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**MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY**

**Assembly Chambers, Z. J. Loussac Library
3600 Denali Street, Anchorage, Alaska**

Minutes for Regular Meeting of October 10, 2006

15
16

1. CALL TO ORDER

17 The Assembly Meeting was convened by Chair Sullivan at 5:04 p.m. in the Assembly Chambers, Room 108 of the
18 Loussac Library, 3600 Denali Street in Anchorage, Alaska.

19
20 **2. ROLL CALL** A Quorum was achieved with Assemblymembers present.

21
22 PRESENT: Allan Tesche, Janice Shamberg, Paul Bauer, Anna Fairclough, Dan Sullivan, Debbie Ossiander, Chris
23 Birch, Dan Coffey, Ken Stout, Dick Traini and Pamela Jennings.

24 ABSENT: None.

25
26 **3. PLEDGE OF ALLEGIANCE** Assemblymember Jennings led the pledge.

27
28 **4. MINUTES OF PREVIOUS MEETINGS**

29 4.A. Regular Meeting – August 29, 2006.

30
31 Mr. Coffey moved, to approve the Regular Meeting Minutes of
32 Ms. Jennings seconded, August 29, 2006,
33 and this was passed without objection.
34 (*with Ms. Fairclough and Mr. Coffey abstaining, due to excused absences on that date.*)
35

36 **5. MAYOR'S REPORT**

37
38 Newly confirmed appointments to boards and commissions were introduced. Members included Connie Jones, Board
39 of Ethics; Bob Curtis-Johnson, Arts Advisory Commission; Ira Perman, Arts Advisory Commission Chair; Steven Pratt,
40 Municipal Light & Power Commission; Max Olson, Election Commission; Anne Reed, Education and Workforce
41 Advisory Commission Co-Chair; Wanda Smith, Housing and Neighborhood Development Commission; Rick Mills,
42 Education and Workforce Advisory Commission; Ed Lamb, Health and Human Services Commission; Barbara Mishler,
43 Election Commission; Lynda Zaugg, Public Safety Advisory Commission; Ramona McAleese, Americans with
44 Disabilities Act Commission; Scott Bohne, Americans with Disabilities Act Advisory Commission; Shirley Tuzroyluke,
45 Equal Rights Commission; Rick Rios, Education and Workforce Advisory Commission; Arthur Yang, Equal Rights
46 Commission; Francine Bennett-Jackson, Library Advisory Commission; Sharon Chamard, Public Safety Advisory
47 Commission; Tim Sullivan, Chair, Public Transit Advisory Board; Craig Freeden, Building Board; Carol Stolpe, Platting
48 Board; Martha Beckwith, Board of Adjustment; Dan Freitas, Board of Zoning Examiners and Appeals; Jim Palmer,
49 Planning and Zoning Commission; Ron Baird, Community Development Authority Board; Carol Carlson, Platting Board
50 and the Sister Cities Commission, and; Andy Josephson, Planning and Zoning Commission. Greg Bombeck, with the
51 Youth Advisory Commission was introduced.
52

53 **6. ASSEMBLY CHAIR'S REPORT**

54
55 Chair Sullivan reported that Deputy Ombudsman Kristi Cada had been appointed to serve as the Interim Municipal
56 Ombudsman. He had appointed a committee of three Assemblymembers to review that office, including Mr. Coffey,
57 Ms. Jennings and himself. The committee would review Code procedures and determine the process to select a
58 permanent Ombudsman at the conclusion of the term at the end of the year.
59

60 **7. COMMITTEE REPORTS**

61
62 Mr. Stout reported that AO 2006-140, the Code of Ethics, was being introduced that evening, with Public Hearing set
63 for November 14, 2006. Municipal Clerk Barbara Gruenstein was developing disclosure and notice forms, which would
64 be reviewed prior to Public Hearing. Dr. Liszka, with the Ethics Board, and Reverend Richard Benjamin, formerly with
65 the Ethics Board, were participating. Others assisting included Employee Relations Director Dave Otto, Purchasing
66 Officer Bart Mauldin, School Board President Jeff Friedman, School Superintendent Carol Comeau, Deputy Municipal
67 Attorney Rhonda Fehlen Westover and Municipal Attorney Jim Reeves. The next worksession was scheduled for
68 October 27th.
69

70 Ms. Fairclough stated the Assembly had completed the first worksession to review the upcoming Budget. The next
71 worksession was scheduled for October 13th from 12:00 to 2:00 p.m. in the Assembly Conference Room.
72

73 **8. ADDENDUM TO AGENDA**

74
75 Chair Sullivan called for a motion and read the Addendum items. He called for additional items and AR 2006-269,
76 AR 2006-271 and AO 2006-139(S) were added and assigned to Agenda Numbers 9.A.1, 9.B.3 and 9.F.1, respectively.

1 Also added were AO 2006-104(S) and AO 2006-64(S), to items 11.J and 13.C, respectively. With no additional
2 Addendum items, Chair Sullivan called for a vote to incorporate the Addendum items into the Consent Agenda.

3
4 Ms. Shamberg moved, to approve the inclusion of the Addendum items
5 Mr. Coffey seconded, into the Consent Agenda,
6 and this motion was passed unanimously.

7
8 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

9 NAYES: None.

10
11 Chair Sullivan called the Question on the Consent Agenda.

12
13 Ms. Jennings moved, to approve the Consent Agenda,
14 Mr. Stout seconded,

15
16 Chair Sullivan called for Assemblymembers to request items be pulled and moved to the Regular Agenda for
17 discussion.

18 19 9. CONSENT AGENDA

20 9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

21 9.A.1. Resolution No. AR 2006-269, a resolution of the Anchorage Municipal Assembly proclaiming October,
22 2006 as **Community Council Awareness Month**; Assemblymembers Stout, Tesche, Shamberg,
23 Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings. (**Laid on the Table**)

24
25 Mr. Stout moved, seconded by Ms. Shamberg, to incorporate AR 2006-269, into the Addendum and this was approved
26 without objection.

27
28 Mr. Stout requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)

29 30 9.B. RESOLUTIONS FOR ACTION - OTHER

31 9.B.1. Resolution No. AR 2006-262, a resolution of the Anchorage Municipal Assembly appropriating
32 \$95,000 from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice
33 Grant and \$2,000 as a contribution from the Anchorage Police Service Area Fund (151), Anchorage
34 Police Department 2006 Operating Budget, to the Federal Categorical Grants Fund (241), Anchorage
35 Police Department, for the purpose of **Forensic Science Improvement Grant**; Anchorage Police
36 Department.

37 a. Assembly Memorandum No. AM 719-2006.

38 9.B.2. Resolution No. AR 2006-263, a resolution of the Municipality of Anchorage appropriating \$91,644 of
39 interest earnings and miscellaneous revenues from within Anchorage Parks and Recreation Service
40 Area Capital Improvement Fund (461) for improvements to **Cuddy Family Midtown Park**; Anchorage
41 Parks and Recreation.

42 a. Assembly Memorandum No. AM 720-2006.

43
44 Mr. Traini requested this item be pulled for review on the Regular Agenda. (*See item 10.B.2*)

45
46 9.B.3. Resolution No. AR 2006-271, a resolution of the Anchorage Municipal Assembly regarding the
47 **Delaney Park Strip**; Assembly Chair Sullivan. (**Laid on the Table**)

48
49 Mr. Bauer moved, seconded by Ms. Ossiander, to incorporate AR 2006-271 into the Addendum and this was approved
50 without objection. Chair Sullivan requested this item be pulled for review on the Regular Agenda (*See item 10.B.3*)

51 52 9.C. BID AWARDS

53 9.C.1. Assembly Memorandum No. AM 722-2006, recommendation of award to Craig Taylor Equipment Co.
54 for furnishing a five (5) cubic yard **wheel loader** to the Municipality of Anchorage, Port of Anchorage
55 (ITB 26-B068) (\$242,865); Purchasing.

56 9.C.2. Assembly Memorandum No. AM 754-2006, recommendation of award to Cal Worthington Ford,
57 Seekins Ford, & Alaska Sales & Service for furnishing **miscellaneous light duty vehicles** to
58 Municipality of Anchorage, Maintenance & Operations Department (M&O \$1,908,069), Public
59 Transportation Department (PTD \$17,298), Anchorage Water & Wastewater Utility (AWWU -
60 \$402,987), Municipal Light & Power (ML&P \$385,039), Port of Anchorage (\$26,875), & Girdwood
61 Volunteer Fire Department (\$42,993) (ITB 26-B067); Purchasing. (**Addendum**)

62 9.C.3. Assembly Memorandum No. AM 755-2006, recommendation of award to Rossman Enterprises, Inc.
63 for the **Fire Station Apparatus Bay Ventilation Project** for the Municipality of Anchorage,
64 Maintenance and Operations Department (ITB 26-C068) (\$387,405.25); Purchasing. (**Addendum**)

65 66 9.D. NEW BUSINESS

67 9.D.1. Assembly Memorandum No. AM 712-2006, **Airport Aviation Advisory Commission** appointments
68 (Richard Armstrong, Anthony Follett, Allen Kemplen); Mayor's Office.

69 9.D.2. Assembly Memorandum No. AM 713-2006, **Americans with Disabilities Act (ADA) Advisory**
70 **Commission** appointments (Scott Bohne, Ramona McAleese); Mayor's Office.

71 9.D.3. Assembly Memorandum No. AM 714-2006, **Arts Advisory Commission** appointments (Bob Curtis-
72 Johnson, Ira Perman); Mayor's Office.

73 9.D.4. Assembly Memorandum No. AM 715-2006, **Bidding Review Board** appointments (Howard Levine,
74 Willem Van Hemert); Mayor's Office.

