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3 **MUNICIPALITY OF ANCHORAGE**
4 **ANCHORAGE ASSEMBLY**

5
6 **Assembly Chambers, Z. J. Loussac Library**
7 **3600 Denali Street, Anchorage, Alaska**

8
9 **Minutes for Regular Meeting of October 24, 2006**
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18
19 **1. CALL TO ORDER**

20
21 The Assembly Meeting was convened by Chair Sullivan at 5:03 p.m. in the Assembly Chambers, Room 108 of the
22 Loussac Library, 3600 Denali Street in Anchorage, Alaska.
23

24 **2. ROLL CALL** A Quorum was achieved with Assemblymembers present.
25

26 PRESENT: Paul Bauer, Anna Fairclough, Dan Sullivan, Debbie Ossiander, Chris Birch, Dan Coffey, Ken Stout,
27 Dick Traini and Pamela Jennings.

28 ABSENT: Allan Tesche and Janice Shamberg, each with excused absences.
29

30 **3. PLEDGE OF ALLEGIANCE** Assemblymember Bauer led the pledge.
31

32 **4. MINUTES OF PREVIOUS MEETINGS** None.
33

34 **5. MAYOR'S REPORT**
35

36 Mayor Begich presented a Mayor's Award for Public Service to ConocoPhillips, thanking them for their contribution of
37 \$200,000, supporting the creek rehabilitation program and the Salmon in the City Initiative. Accepting on behalf of
38 ConocoPhillips, Ken Donajkowski, Vice President of Health, Safety and Environment, responded that it had been an
39 honor to participate. Chair Sullivan stated this was one of many projects that ConocoPhillips graciously supported
40 throughout the community. Ms. Jennings thanked ConocoPhillips for being a wonderful corporate neighbor and for all
41 of their gracious giving to the city.
42

43 Mr. Begich passed out the monthly updates on the Dena'ina Civic and Convention Center, including the budget,
44 project construction and the timetable.
45

46 Mayor Begich passed out pins, welcoming the Alaska Federation of Natives (AFN) Convention, to Anchorage.
47

48 Ms. Fairclough reported that she had had the honor of attending a meeting Friday night with the AFN and the Alaska
49 Native Women's Sexual Assault Committee, which was recognized for their efforts in protecting women all over the
50 state.
51

52 Mr. Birch reported that he had attended the new Alaska Native Science & Engineering Program (ANSEP) building
53 opening at the University of Alaska, which had included a dinner banquet and a performance from the King Island
54 Dancers.
55

56 Mayor Begich recognized Jim Palmer in the audience, being confirmed as a new appointee to the Planning and Zoning
57 Commission. Chair Sullivan called for a motion to Change the Order of the Day to take AM 753-2006, item 11.A, to
58 confirm Mr. Palmer's appointment. Mr. Coffey moved, seconded by Mr. Stout, and this was approved without
59 objection. *(See item 11.A) (Once Assembly discussion and action were completed on 11.A, Chair Sullivan returned*
60 *the body to Agenda item Number 6.)*
61

62 **6. ASSEMBLY CHAIR'S REPORT** None.
63

64 **7. COMMITTEE REPORTS**
65

66 Ms. Ossiander reported that a public meeting on Title 21 was scheduled for Wednesday, October 25th, at the British
67 Petroleum Center, from 6:30 to 8:30 p.m. Jointly, the Assembly, the Title 21 Committee and the Municipal Planning
68 staff would be taking questions on the Title 21 Chapters that were out for review.
69

70 Mr. Stout reported that a worksession on the Ethics Code was scheduled for Friday, October 27th, from 11:30 a.m. to
71 1:00 p.m. in the Assembly Conference Room in City Hall. Public Hearing on AO 2006-140 was set for November 14th.
72 Assemblymember Jennings, on the Ethics Committee, had submitted her comments and potential revisions. Mark
73 Ertischek, with the Municipal Attorney's Office, had forwarded additional comments. Ethics Committee members
74 Connie Jones and Dr. Liszka would be attending the worksession.
75

76 **8. ADDENDUM TO AGENDA**
77

1 Chair Sullivan called for a motion and read the Addendum items. There were no additional items and he called for a
2 vote to incorporate the Addendum items into the Consent Agenda.

