Submitted by:

Chairman of the Assembly at the Request of the Mayor

Prepared by:

Project Management &

**Engineering Department** 

For Reading:

August 15, 2006

CLERK'S OFFICE **APPROVED** Dete

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ANCHORAGE, ALASKA No. AR 2006- 205

A RESOLUTION OF THE MUNICIPALITY OF ANCHORAGE APPROPRIATING THIRTY-FIVE THOUSAND DOLLARS (\$35,000) FROM THE U.S. FISH AND WILDLIFE SERVICE GRANT PROGRAM TO THE FEDERAL GRANT FUND (241), PROJECT MANAGEMENT & ENGINEERING DEPARTMENT, FOR THE WATERSHED MANAGEMENT DIVISION'S LITTLE CAMPBELL CREEK WATERSHED PLAN.

WHEREAS, watershed plans document existing conditions within a waterbody's drainage area and identify future actions that will enhance the benefits of healthy streams: flood control, pollution attenuation, stormwater conveyance, recreational opportunities, wildlife and fish habitat: and

WHEREAS, the watershed plan project supports the Municipality of Anchorage's National Pollutant Discharge Elimination System (NPDES) permit program; and

WHEREAS, the U.S. Fish and Wildlife Service has granted the Municipality \$35,000 for the creation of a watershed plan for Little Campbell Creek; and

WHEREAS, the necessary match is provided by the Watershed Management Division's NPDES general funding source; NOW THEREFORE,

THE ANCHORAGE ASSEMBLY RESOLVES:

SECTION 1. That a sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000) in grant monies from the U.S. Fish and Wildlife Service be appropriated to the Federal Grant Fund (241), Project Management & Engineering Department, for the creation of the Little Campbell Creek Watershed Plan.

SECTION 2. That this resolution shall take effect immediately upon passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 15½ day of Municipal Assembly this 15½ day of Chair

ATTEST:

Salar & Sment

Departmental Appropriation: Project Management & Engineering \$35,000



# MUNICIPALITY OF ANCHORAGE

# **ASSEMBLY MEMORANDUM**

No. AM 554 -2006

Meeting Date: August 15, 2006

FROM: Mayor

**SUBJECT:** Resolution Appropriating a U.S. Fish and Wildlife Grant to the Federal Grant

Fund (241), Project Management & Engineering Department, for the Little

Campbell Creek Watershed Plan (\$35,000)

The Project Management & Engineering Department, Watershed Management Division, received a grant of \$35,000 from the U.S. Fish and Wildlife Service (USFWS) to create a watershed plan for Little Campbell Creek. The necessary match of \$57,590 will come from the Division's NPDES general funding and community in-kind service sources. The grant period will end December 14, 2007. A copy of the executed agreement between the USFWS and the MOA is attached to this Memorandum.

Little Campbell Creek is a major tributary of Campbell Creek. The stream originates in the upper Hillside and joins Campbell Creek in the vicinity of Nathan Drive. Along its course the stream flows through a complex mix of land uses. Its upper reaches are relatively untouched and its aesthetic qualities are enjoyed by local residents. Its lower reaches have been affected by 40 years of filling, straightening and increasing impervious area. The relatively poor quality of the stream in this area and the associated loss of fish habitat, recreational opportunities and other natural stream functions are well documented. The Little Campbell Creek Watershed plan will identify future opportunities to improve water quality and stream condition through such activities as improved storm water management, stream and bank restoration, and culvert replacement.

The Watershed Management Division will head an interagency watershed team of state, federal and non-profit groups responsible for creation of the watershed plan. This team will provide logistical and technical assistance in the collection of necessary data, solicitation of public input and creation of the final watershed plan document.