75
76 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (*See item 10.D.4*)
77

- 1 9.D.5. Assembly Memorandum No. AM 716-2006, **Board of Building Regulation Examiners and Appeals**
2 **(Building Board)** appointments (Troy Feller, Craig Freedon, David Paule, Jonathan Steele); Mayor's
3 Office.
4 9.D.6. Assembly Memorandum No. AM 717-2006, **Chugiak-Eagle River Parks and Recreation Service**
5 **Area Board of Supervisors** appointments (Brian Fay, Alexandra Hill, Cathy Jorgensen); Mayor's
6 Office.
7 9.D.7. Assembly Memorandum No. AM 718-2006, **Education and Workforce Advisory Commission**
8 appointments (Anne Reed, Richard Rios); Mayor's Office.
9 9.D.8. Assembly Memorandum No. AM 727-2006, **Equal Rights Commission** appointments (Herbert
10 Turner, Shirley Tuzroyluke, Arthur Yang); Mayor's Office.
11 9.D.9. Assembly Memorandum No. AM 728-2006, **Geotechnical Advisory Commission** appointments
12 (Joseph Dygas, Joey Yang); Mayor's Office.
13 9.D.10. Assembly Memorandum No. AM 729-2006, **Housing and Neighborhood Development**
14 **Commission** appointments (Melissa Charmley, Scott Kim, Debbi Newgent, Wanda Smith); Mayor's
15 Office.
16

17 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.10)*

- 18
19 9.D.11. Assembly Memorandum No. AM 730-2006, **Human Resources Advisory Board** appointments
20 (Sharon Chriss, Sue Johnson); Mayor's Office.
21

22 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.11)*

- 23
24 9.D.12. Assembly Memorandum No. AM 731-2006, **Investment Advisory Commission** appointments (Karen
25 Jordan, Tom Maloney); Mayor's Office.
26 9.D.13. Assembly Memorandum No. AM 732-2006, **Library Advisory Commission** appointments (Francine
27 Bennett-Jackson, David Levy, Claudia Wallingford); Mayor's Office.
28 9.D.14. Assembly Memorandum No. AM 733-2006, **Anchorage Memorial Park Cemetery Advisory Board**
29 appointments (Sheila Selkregg, Jerry Strong); Mayor's Office.
30 9.D.15. Assembly Memorandum No. AM 734-2006, **Election Commission** appointments (Barbara Mishler,
31 Max Olson, Beverly Dalzell); Mayor's Office.
32 9.D.16. Assembly Memorandum No. AM 735-2006, **Emergency Medical Service Board** appointments (Sami
33 Ali, Peggy Jones, Matthew Wolf); Mayor's Office.
34

35 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.16)*

- 36
37 9.D.17. Assembly Memorandum No. AM 736-2006, **Board of Ethics** appointments (Paul Davis, James
38 Liszka, Constance Jones); Mayor's Office.
39 9.D.18. Assembly Memorandum No. AM 737-2006, **Health and Human Services Commission** appointments
40 (George Conway, Edward Lamb, Ruddy Taylor, Bryan Talbott-Clark, Candace Winkler); Mayor's
41 Office.
42 9.D.19. Assembly Memorandum No. AM 738-2006, **Heritage Land Bank Advisory Commission**
43 appointments (Philip Livingston, Dee Quinn); Mayor's Office.
44 9.D.20. Assembly Memorandum No. AM 739-2006, **Municipal Light and Power Commission** appointments
45 (Spence Hochstein, Stephen Pratt); Mayor's Office.
46 9.D.21. Assembly Memorandum No. AM 740-2006, **On-Site Wastewater System Technical Review Board**
47 appointments (David Beveridge and Scott Hattenburg); Mayor's Office.
48

49 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.21)*

- 50
51 9.D.22. Assembly Memorandum No. AM 741-2006, **Parks and Recreation Commission** appointments
52 (Allyson Beischer, Karen Loeffler, Victor Mollozzi); Mayor's Office.
53

54 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.22)*

- 55
56 9.D.23. Assembly Memorandum No. AM 742-2006, **Public Facilities Advisory Commission** appointments
57 (Howard Levine, Christopher Spoerhase, Bernard Washington); Mayor's Office.
58 9.D.24. Assembly Memorandum No. AM 743-2006, **Public Safety Advisory Commission** appointments
59 (Sharon Chamard, James Hubbard, Lynda Zaugg); Mayor's Office.
60 9.D.25. Assembly Memorandum No. AM 744-2006, **Public Transit Advisory Board** appointments (Mary
61 Fairbanks, Daryl Nelson, Tim Sullivan); Mayor's Office.
62 9.D.26. Assembly Memorandum No. AM 745-2006, **Senior Citizens Advisory Commission** appointments
63 (Kathie Neu, Stuart Rader); Mayor's Office.
64 9.D.27. Assembly Memorandum No. AM 746-2006, **Sister Cities Commission** appointments (Won Pal
65 Chung, Shannon Jones, Yohyon Pharr); Mayor's Office.
66

67 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.27)*

- 68
69 9.D.28. Assembly Memorandum No. AM 747-2006, **Solid Waste and Recycling Advisory Commission**
70 appointments (Teri Crawley-Norton, Carl Reed); Mayor's Office.
71

72 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. *(See item 10.D.27)*

- 73
74 9.D.29. Assembly Memorandum No. AM 723-2006, recommendation of award to R&M Consultants, Inc. for
75 providing professional engineering services for **C2-AB Sewer Upgrade Project** for the Municipality of
76 Anchorage, Anchorage Water & Wastewater Utility (RFP 26-P032, Project A) (\$762,000); Purchasing.
77 9.D.30. Assembly Memorandum No. AM 724-2006, recommendation of award to Consolidated Contracting
78 and Engineering, Inc. for the **Spenard Recreation Center Fire Alarm Replacement** for the

Municipality of Anchorage, Maintenance and Operations Department (RFQ 26-Q097) (\$65,666);
Purchasing.

- 9.D.31. Assembly Memorandum No. AM 725-2006, Amendment No. 1 to the professional services contract with R&M Consultants, Inc., to provide **land survey services** (\$150,000); Project Management & Engineering.
- 9.D.32. Assembly Memorandum No. AM 726-2006, cooperative purchase of **miscellaneous light bulbs** on an "as required" basis from Grainger Industrial Supply for the Municipality of Anchorage; Purchasing Department (\$200,000), Purchasing.
- 9.D.33. Assembly Memorandum No. AM 753-2006, **Planning and Zoning Commission** appointment (Jim Palmer); Mayor's Office. **(Addendum)**

This item was passed on the Consent Agenda. Ms. Ossiander moved for reconsideration, seconded by Mr. Coffey and there were no objections. Ms. Ossiander requested that this item be reviewed on the Regular Agenda. (See item 10.D.33)

- 9.D.34. Assembly Memorandum No. AM 756-2006, recommendation of award to MWH Global to provide lead consultant services to coordinate and manage multi-agency departmental data collection and consolidation, develop & implement a public participation program and draft a **Hillside District Plan** for Municipality of Anchorage, Project Management & Engineering (RFP 26-P031) (\$544,054); Purchasing. **(Addendum)**

9.E. INFORMATION AND REPORTS

- 9.E.1. Information Memorandum No. AIM 107-2006, Assembly Request for Information on the effects of Assembly Ordinance No. 2005-98, that amended Anchorage Municipal Code by adding a new Chapter 8.90, **Sale of Methamphetamine Precursor Drugs**, within the Municipality of Anchorage; Anchorage Police Department.
- 9.E.2. Information Memorandum No. AIM 108-2006, Notice of Award to M & M Enterprises LLC for **roof repairs** at Transit Warm Storage, Warehouse No. 2 and Fire Station No. 6 for the Municipality of Anchorage, Maintenance & Operations Department (\$449,940); Purchasing.
- 9.E.3. Information Memorandum No. AIM 109-2006, Notice of Award to **Marathon Oil Company Natural Gas Swap** for the Municipality of Anchorage, Municipal Light & Power (\$53,200); Purchasing.
- 9.E.4. Information Memorandum No. AIM 110-2006, Notice of Award to Central Environmental, Inc. for **Baxter Bog Park Improvements** for the Municipality of Anchorage, Project Management and Engineering Department (\$169,970); Purchasing.
- 9.E.5. Information Memorandum No. AIM 111-2006, Notice of Utility Reimbursement Agreement with Chugach Electric Association for **Kincaid Road Improvements Electrical Relocation Work** for the Municipality of Anchorage, Project Management and Engineering Department (\$161,000); Purchasing.
- 9.E.6. Information Memorandum No. AIM 112-2006, **Board and Commission Members**; Mayor's Office.

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

- 9.F.1. Ordinance No. AO 2006-139, an ordinance of the Anchorage Municipal Assembly designating certain real property under Chapter 12.35 and AS 29.45.050 as a deteriorated area located in **East Addition Subdivision Block 37**, Lots 1 of Acre Lt 2, 2 of Acre Lt 2, 3, 4 S16', 4 N2, 5, 6 S2 of Acre Lt 2, 7, 8, 9, 11, 12 N33', 12 S16', 13 of Acre Lt 2, 14 of Acre Lt 2, 15 of Acre Lt 2, 16 of Acre Lt 2, 17, 18 of Acre Lt 2 and 19 and Block 37B, Lots TR A, 2A, 3A, 4A, 5A, 9, 10, 11A, 13A, 13B, 15A, 15B and 16, and providing that such property shall be partially exempt from real property taxes and qualifies for deferral of municipal property taxes as provided by law; Assemblymember Tesche. *(Public Hearing 10-31-06)*
- a. Ordinance No. AO 2006-139(S), an ordinance of the Anchorage Municipal Assembly designating certain real property under Chapter 12.35 and AS 29.45.050 as a deteriorated area located in East Addition Subdivision Block 37, Lots 1 of Acre Lt 2, 2 of Acre Lt 2, 3, 4 S16', 4 N2, 5, 6 S2 of Acre Lt 2, 7, 8, 9, 11, 12 N33', 12 S16', 13 of Acre Lt 2, 14 of Acre Lt 2, 15 of Acre Lt 2, 16 of Acre Lt 2, 17, 18 of Acre Lt 2 and 19 and Block 37B, Lots TR A, 2A, 3A, 4A, 5A, 9, 10, 11A, 13A, 13B, 15A, 15B and 16, and providing that such property shall be partially exempt from real property taxes and qualifies for deferral of municipal property taxes as provided by law; Assemblymember Tesche. **(Laid on the Table)**

Mr. Tesche requested this item be pulled for review on the Regular Agenda. (See item 10.F.1)

- 9.F.1. Ordinance No. AO 2006-139, an ordinance of the Anchorage Municipal Assembly designating certain real property under Chapter 12.35 and AS 29.45.050 as a deteriorated area located in **East Addition Subdivision Block 37**, Lots 1 of Acre Lt 2, 2 of Acre LT 2, 3, 4 S16', 4 N2, 5, 6 S2 of Acre LT 2, 7, 8, 9, 11, 12 N33', 12 S16', 13 of Acre LT 2, 14 of Acre LT 2, 15 of Acre LT 2, 16 of Acre LT 2, 17, 18 of Acre LT 2 and 19 and Block 37B, Lots TR A, 2A, 3A, 4A, 5A, 6B, 9, 10, 11A, 13A, 13B, 15A, 15B and 16, and providing that such property shall be partially exempt from real property taxes and qualifies for deferral of municipal property taxes as provided by law; Assemblymember Tesche. *(Public Hearing 10-31-06)* **(Addendum)**
- a. Assembly Memorandum No. AM 752-2006, AO 2006-139(S), an ordinance designating certain real property under Chapter 12.35 and AS 29.45.050 as a deteriorated area located in East Addition Subdivision, and providing that such property shall be partially exempt from real property taxes and qualifies for deferral of municipal property taxes, Assemblymember Tesche. *(Clerk's Note: A correction was added to Page 1, Line 7, adding Lot 6B)* **(Laid on the Table)**
- 9.F.2. Resolution No. AR 2006-264, a resolution of the Anchorage Assembly approving the **Heritage Land Bank 2007 Work Program** and 2008-2012 Five-Year Management Plan; Heritage Land Bank. *(Public Hearing 10-17-06)*
- a. Assembly Memorandum No. AM 721-2006.
- 9.F.3. Ordinance No. AO 2006-140, an ordinance repealing and reenacting Anchorage Municipal Code Chapter 1.15, **Code of Ethics**; amending AMC Chapter 1.25, Public Meetings, to incorporate

1 reference to applicable state law; amending AMC Section 2.30.070, Rules of Procedure, to be
2 consistent with AMC Chapter 1.15; and amending AMC Chapter 2.35, Regulations of Lobbying, to
3 prohibit certain persons from registration or action as a municipal lobbyist; Assemblymember Stout.
4 (*Public Hearing 11-14-06*) (**Addendum**)
5

6 **END OF CONSENT AGENDA**

7
8 Chair Sullivan called the Question on the remainder of Consent Agenda.

