned parcel along the Palmer Wasilla Highway in the general vicinity of the existing facility, for a variety of public uses, including a site for the school. This should be finalized soon with a recommendation to the committee for consideration at their next meeting, to be scheduled for early October.

Settlers Bay Area Elementary – PENDING – no action has taken place by the committee on this site. A meeting took place on May 19 between school administrators and borough personnel to look at possible sites and population trends in the Knik/Goose Bay area. Demographics are being studied and recommendations to the committee will be forwarded when they are developed. The next demographics review meeting is scheduled for October 13. We will gear up again on this site in the fall.

Palmer Area Elementary – PENDING – progress on this site is the same as for the Settlers Bay Area Elementary.

In addition, the planning department has received a request from the school district for site selection for two new elementary schools. The first one is in the Springer Loop area of Palmer, which is actually the Palmer Area Elementary referenced above, for which we did not ever receive a formal written request. The second is needed in the vicinity of the new hospital (lower Trunk Road).

As planning staff has worked with the special committee, it has become apparent that this has been a much more efficient process to select school sites, than the committee make-up and process currently outlined in Title 19. Staff feels it would be helpful to amend Title 19 to establish a standing committee, with the same composition as the special committee that was assigned the task of dealing with these 7 sites. With the assembly's concurrence, staff proposes drafting some amended language for consideration.

MATANUSKA SUSITNA BOROUGH AREA SCHOOLS SITE SELECTION COMMITTEE
RESOLUTION # 04-02

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH AREA SCHOOLS SITE SELECTION COMMITTEE RECOMMENDING THE SELECTION OF A PROPOSAL FOR THE NEW MIDNIGHT SUN FAMILY LEARNING CENTER.

WHEREAS, the existing Midnight Sun Family Learning Center (charter school) is currently operating from a space leased out of a private structure located at 7362 West Parks Highway and houses 106 students; and

WHEREAS, the proposed new Midnight Sun Family Learning Center is needed as soon as possible to be able to accommodate their goal of serving 166 students and to relieve overcrowding in the existing school facility; and

WHEREAS, the charter school wishes to pursue a lease/build option for the lease of a new facility constructed on lease parcel; and

WHEREAS, the MSB Land Management Division has advertised for private properties available for the location and construction of a new charter school facility, and received five proposals; and

WHEREAS, the borough's proposal review committee consisted of staff members from the purchasing division, planning division, public works engineering division, and the school district; and

WHEREAS, the borough's proposal selection committee ranked the top two of those proposals as follows:

1. Criterion General, Inc.	TOTAL SCORE:	80.000
2. Loon Lake, LLC	TOTAL SCORE:	68.375

and

WHEREAS, the Midnight Sun Family Learning Center's review committee ranked those proposals in the same order; and

WHEREAS, school district staff recommends that the proposal from Criterion General, Inc. is most appropriate for the new Midnight Sun Family Learning Center as it meets the criteria set forth in MSB 19.08.023 as follows:

1. compatible with existing land use in surrounding vicinity;

2. accessible during all times of the year and weather conditions;
3. close proximity to fire response equipment;
4. central to student population being served;
5. good access to outdoor recreation and learning;
6. has appropriate road access based on number of students and faculty members anticipated with good sight distances at driveways, adequate road maintenance, adequate parking, a safe drop-off and pick-up area, safe pedestrian access from off-site and on-site;
7. close proximity to environmental hazards or nuisances including noise, unregulated storage or disposal of hazardous materials, heavy traffic; as well as natural hazards such as flood hazard or mass wasting areas;
8. availability of reliable water and waste water systems;
9. overall design is in compliance with specifications in the proposal documents.

NOW, THEREFORE BE IT RESOLVED, that the Matanuska-Susitna Borough Area Schools Site Selection Committee recommends that the proposal from Criterion General, Inc. be selected by the assembly for the new Midnight Sun Family Learning Center.

ADOPTED, by the Matanuska-Susitna Borough Area Schools Site Selection Committee this 12th day of April, 2004.