The accounting detail is as follows:

30	Revenue Account		
31	241.7247G.9331	Federal Grant Revenue-Direct	\$35,000
32	Expenditure Account		
33	241.7247G.3814.2006	Miscellaneous-Other Services	\$34,270
34	241.7247G.6022.2006	Clerk	\$10
35	241.7247G.6091.2006	ОМВ	\$30
36	241,7247G,6095,2006	Purchasing	\$140
37	241.7247G.6103.2006	Central Accounting	\$420
38	241.7247G.6105.2006	Accounts Payable	\$60
39	241 7247G 6110 2006	PeopleSoft Support	\$70

Resolution Appropriating USFWS Grant Funds for Little Campbell Creek Watershed Plan Page 2

1 2 3	THE ADMINISTRATION RECOMMENDS APPROPRIATING THIRTY-FIVE THOUSAND DOLLARS (\$35,000) FROM THE U.S. FISH AND WILDLIFE SERVICE GRANT PROGRAM TO THE FEDERAL GRANT FUND (241), PROJECT MANAGEMENT & ENGINEERING DEPARTMENT, FOR THE LITTLE CAMPBELL CREEK WATERSHED PLAN.				
4 5					
6	Prepared by: Howard C. Holtan, Director, Project Management & Engineering Department				
7	Fund Certification: Jeffrey E. Sinz, Chief Fiscal Officer				
8	241.7247G.9331.2006 (2006 USFWS Grant) \$35,000				
9	Concur: Denis C. LeBlanc, Municipal Manager				
10	Respectfully submitted: Mark Begich, Mayor				

WAES DCN: 71450-6-531

FWS Agreement No: 701816J623

DCN: 70181-6-J623

Charge Code 1: 71450-1121-0000 for \$15,000 Charge Code 1: 71450-1124-0000 for \$20,000

Total Amount Obligated: \$35,000

CFDA Number: 15.631

#### COOPERATIVE AGREEMENT

#### between

U.S. Fish and Wildlife Service, Region 7 1011 East Tudor Road Anchorage, Alaska 99503-6199

and the

Municipality of Anchorage Post Office Box 196650 Anchorage, AK 99519-6650

DUNS: <del>076667013-</del> 155918725 M\$ 6-5-04 GG

# I. AUTHORITY

This agreement between the U.S. Department of Interior, Fish and Wildlife Service (hereinafter referred to as the "Service") and the Municipality of Anchorage (hereinafter referred to as "MOA") is entered into under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-j), and the Partnerships for Wildlife Act (16 U.S.C. 3741)

## II. BACKGROUND

The Municipality of Anchorage (MOA) is located in the northern portion of Cook Inlet and is approximately 1,956 square miles in size and is home to about 300,000 citizens. According to Alaska Fish and Game, of the 26 creeks that cross MOA, Campbell Creek is considered the largest contributor of salmon outside Ship Creek, and benefit from the undeveloped headwaters within Bicentennial Park and a nearly contiguous riparian buffer. The area is enjoyed by both local residents and tourists, with bike trails and various fish viewing platforms.

In 2004, fish kills were observed and documented in a tributary called Little Campbell Creek (LCC). The LCC watershed encompasses 11 square miles and its lower reaches are heavily industrialized, with little riparian buffer remaining. The creek has also been straightened and dredged over time with many point and non-point pollution sources discharging in to it. It has

FWS Agreement No: 701816G387

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been discussed by biologists that LCC could be an important rearing area for resident salmon, and rehabilitation could significantly benefit the overall health and productivity of the larger watershed.

LCC has recently become the focus of interest groups and agencies due to the discovery of fish kills and MOA wants to assist these groups by creating a watershed plan. This plan would serve to guide MOA and others in rehabilitation of the watershed

This planning effort would address a number of different objectives for the area that would restore or maintain the existing functions and values of the watershed. Although much broader in scope, the plan would specifically benefit trust resources by crafting an approach to resource management that

- Protects and creates natural vegetation buffers along the creek
- Improves water and habitat quality
- Increases baseflow and reduces runoff peak and volumes
- Reduces or eliminates barriers to migration
- Provides an outreach and education component for municipal employees, anglers, tourists and residents alike on natural resource stewardship responsible practices

In February, 2006, the Service's Partners for Fish and Wildlife Program invited proposals via the **grants.gov** website for projects that would advance the Program's purpose to promote and implement voluntary habitat improvement projects on private lands for the benefit of Federal trust species. The Little Campbell Creek Watershed Plan proposal was one of the projects selected for funding

# III. PURPOSE AND OBJECTIVES

This Grant Agreement is being implemented in order to provide MOA with funding to create a watershed plan for Little Campbell Creek. The main goals of the planning effort would be to:

- Establish and describe current conditions and how they compare to pre-development conditions
- Identify and analyze the current problems and solutions
- Establish post-development alternatives that are acceptable by the majority of stakeholders
- Create an implementation plan and timeline to realize the preferred alternative

# IV. RESPONSIBILITIES OF THE PARTIES

#### A. The Service shall:

1 Contribute \$35,000 to MOA to carry out the objectives of the project. Total project costs are shown in Attachment A.

- 2. Provide incremental advances to MOA based on immediate need and provided a detailed spending plan is developed and submitted to the Service for review and concurrence. Administer the transfer of funds to MOA and monitor successful project implementation.
- 3 Provide a single point of contact to the project. That person is William Rice, Anchorage Fish and Wildlife Field Office, 605 West 4th Street, Room G-61, Anchorage, Alaska 99501-2231, phone 907/271-1798; FAX 907/271-2786; email: william\_rice@fws.gov The Service will notify MOA in writing via formal modification to the agreement of any changes to the Service's project manager.
- 4. Actively participate and guide the planning process to ensure the goals and objectives of the project are met
- 5. Be a voting member of any MOA contractor selection committee for work on the plan.

#### B. MOA shall:

- 1. Conduct activities as described below and in Section C.
- 2 Attempt to secure additional funding or third party contribution of materials and/or labor related to the project as needed.
- 3. Ensure any cost-sharing arrangements with other partners are in full support of this agreement.
- 4. Present a detailed spending plan to the Service. Submit billings to the Service in support of incremental advances of project-related charges. Send the Service Project Officer copies, in support of billings, of: receipts for project materials and supplies, employee Time and Attendance reports, and an itemized list of non-salary, in-kind services provided to support this project.
- 5. Provide the Service with updates of project progress, including draft and final reports. These may be mailed or emailed to the Service's project officer.
- 6. Ensure that the Service receives notification immediately if this project is delayed for any reason
- 7. Coordinate with appropriate vendors to ensure that all needed services are obtained.
- 8 Provide a reasonable effort to include all stakeholders in the planning process and coordinate with other entities such as the MOA Salmon Restoration Program and Anchorage Waterways Council so that efforts are complimentary and not redundant.
- 9. Comply with the necessary progress, financial, and sub-contract reporting requirements identified in Sections X and XI.

10. Invite Service Project Manager to be a voting member of any contractor selection committee for the plan.

## C Project Work Task Objectives:

- 11. Create a stakeholder involvement and planning procedure that meets the approval of the Service Project Manager
- 12. Produce a finalized watershed plan for Little Campbell Creek.
- 13. Include stakeholders through public meetings, workshops and comment process
- 14. Use a subcommittee of the watershed task force to help formulate the plan.
- 15. Inform and obtain approval in writing from the Service Project Officer to use any funds from this grant for implementation of LCC rehabilitation efforts.

#### V. PERIOD OF PERFORMANCE

The overall period of performance of this agreement is a period beginning on the date of the last signature below, and ending December 14, 2007.

#### VI. AWARD AMOUNT

The Service will contribute \$35,000 from Partners for Fish and Wildlife funds for the period of performance identified above.

#### VII. PAYMENT PROVISIONS

- A Upon acceptance of the terms and conditions of this agreement, the recipient may submit requests for payment, either an invoice or a Standard Form 270, Request for Advance or Reimbursement, no more frequently than monthly. In accordance with the Debt Collection Improvement Act of 1996, all Federal Payments made after January 1, 1999, must be made by Electronic Funds Transfer (EFT), unless a waiver is submitted and subsequently approved by the Service. If an approved waiver is not on file in the Service's computer system, the EFT banking information must be on record, or the invoice will be returned to the cooperator as payment cannot be made.
- B. The original and two copies of each invoice/payment request shall be submitted to the Service Project Officer identified below for review and recommendation for payment to be forwarded to the Service Administrative Officer for approval and submission for disbursement. In accordance with U.S. Treasury regulations, payments will be made within 30 calendar days after receipt and approval of a proper invoice.
- C. Should the recipient be unable to complete the provisions of this agreement, monies provided by the Service which prove to be cancelable obligations or unallowable in accordance