9
10 and the motion, as amended, was passed.

11
12 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

13 NAYES: None.

14
15 The amended Consent Agenda was approved and Chair Sullivan led the body into discussion of the pulled items.

16 **END OF CONSENT AGENDA**

17
18
19
20 **10. REGULAR AGENDA**

21 **10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS**

22 10.A.1. Resolution No. AR 2006-269, a resolution of the Anchorage Municipal Assembly proclaiming October,
23 2006 as **Community Council Awareness Month**; Assemblymembers Stout, Tesche, Shamberg,
24 Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings. (**Laid on the Table**)
25

26 Mr. Stout moved, to approve AR 2006-269,

27 Ms. Shamberg seconded,

28 and this was approved without objection.
29

30 Mr. Stout read and Ms. Shamberg presented the resolution proclaiming October, 2006, as Community Council
31 Awareness Month. Justina Meyer, Chair of the Federation of Community Councils (*FCC*), accepted, on behalf of the
32 FCC and thanked the Assembly. She stated the Federation looked forward to working with the Assembly.
33

34 **10.B. RESOLUTIONS FOR ACTION - OTHER**

35 10.B.2. Resolution No. AR 2006-263, a resolution of the Municipality of Anchorage appropriating \$91,644 of
36 interest earnings and miscellaneous revenues from within Anchorage Parks and Recreation Service
37 Area Capital Improvement Fund (461) for improvements to **Cuddy Family Midtown Park**; Anchorage
38 Parks and Recreation.

39 a. Assembly Memorandum No. AM 720-2006.
40

41 Mr. Traini moved, to approve AR 2006-263,

42 Mr. Coffey seconded,

43 and this was passed without objection.
44

45 Mr. Traini stated that the miscellaneous revenue included a fee of 15% on concession stand revenue. Most of those
46 concessions involved children and he opposed having children being charged fees. Deputy Municipal Manager
47 Michael Abbott responded that vendor-related concessions or revenue were not addressed in this resolution.
48

49 Ms. Ossiander concurred with Mr. Traini. In the past she had expressed her desire to assess festival fees.

50
51 Chair Sullivan requested an update from the Administration, summarizing collections of fees, including concession
52 stands and vendors. Mr. Traini and Mr. Abbott concurred.
53

54 10.B.3. Resolution No. AR 2006-271, a resolution of the Anchorage Municipal Assembly regarding the
55 **Delaney Park Strip**; Assembly Chair Sullivan. (**Laid on the Table**)
56

57 Ms. Ossiander moved, to postpone AR 2006-271 to October 24, 2006,

58 Mr. Coffey seconded,
59

60 Ms. Ossiander stated that the sponsor was interested in getting addition feedback from the local community council
61 (*C.C.*). Chair Sullivan responded that the South Addition C.C. met each third Thursday of the month.
62

63 and the motion was approved.
64

65 **10.C. BID AWARDS** None were pulled for review.
66

67 **10.D. NEW BUSINESS**

68 10.D.4. Assembly Memorandum No. AM 715-2006, **Bidding Review Board** appointments (Howard Levine,
69 Willem Van Hemert); Mayor's Office.
70

71 Ms. Fairclough moved, to approve AM 715-2006,

72 Ms. Ossiander seconded,
73

74 Ms. Fairclough stated this board had not met in the last five years and questioned the value of continuing. Purchasing
75 Officer Bart Maudlin responded that the Bidding Review Board reviewed protests and gave vendors an opportunity to
76 be heard by an independent, third-party. There had not been protests in recent years, but the board was important to
77 maintain, to hear possible future protests. Mr. Maudlin responded that each of the nine board members was paid \$25
78 for each meeting and there were no other fees involved with maintaining that board.

1
2 Mr. Tesche stated that the lack of meetings over the past five years was an indication that the Purchasing Department
3 was operating successfully well and people were satisfied with the process. He recommended approval.
4

5 Ms. Fairclough recommended approval.

6
7 and this was passed without objection.

8
9 10.D.10. Assembly Memorandum No. AM 729-2006, Housing and Neighborhood Development
10 **Commission** appointments (Melissa Charmley, Scott Kim, Debbi Newgent, Wanda Smith); Mayor's
11 Office.

12
13 Ms. Fairclough moved, to approve AM 729-2006,
14 Ms. Ossiander seconded,

15
16 Ms. Fairclough stated that two members of this commission not been available for 50% of the meetings. Community
17 Development Specialist Michael Johnson responded that the Administration had addressed some of the concerns.
18 Ms. Fairclough stated that because the Administration was addressing the concerns she would support the
19 memorandum.

20
21 and this was approved without objection.

22
23 10.D.11. Assembly Memorandum No. AM 730-2006, Human Resources Advisory Board appointments
24 (Sharon Chriss, Sue Johnson); Mayor's Office.

25
26 Ms. Fairclough moved, to approve AM 730-2006,
27 Ms. Ossiander seconded,

28
29 Ms. Fairclough stated that a member of this board had not been available for meetings. Mr. Johnson responded that
30 Ms. Chriss had recently been appointed and confirmed, but had not had the opportunity to meet with the board.

31
32 and this was approved without objection.

33
34 10.D.16. Assembly Memorandum No. AM 735-2006, Emergency Medical Service Board appointments (Sami
35 Ali, Peggy Jones, Matthew Wolf); Mayor's Office.

36
37 Ms. Fairclough moved, to approve AM 735-2006,
38 Ms. Ossiander seconded,

39
40 Ms. Fairclough stated that one member of this board had missed many meetings. Mr. Johnson responded that the
41 Administration had questioned the individual and found that she had had family circumstances out of state that had
42 required her assistance. He responded that it was difficult to find qualified professionals willing to serve on the
43 Emergency Medical Services Board, and he urged Assembly support. Ms. Fairclough supported the memorandum.

44
45 and this was approved without objection.

46
47 10.D.21. Assembly Memorandum No. AM 740-2006, On-Site Wastewater System Technical Review Board
48 appointments (David Beveridge and Scott Hattenburg); Mayor's Office.

49
50 Ms. Fairclough moved, to approve AM 740-2006,
51 Ms. Ossiander seconded,

52
53 Ms. Fairclough stated that one appointment had attended two of five meetings and one had not attended any
54 meetings. Mr. Johnson responded that the Administration had addressed this matter and had received a commitment
55 from the first member. The second individual had only recently been appointed and had not had the opportunity to
56 meet with the board. Ms. Fairclough urged approval.

57
58 and this was approved without objection.

59
60 10.D.22. Assembly Memorandum No. AM 741-2006, Parks and Recreation Commission appointments
61 (Allyson Beischer, Karen Loeffler, Victor Mollozzi); Mayor's Office.

62
63 Ms. Fairclough moved, to approve AM 741-2006,
64 Ms. Ossiander seconded,

65
66 Ms. Fairclough stated that one appointment had not attended any meetings and one had attended three of eight
67 meetings. Mr. Johnson responded that the first individual had recently been appointed and had had the opportunity to
68 attend only one meeting. He would check the other records.

69
70 and this motion was passed, 9-2,
71 with objections from Mr. Coffey and Mr. Traini.

72
73 10.D.27. Assembly Memorandum No. AM 746-2006, Sister Cities Commission appointments (Won Pal
74 Chung, Shannon Jones, Yohyon Pharr); Mayor's Office.

75
76 Ms. Fairclough moved, to approve AM 746-2006,
77 Ms. Ossiander seconded,
78

1 Ms. Fairclough stated that one appointment had attended four of eight meetings. Mr. Johnson responded that the
2 Administration had addressed attendance matters of boards and commissions and Ms. Fairclough's concern was
3 appreciated. In this case Dr. Chung had dealt with some healthcare issues over the past year, but had given
4 assurances that he was interested in continuing to serve.

5
6 Ms. Fairclough stated she appreciated all those persons who volunteered their time. She urged approval.

7
8 and this was approved without objection.

9
10 10.D.28. Assembly Memorandum No. AM 747-2006, Solid Waste and Recycling Advisory Commission
11 appointments (Teri Crawley-Norton, Carl Reed); Mayor's Office.

12
13 Ms. Ossiander moved, to approve AM 2006-747,
14 Mr. Stout seconded,

15
16 Deputy Municipal Manager Michael Abbott stated that the Administration requested consideration of an amendment,
17 removing Carl Reed, who had declined the invitation to continue to serve.

18
19 Ms. Ossiander moved to amend AM 2006-747, by deleting Carl Reed's name
20 Ms. Jennings seconded, as an appointment,
21 and this was approved without objection.

22
23 and the main motion, as amended, was passed without objection.

24
25 10.D.33. Assembly Memorandum No. AM 753-2006, Planning and Zoning Commission appointment (Jim
26 Palmer); Mayor's Office. **(Addendum)**

27
28 Ms. Ossiander moved, to Postpone AM 753-2006 to October 24, 2006, to
29 Mr. Coffey seconded, allow the ten-day comment period,
30 and this was approved without objection.

31
32 Ms. Fairclough moved, to Change the Order of the Day to take up
33 Ms. Ossiander seconded, 11.B, 11.C, 11.D, 11.E, 11.F, 11.G and 11.H,
34 and this was approved without objection.

35
36 **10.E. INFORMATION AND REPORTS** None were pulled for review.

37
38 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

39 10.F.1. Ordinance No. AO 2006-139, an ordinance of the Anchorage Municipal Assembly designating certain
40 real property under Chapter 12.35 and AS 29.45.050 as a deteriorated area located in **East Addition**
41 **Subdivision Block 37**, Lots 1 of Acre Lt 2, 2 of Acre Lt 2, 3, 4 S16', 4 N2, 5, 6 S2 of Acre Lt 2, 7, 8, 9,
42 11, 12 N33', 12 S16', 13 of Acre Lt 2, 14 of Acre Lt 2, 15 of Acre Lt 2, 16 of Acre Lt 2, 17, 18 of Acre Lt
43 2 and 19 and Block 37B, Lots TR A, 2A, 3A, 4A, 5A, 9, 10, 11A, 13A, 13B, 15A, 15B and 16, and
44 providing that such property shall be partially exempt from real property taxes and qualifies for deferral
45 of municipal property taxes as provided by law; Assemblymember Tesche. *(Public Hearing 10-31-06)*

46 a. Ordinance No. AO 2006-139(S), an ordinance of the Anchorage Municipal Assembly
47 designating certain real property under Chapter 12.35 and AS 29.45.050 as a deteriorated
48 area located in East Addition Subdivision Block 37, Lots 1 of Acre Lt 2, 2 of Acre Lt 2, 3, 4
49 S16', 4 N2, 5, 6 S2 of Acre Lt 2, 7, 8, 9, 11, 12 N33', 12 S16', 13 of Acre Lt 2, 14 of Acre Lt 2,
50 15 of Acre Lt 2, 16 of Acre Lt 2, 17, 18 of Acre Lt 2 and 19 and Block 37B, Lots TR A, 2A, 3A,
51 4A, 5A, 9, 10, 11A, 13A, 13B, 15A, 15B and 16, and providing that such property shall be
52 partially exempt from real property taxes and qualifies for deferral of municipal property taxes
53 as provided by law; Assemblymember Tesche. **(Laid on the Table)**

54
55 Mr. Tesche moved, to introduce AO 2006-139(S), with Public Hearing set
56 Mr. Coffey seconded, for October 31, 2006,

57
58 Ms. Jennings requested a worksession be scheduled. Mr. Tesche requested October 27th. Municipal Clerk Barbara
59 Gruenstein scheduled the worksession for the 27th, from 10:30 to 11:30 a.m. in the Assembly Conference Room.