BETTY VEHRs, Chair

ATTEST:


EILEEN PROBASCO, Planner II

MATANUSKA-SUSITNA BOROUGH
PLANNING COMMISSION RESOLUTION NO. 04-25

A RESOLUTION OF MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION
RECOMMENDING TO THE BOROUGH ASSEMBLY THE SELECTION OF A PROPOSAL
FOR THE NEW MIDNIGHT SUN FAMILY LEARNING CENTER.

WHEREAS, the existing Midnight Sun Family Learning Center charter school serves 106 students in leased space in a commercial mall; and

WHEREAS, the charter school wished to relocate to a new site and occupy a building designed to accommodate up to 166 students; and

WHEREAS, a new location would relieve overcrowding and safety concerns with the existing commercial location, provide a better school environment, and be more suitable for elementary school programs and activities; and

WHEREAS, the charter school requests a design/lease/build contract for a new site and facility; and

WHEREAS, an RFP was issued and three qualified proposals were forwarded to the planning and land use director for evaluation; and

WHEREAS, planning staff evaluated the proposed sites using criteria described in MSB Code 19.02.023 and submitted site evaluations to a site evaluation team; and

WHEREAS, the school site evaluation team composed of two assembly members, two district representatives, and two charter school representatives, ranked the proposals as follows:

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IM 22-237
RS 22-112

Priority #1: North Pittman Road, Criterion General Inc.

Priority #2: West Hawk Lane, Loon Lake, LLC

Priority #3: West Buttercup Drive, Bolshio Misha, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission recommends that the assembly approve the prioritized list of proposals.

BE IT FURTHER RESOLVED that the commission makes this recommendation based upon information provided from the site evaluation team, and staff analysis of site criteria.

ADOPTED by the Matanuska-Susitna Borough Planning Commission this 7 day of June 2004.


HELGA LARSON, Chair

ATTEST:


PRISCILLA GOFF, Planning Clerk

(SEAL)

IM 22-23
RS 22-112

Adopted: 06/15/04

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 04-102**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY APPROVING A PRIORITY LIST OF PROPOSALS FOR A NEW SCHOOL FACILITY FOR MIDNIGHT SUN FAMILY LEARNING CENTER CHARTER SCHOOL.

WHEREAS, the existing Midnight Sun Family Learning Center Charter School serves 106 students in leased space in a commercial mall; and

WHEREAS, the charter school wished to relocate to a new site and occupy a building designed to accommodate up to 166 students; and

WHEREAS, a new location would relieve overcrowding and safety concerns with the existing commercial location, provide a better school environment, and be more suitable for elementary school programs and activities; and

WHEREAS, the charter school requests a design/lease/build contract for a new site and facility; and

WHEREAS, a request for proposals (RFP) was issued and three qualified proposals were forwarded to the Planning and Land Use Director for evaluation; and

WHEREAS, planning staff evaluated the proposed sites using criteria described in MSB Code 19.02.023 and submitted a staff report to a site evaluation team; and

WHEREAS, the school site evaluation team composed of two assembly members, two district representatives, and two charter school representatives, ranked the proposals as follows:

Priority #1: North Pittman Road, Criterion General Inc.

Priority #2: West Hawk Lane, Loon Lake, LLC

Priority #3: West Buttercup Drive, Bolshio Misha, Inc.; and
WHEREAS, the Planning Commission has by Resolution No. 04-25
recommended that the assembly consider and approve these proposals.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna
Borough Assembly approves the prioritized list of proposals.

BE IT FURTHER RESOLVED that the Assembly makes this
recommendation with the understanding that the Academic Policy
Committee (APC) of the charter school and the School Board will
finalize the lease agreement with the priority no. 1 contractor,
and that the charter school may consider the second proposal,
followed by the third priority proposal if unable to agree to lease
terms with the first priority contractor.

BE IT FURTHER RESOLVED that the lease agreement between the
charter school and any contractors shall conform to the terms of
the charter school contract with the School District.

ADOPTED by the Matanuska-Susitna Borough Assembly this 15 day
of June, 2004.

/s/

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

/s/

MICHELLE M. MCGEHEE, CMC, Borough Clerk (SEAL)

PASSED UNANIMOUSLY: Bush, Colberg, Kvalheim, Simpson, Colver, and
Vehrs