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- with applicable Cost Principles for State, Local, and Tribal Governments; 2CFR 225 and also the advanced, but unexpended, portion of any funds shall be refunded.
- D This agreement is intended to support a particular project for a specific period of time. Any portion of funds not expended at the completion of the period of performance of this agreement shall be returned to the Service, along with any interest earned on that amount over and above \$100 per year

#### VIII. ADMINISTRATIVE OFFICERS

- A. U.S. Fish and Wildlife Service Gary Goldberg,
  Federal Assist. Officer.
  1011 East Tudor Road (MS-171)
  Anchorage, AK 99503-6199
  (907) 786-3408; FAX (907) 786-3923
- B. Municipality of Anchorage
   Kristi Bischofberger,
   Watershed Coordinator
   Post Office Box 196650
   Anchorage, AK 99519-6650
   (907) 343-8058; FAX (907) 343-8088

#### IX. PROJECT OFFICERS

- A. U.S. Fish and Wildlife Service
  William Rice, P.E.,
  Hydrologist
  Anchorage Fish & Wildlife Field Office
  605 W. 4th Street, Room G-61
  Anchorage, AK 99519-6650
  (907) 271-1798; FAX (907) 271-2786
  or his successors
- B. Municipality of Anchorage
   Kristi Bischofberger,
   Watershed Coordinator
   Post Office Box 196650
   Anchorage, AK. 99519-6650
   (907) 343-8058; FAX (907) 343-8088

# X. REPORTING and/or DELIVERY REQUIREMENTS

- A. Recipient shall submit quarterly progress reports to the Service Project Officer beginning three months from the date of the last signature on this grant agreement. These may be emailed to the Service's Project Officer, and should be received by the Service Project Officer no more than 15 days following the end of any reporting period.
- B. Recipient shall forward to the Service Project Officer and also the Service Administrative Officer (each) a final report summarizing all project accomplishments under this award within 30 days of the close of the project period.
- C. Financial Status Reporting
  - No later than 90 days after each 12 month term of this agreement (i.e. annually) the Recipient shall submit to the Service Administrative Officer a Financial Status Report using Standard Form 269A (SF-269A).

- Additionally, a final financial status report (SF-269A) shall be submitted no later than 90 days after completion of this federal assistance award to the Service Administrative Officer.
- 3 In accordance with Department of the Interior Policy, delinquent submittal of SF269 reports may result in invoices being returned unpaid, suspension, or termination of this award.

#### XI. TERMS AND CONDITIONS

- A <u>Sub Contract Reporting:</u> Minority Business Enterprise/Women-owned Business Enterprise (MBE/WBE) reporting:
  - 1 In accordance with OMB Circulars, recipients are required to take specific affirmative actions to ensure that minority and woman-owned business enterprises receive a fair share of subcontracts which result from Federal funds. The recipient of this agreement must report all subgrant and procurement awards in excess of \$10,000 for supplies, equipment, construction, or services executed under this agreement.
  - 2 The recipient is required to submit a written report to the Service Administrative Officer within one month following the end of each Federal fiscal quarter during which any subgrant or procurement contract in excess of \$10,000 is actually executed under this assistance agreement. For each such award, the report shall include: 1) Fish and Wildlife Service agreement number; 2) name of award recipient and whether minority or woman-owned; 3) type of supplies or services to be provided; 4) date of award; and 5) dollar amount.
  - 3 MBE-WBE utilization is based on Executive Orders 11625, 12138, and 12432, and the Service will comply with these orders by requiring for recipients to submit this information to the Service, when applicable. A minority business enterprise is a business concern that is (a) at least 51 percent of the stock is owned by one or more minority individuals, or in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more minority individuals; and (b) whose daily business operations are managed and directed by one or more of the minority owners. There is no standard definition of minority individuals used by all Federal financial assistance agencies. However, recipients shall presume that minority individuals include Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, or other groups whose members are found to be disadvantaged by the Small Business Act or by the Secretary of Commerce under section 5 of Executive Order 11625. A womanowned business enterprise is a business concern that is (a) at least 51 percent owned by one or more women, or, in the case of a publicly owned business, at least 51 percent of the stock is owned by one or more women; and, (b) whose daily business operations are managed and directed by one or more of the women owners.
- B. Applicable Administrative and Audit Requirements:
  - 1. Government recipients (including Tribal Govt's) and subrecipients are subject to subparts C, D, and E of 43 CFR 12, Cost Principles 2CFR 225 and OMB Circular A-133