60
61 Ms. Fairclough requested a map be made available for the worksession. Chair Sullivan specified a lot map.

62
63 Mr. Birch requested information on the occupancy or vacancy of each property and how residents or owners would be
64 affected by the tax exemptions. Mr. Tesche responded that a profile with additional information of each lot may be
65 provided from Municipal tax records.

66
67 To Ms. Fairclough, Mr. Tesche responded that property owners had consented with the exemption and or the deferral.
68 The developer would be available to testify.

69
70 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

71 11.A. **NOTICE OF RECONSIDERATION:** Assembly Memorandum No. AM 666-2006, recommendation of
72 award to HR Redmond Co. Inc. for providing year round road maintenance services in the **Girdwood**
73 **Valley Service Area** for the Municipality of Anchorage, Maintenance & Operations Department (ITB
74 26-B063) (\$500,000); Purchasing.

75
76 Chair Sullivan stated this memorandum had been approved on September 26, 2006 and on that date, Ms. Shamberg
77 moved, seconded by Mr. Tesche to reconsider. The motion on floor was the Question, "Should this be reconsidered?"
78

1 Ms. Shamberg stated that she had not realized there was a problem with the bid until after the Assembly had approved
2 it. This road maintenance contract was a very expensive bid and considerably higher than Girdwood had ever paid. If
3 approved, Girdwood would be beyond the allowed tax cap for the Girdwood area. She had discovered there was
4 another possible contract bid which may be less expensive and she wanted consideration of that bid.

5
6 To Ms. Fairclough, Purchasing Officer Bart Mauldin responded that the awards were subject to Assembly approval and
7 the contract had not been awarded. The Girdwood Board of Supervisors had a budget of over \$1 million, which
8 included road service. That account paid for other services. Ms. Shamberg responded that the new bidder had a
9 lower cost and was trying to find efficiencies by reducing services to reduce costs.

10
11 Mr. Birch stated the intended contract was to have been awarded and begun in September. Re-bidding this contract
12 would take time and the contract was needed now because there would soon be snow on the ground. He
13 recommended making modifications to this bid. Mr. Mauldin stated that the Administration had discussed this with the
14 Girdwood Board. There had been an increase in road service costs and the board was reviewing all measures to
15 reduce costs, including splitting the contract and reducing levels of services. The Administration was committed to
16 working with the board and would support reconsideration if the costs could be reduced.

17
18 Ms. Ossiander supported reconsideration.

19
20 To Ms. Jennings, Mr. Mauldin responded that they were reviewing the scope of work, including possibly breaking it into
21 subcontracts, trying reducing expenses. It would require a new bid.

22
23 To Mr. Traini, Mr. Mauldin responded that if there was a snow storm, the Administration would consider extending the
24 Redmond contract. The review on the matter would take seven to ten days. Mr. Traini stated that he would support
25 Ms. Shamberg's motion for reconsideration.

26
27 Ms. Shamberg stated that five elected representatives on the Girdwood Board of Supervisors supported
28 reconsideration.

29
30 To Mr. Tesche, Deputy Municipal Manager Michael Abbott responded this bid would not exceed the budgeted funds
31 for the Girdwood Board, but it would exceed the amount allocated for road services, which might impact other services
32 such as fire support and park maintenance, unless there was a voter-approved mill rate increase. Mr. Tesche stated
33 that because the board had requested it, he would support reconsideration.

34
35 To Mr. Coffey, Mr. Mauldin responded that if all went well, the matter would be back before the Assembly in possibly
36 seven days. He responded there were a couple of other contractors which had also shown interest. Mr. Abbott
37 responded that the 3.97 mill rate covered a range of services. Mr. Coffey stated that anticipated increased costs in
38 fuel and equipment had not been calculated to keep the current level of services and he proposed to review all solution
39 alternatives. Mr. Abbott responded that alternatives included spending reductions within the budget and potentially
40 spending fund balance. Mr. Mauldin responded that the Code would allow consideration of negotiating pricing if
41 available funding had been exceeded. The Girdwood Board felt that the contract specifications and requirements
42 needed to be changed in order to achieve cost reductions.

43
44 Ms. Fairclough stated the process was important and the Assembly should support the local Girdwood Board of
45 Supervisors. She did not support exceeding a budget level to maintain services. If the service area was being forced
46 to take money from reserves to meet an obligation that was now more expensive, there was a lack of communication
47 with the Administration. She supported reconsideration.

48
49 To Ms. Jennings, Mr. Mauldin responded there was always a level of liability, which could be pursued by the agreed
50 bidder. Ms. Jennings stated that she was concerned with the fairness of the process by reconsidering the bid. Mr.
51 Mauldin responded that the cause was the substantial increase of service costs and the Administration would never
52 intentionally skew a bid. The courts would support the process as long as there was nothing deemed capricious or
53 deliberate. He could not guarantee that reconsideration was a better solution and that the expenses could be reduced.
54 The Administration supported reconsideration, to be able to find a better solution to deliver the services at a more
55 reasonable cost. Ms. Jennings supported reconsideration.

56
57 To Mr. Coffey, Mr. Mauldin responded that he would advise the new bidders against negotiating against the successful
58 bidder. The Administration preferred a free enterprise process, rather than cutting a deal behind closed doors. Mr.
59 Coffey stated there was always the possibility of having higher bids come in. Mr. Mauldin concurred.

60
61 Chair Sullivan stated this had involved a normal process. He trusted the Purchasing Officer to bring forth honorable
62 bids. Mr. Mauldin responded that municipal costs for the bidding process was fixed at the beginning of the year and
63 Girdwood would not be charged additional fees.

64
65 Mr. Birch stated this matter had followed the appropriate process and a qualified, responsible and capable contractor
66 had submitted a bid. It was unreasonable not to consider the award, considering the time of year, when winter was
67 fast approaching and snow conditions may happen any day. He opposed reconsideration.

68
69 Ms. Shamberg stated that the price could be reduced and the other important services would not be lost. The
70 residents would not be asked to pay an increased mill rate. Girdwood residents had not trusted the city's original
71 promise of no increased mill rates.

72
73 To Mr. Birch, Mr. Mauldin responded that road maintenance was a unit-price contract and the bid was based on hourly
74 rates.

75
76 Question was called on the motion to reconsider.

77
78 and the motion passed, 7-4.

1
2 AYES: Tesche, Shamberg, Bauer, Fairclough, Ossiander, Traini and Jennings.
3 NAYES: Sullivan, Birch, Coffey and Stout.

4
5 Mr. Birch moved, *to postpone* AM 666-2006 to October 17, 2006,
6 Mr. Coffey seconded,

7
8 Mr. Coffey stated that the concerns had been expressed and he hoped the parties would remain protected. He urged
9 support of a one-week postponement.

10
11 To Mr. Birch, Jim Christie, representing H.R. Redmond Company, responded that he did not object to postponement.

12
13 To Mr. Tesche, Mr. Mauldin responded his professional recommendation was not to rebid this matter, but rather to
14 have the Girdwood Board review the matter and work out the details with the contractor. Mayor Begich responded the
15 Administration was committed to give the board multiple options and they would respect their decision. Mr. Mauldin
16 responded the negotiations needed to stay within the parameters of the specifications or requirements of the bid, or
17 the contract would need to be re-bid.

18
19 To Mr. Tesche, John Gallup, Girdwood Board of Supervisors Chair, responded that the board had discussed the 55%
20 increase with the Redmonds with little movement. He supported postponement, and the board would continue to
21 negotiate with the contractor. He responded that the board currently opposed the bid, 4-1. Mr. Tesche supported the
22 board. And if necessary he supported the Purchasing Officer rebidding the contract.

23
24 Mr. Birch stated that he was still reconciling the 55% increase, when the price quotes were within 11% of the normal
25 service contracts in the Anchorage Bowl. He supported postponement.

26
27 Ms. Fairclough proposed a worksession, to allow the bidder and the board to present options to the Assembly. She
28 supported postponement. Chair Sullivan set a worksession on this matter on October 13th, from 11:00 a.m. to noon.

29
30 Mayor Begich stated that even if a decision was reached, if the scope of the contract was significantly different, the
31 contract may need to be rebid.

32
33 Chair Sullivan called the Question on the motion to postpone.

34
35 and the motion passed, 9-2.

36
37 AYES: Tesche, Shamberg, Bauer, Fairclough, Ossiander, Birch, Coffey, Stout and Traini.
38 NAYES: Sullivan and Jennings.

39
40 11.B. Assembly Memorandum No. AM 700-2006, AWWU Authority Board of Directors appointment (Tina
41 Grovier); Mayor's Office. (*Postponed from 9-26-06*)

42
43 Chair Sullivan stated there was a motion on the floor. He repeated the motion.

44
45 Ms. Fairclough had moved, *to approve* AM 700-2006 on September 26, 2006,
46 Ms. Ossiander had seconded,

47
48 Ms. Fairclough urged approval.

49
50 and this motion was approved unanimously, 10-0.

51
52 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.
53 NAYES: None.

54 (*Clerk's Note: Mr. Stout was temporarily out of Chambers at the time of the vote.*)

55
56 11.C. Assembly Memorandum No. AM 707-2006, Board of Adjustment appointments (Kevin Waring,
57 Martha Beckwith, Bernd Guetschow); Mayor's Office. (*Postponed from 9-26-06*)

58
59 Chair Sullivan stated there was a motion on the floor. He repeated that motion.

60
61 Ms. Fairclough had moved, *to approve* AM 707-2006 on September 26, 2006,
62 Ms. Ossiander had seconded,
63 and this motion was approved unanimously, 10-0.

64
65 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.
66 NAYES: None.

67 (*Clerk's Note: Mr. Stout was temporarily out of Chambers at the time of the vote.*)

68
69 11.D. Assembly Memorandum No. AM 706-2006, Planning and Zoning Commission appointments (Jim
70 Frederick, Andrew Josephson, Bruce Phelps, Thomas Wang); Mayor's Office. (*Postponed from 9-26-*
71 *06*)

72
73 Chair Sullivan stated there was a motion on the floor. He repeated that motion.

74
75 Ms. Fairclough had moved, *to approve* AM 706-2006, on September 26, 2006,
76 Ms. Ossiander had seconded,
77 and this motion was approved unanimously, 10-0.

78

1 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

2 NAYES: None.

3 *(Clerk's Note: Mr. Stout was temporarily out of Chambers at the time of the vote.)*

4
5 11.E. Assembly Memorandum No. AM 709-2006, **Platting Board** appointments (Jody Moses, Carol
6 Carlson, Art Clark, Carol Stolpe); Mayor's Office. *(Postponed from 9-26-06)*

7
8 Chair Sullivan stated there was a motion on the floor. He repeated that motion.

9
10 Mr. Coffey had moved, to approve AM 700-2006 on September 26, 2006
11 Mr. Stout had seconded,
12 and this motion was approved unanimously, 11-0.

13
14 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

15 NAYES: None.

16
17 11.F. Assembly Memorandum No. AM 710-2006, **Zoning Board of Examiners and Appeals** appointments
18 (Thomas Van Flein and Dan Freitas); Mayor's Office. *(Postponed from 9-26-06)*

19
20 Chair Sullivan stated there was a motion on the floor. He repeated that motion.

21
22 Mr. Coffey had moved, to approve AM 710-2006 on September 26, 2006,
23 Mr. Stout had seconded,

24
25 and this motion was approved unanimously, 11-0.

26
27 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

28 NAYES: None.

29
30 11.G. Assembly Memorandum No. AM 711-2006, **Urban Design Commission** reappointments (Juan Ania,
31 Allen Kemplen, Peter Briggs); Mayor's Office. *(Postponed from 9-26-06)*

32
33 Chair Sullivan stated there was a motion on the floor. He repeated that motion.

34
35 Mr. Coffey had moved, to approve AM 711-2006 on September 26, 2006
36 Mr. Stout had seconded,
37 and this motion was approved unanimously, 10-1.

38
39 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings.

40 NAYES: Coffey.

41
42 11.H. Assembly Memorandum No. AM 708-2006, **Community Development Authority Board of Directors**
43 appointments (Ron Baird, Louise Lazur, and Jeff Sinz); Mayor's Office. *(Postponed from 9-26-06)*

44
45 Chair Sullivan stated there was a motion on the floor. He repeated that motion.

46
47 Mr. Coffey had moved, to approve AM 708-2006,
48 Mr. Stout had seconded,

49
50 Ms. Ossiander stated that one of the appointments worked for Venture Development, a company with close ties with
51 many city projects. To her question, Community Development Specialist Michael Johnson responded that mayoral
52 board and commission appointees were required to fill out financial disclosure statements. Heritage Land Bank
53 Executive Director Robin Ward responded that all appointees were being trained on when and how to disclose
54 conflicts of interest.

55
56 Mr. Coffey requested information from Assembly Counsel Julia Tucker if there were provisions for disclosures in the
57 new draft of the Ethics Code of Mayoral appointments. If it was not covered, he and Ms. Ossiander would address the
58 matter when the Assembly reviewed the Ethics Code draft.

59
60 and this motion was approved unanimously, 11-0.

61
62 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

63 NAYES: None.

64
65 Ms. Fairclough moved, seconded by Ms. Ossiander to Change the Order of the Day to take up introducing the
66 remainder of newly confirmed board and commission appointments and reappointments

67
68 11.I. Ordinance No. AO 2006-108, an ordinance of the Anchorage Municipal Assembly amending
69 Anchorage Municipal Code Title 25, Public Lands, to enact a new chapter, AMC 25.80, **Delaney Park**
70 **Strip**, to require Assembly approval of site plans and facility development for Delaney Park Strip,
71 including all major additions, deletions and improvements; Assemblymember Sullivan.

72 1. Information Memorandum No. AIM 84-2006.

73 *(Public Hearing was Closed 9-26-06; Amend 9-26-06; Action Postponed from 9-26-06)*

74
75 Chair Sullivan stated the Public Hearing was closed and one amendment had been approved. Ms. Ossiander
76 proposed to postpone until October 24th, so both items on Delaney Park Strip can be taken up at the same time.

77
78 Ms. Ossiander moved, to postpone AO 2006-108 to October 24, 2006,

1 Ms. Fairclough seconded,
2 and this motion was approved without objection.

3
4 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
5 NAYES: None.

- 6
7 11.J. Ordinance No. AO 2006-104, an ordinance amending the zoning map and providing for the rezoning
8 of approximately 53.52 +/- acres, from I-1 (Light Industrial), R-2M (Multiple Family Residential), and R-
9 3 (Multiple Family Residential) to B-3 SL (General Business with Special Limitations) and PLI (Public
10 Lands and Institutions), for **Proposed Tracts A, B, C, D, E, F, G, and H, Creekside Subdivision** per
11 Preliminary Plat S-11451, Exhibit A; generally located north of DeBarr Road and west of Muldoon
12 Road (Northeast Community Council) (Planning and Zoning Case 2006-010); Assemblymember
13 Bauer. (*Public Hearing was Closed 8-29-06; Action Postponed from 8-29-06 and 9-26-06*)
14 a. Ordinance No. AO 2006-104(S), an ordinance amending the zoning map and providing for the
15 rezoning of approximately 53.52 +/- acres, from I-1 (Light Industrial), R-2M (Multiple Family
16 Residential), and R-3 (Multiple Family Residential) to B-3 SL (General Business with Special
17 Limitations) and PLI (Public Lands and Institutions), for Proposed Tracts A, B, C, D, E, F, G,
18 and H, Creekside Subdivision per Preliminary Plat S-11451, Exhibit A; generally located north
19 of DeBarr Road and west of Muldoon Road (Northeast Community Council) (Planning and
20 Zoning Case 2006-010); Assemblymember Bauer.

21
22 Chair Sullivan stated that a valid protest petition had been filed and an affirmative vote of eight Assemblymembers was
23 needed to pass this ordinance. Chair Sullivan stated that the Assembly had previously voted that Mr. Tesche had a
24 conflict of interest and he was excused from participation with this matter. He called the Question on the substitute
25 version (*s-version*).

26
27 Ms. Ossiander moved, to approve AO 2006-104(S),
28 Ms. Fairclough seconded,

29
30 Mr. Birch stated that he supported the substitute version, with the changes to the Wal-Mart property in the Creekside
31 town center. He supported Mayor Begich's reworking of a very modern master plan, with a significant number of
32 modifications and protections for the surrounding community. It was a great step and a positive addition to the
33 community.

34
35 Mr. Traini moved, to amend AO 2006-104(S) on Page 3, Line 5, by deleting
36 Chair Sullivan seconded, [~~7. Stand-alone gun dealers and shops.~~] and by renumbering
37 the remaining items,

38
39 Mr. Bauer stated that while Wal-Mart was downsizing their sales of weapons in some of their stores, he supported the
40 amendment.

41
42 Ms. Jennings stated that often special limitations with rezones were much discussed with the community and she
43 assumed that it was important to the community to leave that item in the document. There was trouble with guns in the
44 city and the gun fire in Anchorage needed to be stopped. She opposed the amendment.

45
46 Mr. Coffey stated that he understood the provision was acceptable to the petitioner and the community.

47
48 Mr. Traini stated that the Administration had added this restriction without doing any research.

49
50 To Ms. Fairclough, Mayor Begich responded that the conditions of the S-version were worked out with the community,
51 but he was not aware of their response. Planning and Zoning Director Tom Nelson responded that the item had been
52 included in the document from the beginning.

53
54 Chair Sullivan called the Question on the Traini Amendment.

55
56 and the motion passed, 7-3.

57
58 AYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout and Traini.
59 NAYES: Shamberg, Coffey and Jennings.
60 ABSTAIN: Tesche, excused, with a conflict of interest.

61
62 Mayor Begich stated that the changes in the S-version had evolved over the past several months and had been
63 reviewed with Planning and Zoning Department (*P&Z*), and he welcomed discussion.

64
65 Mr. Coffey stated that he had studied this particular area, with main roads that intersect, malls, a library, the Northeast
66 Community Center with a full-service gym, recreational parks, a middle school, a housing development, Fred Meyers
67 and a bank. All of the R-3 properties would be retained. The surrounding residential areas were established. Out-
68 pads associated with Wal-Mart would add smaller retail establishments such as Applebee's, a GCI store and a bank.
69 This was a perfect description of a town center, with established residential (*zoning areas*) right in the middle, which
70 was an important consideration. The developer was allowed to build a Wal-Mart and a Sam's Club without a rezone
71 on this property. East Anchorage was interested in the best type of development. Mr. Coffey stated that the proposed
72 development was not contrary to the Comprehensive Plan. Wal-Mart had agreed to the S-version and had agreed to
73 donate a new park, provide an 85-foot buffer on the north side, and a lovely wide landscaped road off Creekside. If
74 the S-version was approved, Wal-Mart would build. He urged continued discussion of all considerations relative to the
75 neighbors and town center concepts.

76
77 Mr. Bauer stated that the S-version was an accumulation of a lot of work from people interested in the type of
78 development in East Anchorage. Because it was zoned industrial, the property owner could develop in any way. The

1 Assembly and the Administration was interested in getting the best deal for the community, which would join properties
2 together and create amenities that would help a town center concept. The developer had agreed to all considerations,
3 which would cost an extra \$10 million and the type of development would benefit the community. He supported the
4 Mayor's proposed postponement for further discussion with Planning and Zoning.

5
6 To Chair Sullivan, Planning and Zoning Director Tom Nelson responded that he recommended a worksession. Mayor
7 Begich supported a worksession. Municipal Clerk Barbara Gruenstein scheduled a worksession for October 14th, from
8 2:00 to 3:00 p.m.

9
10 Mr. Bauer moved, *to postpone* AO 2006-104(S) to October 17, 2006, with a
11 Mr. Coffey seconded, worksession scheduled on October 14th,

12
13 Ms. Jennings stated that because everyone had just received the S-version and she wanted to look at it carefully and
14 hear the comments from Planning and Zoning. She supported postponement.

15
16 Ms. Ossiander supported postponement.

17
18 Mr. Traini supported postponement to discuss this matter with P&Z.

19
20 To Ms. Fairclough, Chair Sullivan responded that the worksession would not be open for public testimony. He
21 welcomed public comment with emails and phone calls. Mayor Begich responded that the community council would
22 be notified of the worksession.

23
24 and this motion was passed, 10-0.

25
26 AYES: Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

27 NAYES: None.

28 ABSTAIN: Tesche, excused, with a conflict of interest.

29
30 **12. APPEARANCE REQUESTS** There were none.

31
32 **13. CONTINUED PUBLIC HEARINGS**

33 13.A. Ordinance No. AO 2006-113, an ordinance of the Anchorage Municipal Assembly amending
34 Anchorage Municipal Code Section 9.30.280, Civil Penalties for Parking Violations, to **reduce expired**
35 **parking meter fines**; Assemblymember Sullivan. (*Continued from 9-12-06*)

- 36 1. Information Memorandum No. AIM 96-2006.
37 2. Information Memorandum No. AIM 99-2006.

38
39 Chair Sullivan read the ordinance title and opened Public Hearing.

40
41 LOUISE LAZUR, member of the Anchorage Community Development Authority Board, had addressed parking issues
42 over the years and supported the meter fines. It supported the large downtown retailers and it discouraged employees
43 from using the meters. Mr. Tesche stated that the summary of economic effects, prepared by Assembly staff, noted
44 there were no significant private sector economic effects. Ms. Lazur responded the downtown businesses believed
45 there would be financial harm with reducing meter fines. The private sector would risk getting a \$10 ticket, by staying
46 at the parking meters, rather than moving on. It would limit the customers from parking, so they would lose customers.
47 To Mr. Stout, Ms. Lazur responded if the parking fines were reduced, that collected revenue now supporting the Police
48 Department, would have to come from parking garage revenue.