- 2. The recipient's Taxpayer Identification Number will be provided to the Service upon final execution of this agreement. Taxpayer Identification Number means the number required by the Internal Revenue Service to be used in reporting income tax and other returns either the Employer Identification Number for businesses or, for individual recipients, their Social Security Number(s). Privacy Act Notice: The Service is required to obtain this information to process any payment to the recipient. This information will be furnished to the Internal Revenue Service as required by the Tax Reform Act of 1986 and may be shared with the Department of Justice. Furnishing this number is voluntary, but failure to do so could result in disqualification from this program.
- 4. Buy American Requirements. Pursuant to section 307 of the Department of the Interior and Related Agencies Appropriations Act of 1996 (or any subsequent versions) and 43 CFR subpart E, please be advised of the following: In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products. As directed by 43 CFR 12.730 and 43 CFR 12.830, recipients shall insert the prescribed clauses for purchases of supplies and construction materials in all relevant solicitations for the same under this award. Additional instructions for implementing these clauses are found in 43 CFR subpart E.
- C. Certifications and Assurances. The certifications (DI-2010) and Assurances (SF-424B or SF-424D) applicable to Federal grants and cooperative agreements must be signed by an authorized representative of the recipient prior to award of this agreement. The certifications and assurances applicable to this agreement are included as attachments 1 and 2.

#### XII. MODIFICATION

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Amendments or renewals may be proposed at any time during the period of performance by either party and shall become effective only when reduced to writing and signed by both the Service's Administrative Officer and the Municipality of Anchorage's Manager, or other person delegated by the Mayor. The Service Administrative Officer (Contracting Officer) is the only person authorized to sign modifications on behalf of the Service.

#### XIII. SPECIAL PROVISIONS

- A. The results of any studies or investigations accomplished under this agreement may be published jointly by the parties or by either party separately. Appropriate credits to the United States Department of Interior, Fish and Wildlife Service, shall be included in any formally published article, provided that the Service does not otherwise deem it appropriate to issue a disclaimer. Authorship shall not imply any privileges of copyright or permit other restrictions on distribution.
- B. Any research data collected under this agreement shall be jointly owned by the parties to this agreement. Both parties shall have complete and unlimited access to all such data.

- C. News releases and other publicity issued by either party concerning this agreement and its activities are subject to approval before release by the Service's Regional Public Affairs Office. Any approved publicity shall give due credit to all parties to this agreement and it shall mention the amount of Federal funding provided.
- D. No member of, or delegate to, Congress or resident commissioner shall be admitted to any share or part of this agreement or to any benefit that may rise therefrom. This provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.
- E Seat Belt Policies and Program: Recipients of grants/cooperative agreements and or sub-awards are encouraged to adopt and enforce on-the-job seat belt use policies and programs for their employees when operating company-owned, rented, or personally-owned vehicles. These measures include, but are not limited to, conducting education, awareness, and other appropriate programs for their employees about the importance of wearing seat belts and the consequences of not wearing them.
- F Recipient agrees to maintain an active registration in the Business Partnership Network Central Contractor Registry <a href="http://www.ccr.gov">http://www.ccr.gov</a> for the life of this grant award.

XIV Termination, if necessary, shall be conducted in accordance with 43 CFR 12.84 Sec. 12.84 Termination for convenience.

Except as provided in Sec. 12.83 awards may be terminated in whole or in part only as follows:

- (a) By the awarding agency with the consent of the grantee or subgrantee in which case the two parties shall agree upon the termination conditions, including the effective date and in the case of partial termination, the portion to be terminated, or
- (b) By the grantee or subgrantee upon written notification to the awarding agency, setting forth the reasons for such termination, the effective date, and in the case of partial termination, the portion to be terminated. However, if, in the case of a partial termination, the awarding agency determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the awarding agency may terminate the award in its entirety under either Sec. 12.83 or paragraph (a) of this section.