49
50 JANA HAYENGA, a downtown business owner, testified that Anchorage was becoming a more 'walk-able' town year-
51 round, with increase of parking garages and heated sidewalks. The \$20 fines were changing parking behavior and
52 created an incentive for everyone to use the garages or far enough out of the core area to find ten-hour meters. She
53 encouraged the Assembly not to change the fees.

54
55 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

56
57 Mr. Coffey moved, *to approve* AO 2006-113,
58 Mr. Stout seconded,

59
60 Mr. Coffey stated that he had reviewed the materials from the Anchorage Community Development Authority (ACDA).
61 The meter fees were not a big revenue source, but it was an effective way to turnover business downtown and
62 everyone knew it worked. There were changes being considered to improve the meters.

63
64 Mr. Traini stated that a woman had been fined \$45 for overstaying in a Diamond Parking lot. The \$20 fee was
65 reasonable and he would not support any change.

66
67 Mr. Tesche stated that changes in the revenues generated from the meters may have an impact on the 2007 budget
68 for the Anchorage Police Department (APD). Office of Management and Budget Director Janet Mitson responded that
69 reducing the meter fees would over time decrease revenue to the APD significantly. Other revenue sources would
70 have to be found or police costs would need to be reduced. Mr. Tesche stated that for those reasons, he opposed the
71 ordinance.

72
73 Ms. Ossiander stated that national studies indicated a comparable, average parking meter fine was \$15, compared to
74 the \$20 in Anchorage. But, reducing the fine would have an impact on the budget.

75
76 Mayor Begich stated that the increased meter fines were part of an overall parking management plan, to increase
77 compliance and increase turnover of downtown parking. Use of parking garages would increase. Other places in the

1 nation were using single area meters, which, with a fee in one meter, would allow parking in the entire zone. Modern
2 meters also used credit cards.

3
4 Mr. Bauer stated that it was not right to subsidize city government by fees and fines for parking meters. The ACDA's
5 summary of the cost of issuing and processing the fines and the meters indicated it was not a profitable activity.

6
7 Mr. Birch proposed postponement. There was compelling testimony that the \$20 rate did deter behavior of camping at
8 a parking meter. There were other impacts from downtown to consider, like the opening of the convention center.

9
10 Ms. Ossiander stated that the information from the ACDA indicated the meter violations had increased in some years
11 and decreased in others. It was not enough information to determine if the meter fines had decreased violations. The
12 use of a single meter for an area may not work in the winter when it was icy, when one had to walk a distance to the
13 meter with the exact change.

14
15 Ms. Fairclough supported postponement. Customer turnover in downtown had increased with the increased fine.
16 Other ways to deter extended parking should be examined. She concurred with Ms. Ossiander with the
17 inconveniences of an area meter.

18
19 Mayor Begich stated that the new meters and heated sidewalks would occur in conjunction with the redesign of the
20 pedestrian walkways and accepting coins and credit cards would eliminate walking to get the correct change.

21
22 Ms. Jennings concurred that the new meters would be convenient and be an improvement.

23
24 Mr. Coffey stated that the Assembly needed to take action on this matter. If there were changes needed and a better
25 method of change was determined, it would be addressed. This matter was only one aspect of a multifaceted issue.

26
27 Mr. Stout opposed postponement. He stated that the modern meters would be an improvement to parking.

28
29 Chair Sullivan relinquished the Assembly Chair to Ms. Ossiander, to be able to speak to this matter.

30
31 Mr. Sullivan stated it was difficult for any government to give up money. Parking meters did not create a revenue
32 stream upon which any activity or service was dependent. His main concern was that people had indicated they would
33 never shop downtown again after receiving a \$20 parking ticket. The nature of the penalty did not fit the nature of the
34 offense. A recent study showed there were downtown meters which did not work or gave wrong times. Folks were
35 being charged for a service that was not delivered. The parking fines in Anchorage were some of the highest in the
36 nation. The city had made it convenient to park downtown. He urged support for reducing the fines.

37
38 Mr. Birch stated that he had received ticket while at a downtown meeting and had later returned to another meeting in
39 the same area, and had received another ticket, for parking on the same block. There were other ways to deter over
40 use of parking.

41
42 Question was called on the main motion.

43
44 and the motion failed, 1-10.

45
46 AYES: Sullivan.

47 NAYES: Tesche, Shamberg, Bauer, Fairclough, Ossiander, Coffey, Birch, Stout, Traini and Jennings.

- 48
49 13.B. Ordinance No. AO 2006-95, an ordinance amending the zoning map and providing for the rezoning of
50 approximately 2.3 acres from R-2M (Multiple Family Residential District) to R-3 SL (Multiple Family
51 Residential District with Special Limitations), for **Eastview Estates Subdivision, Tract A**; generally
52 located at Peck Avenue and Wanner Circle (Northeast Community Council) (Planning and Zoning
53 Commission Case 2005-140); Planning Department. (*Continued from 7-25-06 and 9-12-06*)

- 54 1. Assembly Memorandum No. AM 434-2006.

55
56 Chair Sullivan read the ordinance title and opened Public Hearing.

57
58 HARVEY PRICKETT, with Dean Architects and representing the developer, testified in support of the rezone. He had
59 met with local community councils. He read their requests for additional special limitations and recommendations,
60 which included an improved trail easement, improved landscaping, protection from erosion, provisions for open space,
61 creating a 20% overflow parking area, providing adequate on-site snow storage, improving site drainage and using
62 public storm drains, allowing no obstruction of view for Melody Commons to the east, including geotechnical findings of
63 foundations and allowing no T-111 siding on any buildings. To Mr. Coffey, Mr. Prickett responded that he would not
64 oppose postponement for one week. To Ms. Ossiander, Mr. Prickett responded that he had shared the new
65 requirements with the Planning Department. Ms. Ossiander stated that Mr. Prickett had been very proactive, working
66 with the community.

67
68 PEGGY ROBINSON, Northeast Community Council Chair, supported Mr. Prickett's work with the council on the
69 additional recommendations for a nice development. The council executive board made the recommendations and
70 urged approval, 6-0. She urged support. To Mr. Coffey, Ms. Robinson responded that the concerns of Melody
71 Common residents had been addressed.

72
73 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

74
75 Mr. Coffey moved, *to Postpone AO 2006-95 to October 17, 2006,*
76 Mr. Stout seconded,

77
78 Mr. Coffey stated that postponing for one week would allow time for the staff to place the council's recommendations in
79 ordinance form. Chair Sullivan concurred.

1
2 To Ms. Ossiander, Planning and Zoning Department Administrator Jerry Weaver responded that he understood the
3 council's list well enough to create a new document. Ms. Ossiander stated that this particular rezone, while still in
4 Muldoon, was in Ms. Fairclough's and her district. It was important for the traffic concerns for the Melody Commons
5 area to be resolved.

6
7 and this motion was approved without objection.

8
9 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
10 NAYES: None.

11
12 13.C. Ordinance No. AO 2006-64, an ordinance amending Anchorage Municipal Code Chapters 21.35,
13 21.40, 21.45 and 21.60 to establish design, location, and conditional use standards, and set the
14 maximum heights for **high voltage transmission towers**; Planning Department. (*Continued from 7-*
15 *11-06 and 9-12-06*)

16 a. Ordinance No. AO 2006-64(S), an ordinance amending Anchorage Municipal Code Chapters
17 21.35, 21.40, 21.45 and 21.60 to establish design, location, and conditional use standards,
18 and set the maximum heights for high voltage transmission towers; Planning Department.
19 **(Laid on the Table)**

20
21 Chair Sullivan read the ordinance title and opened Public Hearing. He stated there was an S-version.

22
23 Mr. Coffey moved, *to Continue AO 2006-64(S) to October [24] "31," 2006,*
24 Mr. Stout seconded,

25
26 Ms. Fairclough stated that the Assembly Meeting of October 24th had been reinstated to finalize the budget. Mr.
27 Coffey concurred and changed the date.

28
29 Ms. Ossiander, Mr. Traini and Chair Sullivan supported postponement.

30
31 and this motion was approved without objection.

32
33 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Coffey, Birch, Stout, Traini and Jennings.
34 NAYES: None.

35
36 **14. NEW PUBLIC HEARINGS**

37 14.A. Assembly Memorandum No. AM 703-2006, **Employee Relations Board** reappointment (John
38 Palmatier); Mayor's Office.

39
40 Chair Sullivan read the memorandum title and opened Public Hearing. With no one to testify, he closed Public Hearing
41 and called the Question.

42
43 Mr. Traini moved, *to approve AM 703-2006,*
44 Ms. Jennings seconded,
45 and this motion was passed, 9-0.

46
47 AYES: Tesche, Shamberg, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings.
48 NAYES: None.

49 (*Clerk's Note: Mr. Bauer and Mr. Coffey were temporarily out of Chambers at the time of the vote.*)

50
51 14.B. Ordinance No. AO 2006-131, an ordinance of the Municipality of Anchorage, Alaska, approving
52 submission by the Anchorage Water & Wastewater Utility (AWU, ASU) **proposed rate changes** to the
53 Regulatory Commission of Alaska; Anchorage Water & Wastewater Utility.
54 1. Assembly Memorandum No. AM 669-2006.

55
56 Chair Sullivan read the ordinance title and opened Public Hearing. There was no one to testify.

57
58 Ms. Ossiander stated that she had requested additional time to understand the details of the rate increases included in
59 the upcoming Utility Budgets. Deputy Municipal Manager Michael Abbott responded there were presentations
60 scheduled from the utilities at that Friday's worksession.

61
62 Ms. Ossiander moved, *to Postpone and Continue Public Hearing on AO 2006-131*
63 Ms. Fairclough seconded, *to October 17, 2006,*
64 and this motion was later withdrawn.

65
66 Mr. Abbott explained the rate increases were scheduled for later implementation. He urged Assembly action on the
67 AWWU rate increase that evening.

68
69 Ms. Fairclough urged against postponement and urged Assembly action.

70
71 Ms. Ossiander withdrew her motion.

72
73 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

74
75 Ms. Jennings moved, *to approve AO 2006-131,*
76 Ms. Shamberg seconded,

77

1 Ms. Fairclough stated that the Assembly's moving forward on this matter did not mean members were not concerned
2 with the escalating costs of utilities. Rate case studies went before a board that evaluated the fairness and expenses
3 that were proposed by the utilities. This report would be judged at the state level.

4
5 and this motion was passed, 9-1.

6
7 AYES: Tesche, Shamberg, Fairclough, Sullivan, Coffey, Birch, Stout, Traini and Jennings.

8 NAYES: Ossiander.

9 *(Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)*

- 10
11 14.C. Ordinance No. AO 2006-136, an ordinance of the Municipality of Anchorage authorizing disposal from
12 the Heritage Land Bank Inventory for public sale by competitive sealed bid of the municipal interest in
13 HLB Parcel #3-015, legally described as **Tract F2, Penland Park Subdivision**, located at DeBarr
14 Avenue and Bragaw Street in Anchorage, for at least fair market value; Heritage Land Bank.
15 1. Assembly Memorandum No. AM 670-2006.

16
17 Chair Sullivan read the ordinance title and opened Public Hearing. There was no one to testify and he closed Public
18 Hearing.

19
20 Mr. Coffey declared a possible conflict of interest because the tenant associated with this parcel was also a tenant of
21 his, on a different, unrelated property. He had no financial or personal interest in this matter. Chair Sullivan ruled that
22 Mr. Coffey did not have a conflict of interest and ordered him to participate in the matter. There were no objections.

23
24 Ms. Ossiander moved, to approve AR 2006-136,
25 Ms. Fairclough seconded,

26
27 Ms. Fairclough questioned whether a transportation improvement plan or traffic impact analysis (*TIA*) for the area had
28 been completed for this property. It appeared that this property was potentially developable and would be valuable to
29 the community in the future, but was being considered for disposal. Mayor Begich responded the Long Range
30 Transportation Plan included expansion for other areas to relieve pressure for this intersection. Ms. Fairclough
31 requested consideration of a TIA, to determine additional future needs of congestion relief for this area.

32
33 Chair Sullivan called the Question.

34
35 and this motion passed, 9-2.

36
37 AYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

38 NAYES: Fairclough and Stout.

- 39
40 14.D. Ordinance No. AO 2006-137, an ordinance authorizing the **sale of properties foreclosed** by the
41 Municipality for delinquent taxes and/or special assessments; Real Estate Services.
42 1. Assembly Memorandum No. AM 671-2006.

43
44 Chair Sullivan read the ordinance title and opened Public Hearing.

45
46 LARRY VARILEK, personal representative of the property at 2621 Northrup Place, requested the property be taken off
47 the foreclosure list because of a pending Supreme Court Case. The property had been exempted until 2000, when the
48 owner died. To Mr. Coffey, he responded the house needed repair and there were approximately \$9,000 taxes owed,
49 which was inaccurate. He responded that he had offered to pay what he thought the taxes should be, but the
50 Assessor's Office had told him a partial payment would not be accepted. He had not requested a stay of the
51 foreclosure, pending the appeal. The property was listed in the attached Exhibit A as the estate formerly owned by
52 Martha Dunnagan. To Ms. Jennings, Mr. Varilek responded that Martha Dunnagan was the registered owner, but it
53 had been managed by a professional guardian services for five years prior his representation.

54
55 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

56
57 Mr. Coffey moved, to approve AO 2006-137,
58 Ms. Jennings seconded,

59
60 Mr. Coffey moved, to amend AO 2006-137 on Page 1 of the attached Exhibit A,
61 Ms. Fairclough seconded, *by removing from the foreclosure sale list: [004-163-46-000,*
62 *Anchor Park BK 3 LT 20, 2621 Northrup Pl, Anchorage,*
63 *Estate of Martha Dunnagan], "subject to payment of actual*
64 *taxes owed, by November 1, 2006, without penalty or interest*
65 *and subject to withholding from foreclosure until the final*
66 *adjudication of the pending court case,"*

67
68 To Chair Sullivan, Municipal Attorney Jim Reeves responded that the amendment was to approve the next step in the
69 process that would ultimately lead to extinguishing the right to repurchase. The right of repurchase would remain in
70 effect, even after Assembly action authorizing sale of the properties, until the properties were sold. The property
71 owner could pay the delinquency and recover the property or have a court instruct the Municipality to defer the sale.
72 Heritage Land Bank Executive Director Robin Ward responded that they could remove this item from the sale list. The
73 repurchase and redemption rights would continue.

74
75 To Mr. Tesche, Mr. Reeves stated that the Assembly had authority to remove this property from the foreclosure list. If
76 action was taken on this matter that evening, the Administration would be entitled to defer the sale as long as it
77 appropriate to do so. Mr. Tesche stated that Ms. Ward would not oppose removing this property from the foreclosure
78 sale list. Ms. Ward responded it was important to remember this property had already been foreclosed upon, the city

1 held the deed and there was process that needed to be followed before selling. Mr. Tesche supported Mr. Coffey's
2 Amendment.

3
4 Ms. Jennings stated the property should be taken off the list all together and added to another list, later.

5
6 Mr. Coffey stated the taxes owed needed to be resolved and there needed to be a court ruling.

7
8 and the motion was passed without objection.

9
10 Question was called on the main motion.

11
12 and the main motion, as amended, was passed.

13
14 AYES: Tesche, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

15 NAYES: None.

16 *(Clerk's Note: Ms. Shamberg was temporarily out of Chambers at the time of the vote.)*

- 17
18 14.E. Ordinance No. AO 2006-138, an ordinance approving a Development Agreement for the **Block 70**
19 **Parking Garage** with Alaska Center for Convention & Trade, LLC, approving an agreement with
20 Alaska Housing Finance Corporation to license, assign, construct and purchase the Block 70 Parking
21 Garage, accepting an assignment from CivicVentures of the right to build a parking garage, approving
22 parking on Block 70 until construction commences for the parking garage, and approving site plans
23 and landscaping for the Block 70 Parking Garage; Office of Economic & Community Development.
24 1. Assembly Memorandum No. AM 683-2006.

25
26 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
27 and called the Question.

28
29 Mr. Coffey moved, to approve AO 2006-138,
30 Ms. Jennings seconded,

31
32 Mr. Coffey stated the original convention center plans had been changed and the garage had been deleted. There
33 was a new opportunity for a garage, without cost to the Municipality and he urged support.

34
35 To Mr. Bauer, Mayor Begich responded that the description of the design included 25-foot setbacks, with an exterior
36 and many amenities that complemented the convention center design.

37
38 Mr. Tesche stated that he had heard no comment or complaint on the size or appearance.

39
40 Ms. Jennings supported the parking garage, which would help solve the parking problem downtown. The city had
41 negotiated with the state to get wide, heated sidewalks and retail space on the bottom floor and it was a good deal for
42 the city.

43
44 To Mr. Birch, Mayor Begich responded that the state had requested that the city execute the Percent for Art Program
45 for this project, which would help maintain consistency with the convention center and street improvements.

46
47 Ms. Ossiander stated that public comment and involvement had been excluded from this process and requested that
48 the Administration take every opportunity to share the design and the concerns of community councils with the
49 community. Mayor Begich responded that it was a priority and the Administration would hold a well-publicized and
50 public meeting for comment on the facility design before November 1st. He supported a newsletter informing the
51 community of the development.

52
53 Chair Sullivan called the Question.

54
55 and the motion was passed, 11-0.

56
57 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

58 NAYES: None.

- 59
60 14.F. Resolution No. AR 2006-241, a resolution of the Municipality of Anchorage appropriating \$200,000
61 from the U S. Forest Service, under the 2005 and 2006 Forest Health Protection Grant Program, to the
62 Anchorage Fire Department, Federal Categorical Grants Fund (241), for the restoration of areas
63 significantly impacted by the **spruce bark beetle infestation**; Anchorage Fire Department.
64 1. Assembly Memorandum No. AM 672-2006.

65
66 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
67 and called the Question.

68
69 Ms. Ossiander moved, to approve AR 2006-241,
70 Ms. Jennings seconded,
71 and this was passed, 10-0.

72
73 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings.

74 NAYES: None.

75 *(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)*

- 76
77 14.G. Resolution No. AR 2006-242, a resolution of the Municipality of Anchorage appropriating \$1,519,460
78 from the Department of Military and Veterans' Affairs, Division of Homeland Security and Emergency

1 Management and contribution of \$8,125 from Areawide General Fund (101) Fire Department 2006
2 Operating Budget, \$8,125 from Anchorage Fire Service Area Operating Fund (131) Fire Department
3 2006 Operating Budget and \$16,250 from Anchorage Metropolitan Police Service Area Fund (151)
4 Police Department 2006 Operating Budget, to the State Categorical Grants Fund (231) to purchase
5 equipment for the **Municipality of Anchorage Wide Area Radio Network Project** and for emergency
6 communications planning; Office of Emergency Management.
7 1. Assembly Memorandum No. AM 673-2006.
8

9 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
10 and called the Question.

11
12 Mr. Traini moved, to approve AR 2006-242,
13 Mr. Birch seconded,
14 and this was passed, 10-0.
15

16 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings.

17 NAYES: None.

18 *(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)*
19

20 14.H. Resolution No. AR 2006-248, a resolution of the Municipality of Anchorage appropriating \$983,720
21 from the Alaska Department of Health and Social Services as a grant to the State Categorical Grants
22 Fund (231), Department of Health and Human Services for the provision of **Women, Infants and**
23 **Children Supplemental Nutrition Services**.
24 1. Assembly Memorandum No. AM 684-2006.
25

26 Chair Sullivan read the resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
27 and called the Question.

28
29 Ms. Fairclough moved, to approve AR 2006-248,
30 Ms. Jennings seconded,
31 and the motion was passed, 10-0.
32

33 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Stout, Traini and Jennings.

34 NAYES: None.

35 *(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)*
36

37 14.I. Resolution No. AR 2006-249, a resolution of the Municipality of Anchorage appropriating \$617,998 as
38 a grant from the U.S. Department of Health and Human Services to the Federal Categorical Grants
39 Fund (241), Department of Health and Human Services to fund **Family Planning Services**.
40 1. Assembly Memorandum No. AM 685-2006.
41

42 Chair Sullivan read the resolution title and opened Public Hearing.

43
44 KAREN LEWIS, Right to Life Executive Director, questioned if the money would help fund Planned Parenthood. She
45 stated that it was immoral to use taxpayer money to fund projects and practices that citizens deemed abhorrent.
46

47 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.
48

49 Ms. Jennings moved, to approve AR 2006-249,
50 Ms. Shamberg seconded,
51

52 Ms. Ossiander stated that the Health Department had assured her that they did not perform abortions and did not
53 provide direct grants to Planned Parenthood or abortion. Health and Human Services Director Beverly Wooley
54 responded that the federal funds listed in this ordinance supported their reproductive health clinic. Ms. Ossiander
55 stated the funding was for supporting people who were trying to have children and also providing treatment and advice
56 for sexually transmitted diseases.
57

58 and this motion was passed, 10-0.
59

60 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout and Jennings.

61 NAYES: None.

62 *(Clerk's Note: Mr. Traini was temporarily out of Chambers at the time of the vote.)*
63

64 14.J. Resolution No. AR 2006-250, a resolution of the Municipality of Anchorage appropriating \$169,500 as
65 a grant from the Alaska Department of Health and Social Services to the State Categorical Grants
66 Fund (231), Department of Health and Human Services for the provision of **HIV Prevention Work**.
67 1. Assembly Memorandum No. AM 686-2006.
68

69 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
70 and called the Question.

71
72 Ms. Jennings moved, to approve AR 2006-250,
73 Ms. Shamberg seconded,
74 and this motion was passed, 11-0.
75

76 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

77 NAYES: None.
78

- 1 14.K. Resolution No. AR 2006-243, a resolution of the Municipality of Anchorage appropriating a \$371,010
2 contribution of BY2006 tax revenues approved in the BY2006 General Government Operating Budget
3 from the **Chugiak, Birchwood, Eagle River Rural Road Service Area** (CBERRRSA) Fund 119 to the
4 CBERRRSA Capital Improvement Program (CIP) Fund 419 for road and drainage capital improvement
5 projects within the CBERRRSA; Maintenance & Operations Department.
6 1. Assembly Memorandum No. AM 674-2006.
7

8 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
9 and called the Question.