IN WITNESS WHEREOF, the parties hereto have caused this Cooperative Agreement Number 70181-6-J623 to be executed as of the date of last signature below.

U.S. FISH AND WILDLIFE SERVICE	MUNICIPALITY OF ANCHORAGE
Chomero. Melin	2/20
(Signature)	(Signature)
Thomas O. Melics	Kristi L Bischestoron
Regional Director (Printed Name)	(Printed Name)
5-24-06	5/11/06
(Date)	(Date)
Hay Goldby (Signature)	
Gary Goldberg	
Contracting Officer, Warrant # FWS 79-012	
5-22-06	
(Date)	

# Attachment A-Budget

MOA Nonfederal Contribution \$ 57,590

Service Contribution: \$ 35,000

Total Project Cost estimate: \$ 92,590

Any additional non-federal match will be calculated based on private sector cash contributions and in kind time and salaries of non-federal staffs, including MOA staff, spent on the project who are salaried with nonfederal funds. Non-federal match will also include any money, materials or supplies that are donated to the project.

# M.O.A.

#### **Content Information**

**Content ID: 004123** 

Type: AR FundsApprop - Funds Approp Resolution

RESOLUTION APPROPRIATING \$35,000 FROM THE U.S. FISH &

**Title:** WILDLIFE SERVICE GRANT PROGRAM TO THE FEDERAL GRANT FUND (241), PROJECT MANAGEMENT & ENGINEERING DEPT.

FOR THE LITTLE CAMPBELL CREEK WATERSHED PLAN.

Author: schuringmj

**Initiating Dept: PME** 

RESOLUTION APPROPRIATING \$35,000 FROM THE U.S. FISH &

cription: WILDLIFE SERVICE GRANT PROGRAM TO THE FEDERAL GRANT

FUND (241), PROJECT MANAGEMENT & ENGINEERING DEPT.

FOR THE LITTLE CAMPBELL CREEK WATERSHED PLAN.

Keywords: Watershed, Little Campbell

**Date Prepared: 7/3/06 9:57 AM** 

Assembly

Meeting Date 8/15/06

MM/DD/YY:

**Workflow History** 

Workflow History								
Workflow Name	Action Date	<u>Action</u>	<u>User</u>	Security Group	Content ID			
FundsAppropWorkflow	7/3/06 10:02 AM	Checkin	schuringmj	Public	004123			
PME_SubWorkflow	7/3/06 10:50 AM	Approve	holtanhc	Public	004123			
FundsAppropWorkflow	7/3/06 12:56 PM	Reject	mitsonjl	Public	004123			
FundsAppropWorkflow	7/3/06 1:22 PM	Checkin	schuringmj	Public	004123			
PME_SubWorkflow	7/3/06 1:25 PM	Approve	holtanhc	Public	004123			
OMB_SubWorkflow	7/5/06 12:27 PM	Approve	mitsonjl	Public	004123			
Finance_SubWorkflow	7/13/06 5:04 PM	Approve	sinzje	Public	004123			
MuniManager_SubWorkflow	7/14/06 3:11 PM	Approve	leblancdc	Public	004123			
MuniManager_SubWorkflow	7/14/06 3:12 PM	Reject	curtiscr	Public	004123			
FundsAppropWorkflow	7/14/06 3:13 PM	Reject	curtiscr	Public	004123			
FundsAppropWorkflow	7/24/06 12:50 PM	Checkin	schuringmj	Public	004123			
PME_SubWorkflow	7/24/06 2:03 PM	Approve	hansenjw	Public	004123			
OMB_SubWorkflow	7/24/06 6:26 PM	Approve	mitsonjl	Public	004123			
Finance_SubWorkflow	8/1/06 3:47 PM	Approve	sinzje	Public	004123			
MuniManager_SubWorkflow	8/4/06 8:22 AM	Approve	leblancdc	Public	004123			
MuniMgrCoord_SubWorkflow	8/4/06 8:28 AM	Approve	abbottmk	Public	004123			