10
11 Ms. Fairclough moved, to approve AR 2006-243,
12 Ms. Ossiander seconded,
13 and this motion was passed, 11-0.
14

15 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
16 NAYES: None.
17

- 18 14.L. Resolution No. AR 2006-244, a resolution of the Municipality of Anchorage appropriating the sum of
19 \$306,532 from the State of Alaska, Department of Transportation and Public Facilities (DOTPF) to the
20 Municipality of Anchorage (MOA), State Categorical Grants Fund 231 and authorizing the Transfer of
21 Responsibility Agreement (TORA) with the DOTPF for **best management practices for PM 10 dust**
22 **control**; Maintenance & Operations Department.
23 1. Assembly Memorandum No. AM 675-2006.
24

25 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
26 and called the Question.

27
28 Ms. Jennings moved, to approve AR 2006-244,
29 Mr. Coffey seconded,
30

31 Ms. Jennings stated that a lot of money was being spent on this study. Maintenance and Operations Director Alan
32 Czajkowski responded that the study was in the second year of a three-year study, determining the most efficient, cost
33 effective method for dust control. They were currently trying a dustless sweeper and testing chemicals.
34

35 To Mr. Traini, Mr. Czajkowski responded that this was an in-depth study on controlling dust in the city. Mr. Traini
36 responded that the private sector needed to use preventive measures also. Mr. Czajkowski responded that some of
37 the funding was for enforcement and reviewing the possibility of contractor licensing.
38

39 Ms. Ossiander stated that Chugiak-Eagle River had been designated as PM-10 non-compliant, and yet none of the
40 money was spent there. Mr. Czajkowski responded that the program focused on the main traffic areas, including
41 Tudor Road, Boniface and Lake Otis. The department paid for the matching funds for the grant and they contained the
42 study within the Anchorage Roads and Drainage Service Area (ARDSA), since that was the specified area.
43

44 and this motion was passed, 11-0.
45

46 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
47 NAYES: None.
48

- 49 14.M. Resolution No. AR 2006-245, a resolution of the Municipality of Anchorage appropriating \$481,371 to
50 the State Categorical Grants Fund (231) from the Federal Highway Administration through the Alaska
51 Department of Transportation and Public Facilities to provide funding for **Congestion Mitigation and**
52 **Air Quality Improvement Program** through expansion of public transportation services within the
53 Municipality of Anchorage; Public Transportation Department.
54 1. Assembly Memorandum No. AM 676-2006.
55

56 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
57 and called the Question.

58
59 Ms. Shamberg moved, to approve AR 2006-245,
60 Mr. Coffey seconded,
61

62 To Mr. Traini, Mayor Begich responded the emissions study was in process and was receiving feedback from the
63 Environmental Protection Agency. The Mayor responded that he would share any additional information.
64

65 and this motion was passed, 11-0.
66

67 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
68 NAYES: None.
69

- 70 14.N. Resolution No. AR 2006-251, a resolution of the Municipality of Anchorage authorizing the acceptance
71 of a Federal Highway Administration Congestion Mitigation and Air Quality (CMAQ) grant and
72 appropriating \$2,592,387 from the Federal Highway Administration through State of Alaska, the
73 Department of Transportation and Public Facilities, to the Public Transportation Capital Improvement
74 Fund (485) for the purchase of **fixed Route 40' buses and vanpool vehicles**; Public Transportation
75 Department.
76 1. Assembly Memorandum No. AM 687-2006.
77

1 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
2 and called the Question.

3
4 Ms. Fairclough moved, to approve AR 2006-251,
5 Mr. Coffey seconded,
6 and this motion was passed, 11-0.

7
8 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
9 NAYES: None.

10
11 14.O. Resolution No. AR 2006-252, a resolution appropriating five \$560,516 from a Transfer of
12 Responsibilities Agreement between the State of Alaska Department of transportation & Public
13 Facilities (ADOT&PF) and the Municipality of Anchorage (MOA) to the State Categorical Grants Fund
14 (231) for the **Anchorage Metropolitan Area Transportation Solutions (AMATS) Hillside District**
15 **Plan**; Traffic Department.
16 1. Assembly Memorandum No. AM 688-2006.

17
18 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
19 and called the Question.

20
21 Mr. Birch moved, to approve AR 2006-252,
22 Ms. Jennings seconded,

23
24 Mr. Coffey stated that an appropriation had been approved on the Consent Agenda to pay for the lead consultant.
25 This was a continuation of the efforts to get the Hillside District Plan done, which was crucial to the current
26 development on the Hillside. He urged support.

27
28 and this motion was passed, 11,0.

29
30 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
31 NAYES: None.

32
33 14.P. Resolution No. AR 2006-253, a resolution appropriating \$175,161 to the State Categorical Grants
34 Fund (231) under Amendment No. 2 to a Transfer of Responsibilities Agreement (TORA) between the
35 State of Alaska Department of Transportation (ADOT&PF) and Public Facilities and the Municipality of
36 Anchorage (MOA) for the **Traffic Control Signalization Project**; Traffic Department.
37 1. Assembly Memorandum No. AM 689-2006.

38
39 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
40 and called the Question.

41
42 Ms. Ossiander moved, to approve AR 2006-253,
43 Mr. Coffey seconded,

44
45 To Ms. Shamberg, Municipal Traffic Director Lance Wilber responded that the department was now fully staffed and
46 these funds helped support their programs. Progress was being made on re-timing all signals in Anchorage. South
47 Anchorage and Eagle River were completed and the department was prepared to complete Midtown, the Tudor Road
48 Corridor and Downtown areas. Those areas would be completed by the end of the year and they would continue to
49 monitor and make additional improvements.

50
51 To Chair Sullivan, Mr. Wilber responded that the crosswalk lights were included with signalization. Chair Sullivan
52 stated that both of the hills in Turnagain, where traffic had momentum on the hills in Turnagain, at Forrest Park, be
53 addressed, for consideration of signal lights that counted down. Mr. Wilber responded that he would look into it.

54
55 To Mr. Bauer, Mr. Wilber responded they completed signalization improvements on State roads.

56
57 and this motion was passed, 11-0.

58
59 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
60 NAYES: None.

61
62 14.Q. Resolution No. AR 2006-254, a resolution of the Municipality of Anchorage appropriating \$200,000 as
63 a donation from ConocoPhillips Alaska, Inc. Earth Energy Partners Program to the Office of Economic
64 and Community Development, Miscellaneous Operational Grants Fund (Fund 261), for **Salmon in the**
65 **City Initiative Projects** including educational displays and stream bank and sport fishing access
66 improvements; Office of Economic and Community Development.
67 1. Assembly Memorandum No. AM 690-2006.

68
69 Chair Sullivan read the resolutions title and opened Public Hearing. With no one to testify, he closed Public Hearing
70 and called the Question.

71
72 Ms. Jennings moved, to approve AR 2006-254,
73 Mr. Coffey seconded,

74
75 To Ms. Jennings, Economic and Community Development Creeks Development Manager David Wigglesworth
76 responded that part of the funds would go towards completing the Campbell Creek Interpretive Trail Plan and the bulk
77 of the funds would help fund the Ship Creek Fishing Access and Stream Bank Rehabilitation Improvements Program.
78 The department was trying to minimize costs with the Campbell Creek signage.

1
2 Mr. Coffey requested an update and overview in the next few months of all projects related to fisheries rehabilitation.
3 Mr. Wigglesworth concurred.

4
5 Chair Sullivan thanked ConocoPhillips for their donation of the \$200,000 grant to support these efforts, reestablishing
6 fishing streams and habitat in the middle of a large city. He called the Question.

7
8 and this motion passed, 11-0.

9
10 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.
11 NAYES: None.

12
13 **15. SPECIAL ORDERS** None.

14
15 **16. UNFINISHED AGENDA** None.

16
17 **17. AUDIENCE PARTICIPATION** None.

18
19 **18. ASSEMBLY COMMENTS**

20
21 Mr. Bauer and Ms. Fairclough announced a group of visiting Boy Scouts. Troop 29 included members Evan Wheeler,
22 Benjamin Smith, Brenden Lyon, Kenneth Fitzpatrick, Brandon Blackley, Anthony Betz, Hunter Hill, Scout Leaders Scott
23 Pfau and Lance Holtry and parent Ties Smith. Scout Master Pfau stated that they were working on a communications
24 merit badge. To Ms. Ossiander, he responded that Troop 29 was sponsored by the Church of Latter Day Saints in
25 Eagle River.

26
27 Ms. Ossiander reported that the recent storm had caused a 15-hour power outage in Chugiak, and she had no
28 telephone service or answering machine. She urged constituents to be patient and she would get back to them as
29 soon as possible. Mr. Stout responded facetiously that any areas of Anchorage that had experienced power outages
30 with the recent wind storm may consider adding some of the huge, tall, strong towers, which had been installed in his
31 area.

32
33 Ms. Fairclough stated that she and Ms. Ossiander had experienced an increase of calls requesting help, concerning
34 the Eagle River Shuttle, which provided a valuable service to Chugiak-Eagle River, where there was no taxi service.
35 This shuttle had been forced to relocate its bus stop at the Anchorage International (*Airport*) and was now difficult for
36 riders to find. The riders, some of whom were elderly or disadvantaged in different ways, were now being forced to
37 walk hundreds of feet to catch the shuttle. Mayor Begich and Deputy Municipal Manager Michael Abbott quickly
38 responded that concerns needed to be addressed by Mort Plum, Airport Manager. Ms. Fairclough requested the
39 Administration and Assemblymembers to participate in securing a modified fee and a reasonable bus stop location at
40 the airport. Mayor Begich concurred and recommended a joint letter, in support of the effort. Ms. Ossiander
41 responded that this had been an on-going problem and she had met with Mr. Plum last year. Ms. Fairclough stated
42 she had talked with state representatives. Mr. Tesche recommended that Ms. Fairclough and Ms. Ossiander bring
43 forth a resolution on this matter for Assembly consideration. Chair Sullivan concurred. Ms. Fairclough requested that
44 Assembly Council Julia Tucker draft a resolution for the next Assembly Meeting.

45
46 To Chair Sullivan, Mayor Begich responded that the Administration would be acknowledging ConocoPhillips on
47 October 24th, for their generous contributions to the city.

48
49 **19. EXECUTIVE SESSIONS** None.

50
51 **20. ADJOURNMENT**

52
53 Chair Sullivan called for a motion to adjourn the meeting.

54
55 Mr. Traini moved, to adjourn the Regular Assembly Meeting,
56 Ms. Fairclough seconded,
57 and this motion was passed without objection.

58
59
60 The Regular Assembly Meeting was adjourned at 9:45 p.m.

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67 _____
68 DAN SULLIVAN, Assembly Chair

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73 ATTEST:

74 _____
75 LINDA HEIM, Acting Municipal Clerk
76 Date Minutes Approved: November 14, 2006.
77 MC/BG

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(Copies of Approved Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4505, or on the Municipal Web Site, www.muni.org ~Assembly~Minutes~year~month~day)