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

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

9 NAYES: None.

10 ABSENT: Tesche and Shamberg, each excused.

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

13
14 Ms. Ossiander moved, to approve the Consent Agenda,
15 Mr. Coffey seconded,

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

19
20 **9. CONSENT AGENDA**

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

22 9.A.1. Resolution No. AR 2006-287, a resolution of the Anchorage Municipal Assembly honoring the
23 **Anchorage Equal Rights Commission** for 30 years of service dedicated to the elimination of
24 discrimination in Anchorage; Mayor Begich; Assemblymembers Sullivan, Fairclough, Bauer, Birch,
25 Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini. **(Addendum)**

26
27 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.A.1)

28
29 **9.B. RESOLUTIONS FOR ACTION - OTHER**

30 9.B.1. Resolution No. AR 2006-279, a resolution of the Municipality of Anchorage appropriating \$22,125 from
31 the Department of Military and Veterans' Affairs, Division of Homeland Security and Emergency
32 Management and the contribution of \$440 from Office of Emergency Management Operating Fund
33 (101) to the State Categorical Grants Fund (231) to support the Municipality of Anchorage **Local**
34 **Emergency Planning Committee (LEPC) activities**; Office of Emergency Management.

35 a. Assembly Memorandum No. AM 786-2006.

36 9.B.2. Resolution No. AR 2006-280, a resolution appropriating \$50,000 from the U.S. Department of
37 Agriculture to the Federal Grant Fund (241), Project Management & Engineering Department, for the
38 Watershed Management Division's assessment of the **Rabbit Creek Watershed**; Project
39 Management & Engineering.

40 a. Assembly Memorandum No. AM 787-2006.

41 9.B.3. Resolution No. AR 2006-281, a resolution of the Municipality of Anchorage appropriating \$80,000 of
42 Unappropriated Restricted Contributions Revenues (9069) to the Areawide Capital Improvement Fund
43 401, Maintenance and Operations Department, for **restroom renovation repairs** at the Anchorage
44 Senior Center; Maintenance & Operations Department.

45 a. Assembly Memorandum No. AM 788-2006.

46 9.B.4. Resolution No. AR 2006-282, a resolution in support of the Department of Neighborhoods to submit to
47 the State of Alaska an application for a federal grant for **historic surveys of Anchorage's**
48 **neighborhoods**.

49
50 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.B.4)

51
52 **9.C. BID AWARDS**

53 9.C.1. Assembly Memorandum No. AM 794-2006, recommendation of award to Roger Hickel Contracting,
54 Inc. for the **Asplund Building Improvements** for the Municipality of Anchorage, Anchorage Water
55 and Wastewater Utility (ITB 26-C071) (\$2,947,000); Purchasing. **(Addendum)**

56
57 **9.D. NEW BUSINESS**

58 9.D.1. Assembly Memorandum No. AM 779-2006, **Kodiak Bar & Grill #4568** – Restaurant Designation
59 (Downtown Community Council), Clerk's Office.

60 9.D.2. Assembly Memorandum No. AM 782-2006, proprietary purchase to U.S. Bearings & Drives for
61 furnishing 32 each **Kaydon bushing seal rings** to the Municipality of Anchorage, Municipal Light and
62 Power Utility (ML&P) (\$61,920); Purchasing. (Postponed to 11-14-06)

63 9.D.3. Assembly Memorandum No. AM 795-2006, **Zoning Board of Examiners and Appeals** appointment
64 (Mike Marsh); Mayor's Office. **(Addendum)**

65
66 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (See item 10.D.3)

67
68 9.D.4. Assembly Memorandum No. AM 796-2006, proprietary purchase to Alcan Electrical and Engineering,
69 Inc. for providing two **Closed Circuit Television (CCTV) cameras** and associated access control
70 equipment to the Municipality of Anchorage, Port of Anchorage (\$83,300); Purchasing. **(Addendum)**

71
72 **9.E. INFORMATION AND REPORTS**

73 9.E.1. Information Memorandum No. AIM 115-2006, **Sole Source Procurement** for the month of September
74 2006; Purchasing.

75
76 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

77 9.F.1. Resolution No. AR 2006-283, a resolution of the Municipality of Anchorage appropriating \$972,806 as
78 a grant from the State of Alaska, Department of Military and Veterans Affairs, Division of Homeland
79 Security and Emergency Management and appropriating \$20,770 as a contribution from the 2006

1 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the
2 State Categorical Grants Fund (231), Anchorage Police Department, for the purchase of **terrorism**
3 **response and prevention equipment**; Anchorage Police Department. *Public Hearing 11-14-06.*

4 a. Assembly Memorandum No. AM 789-2006.

5 9.F.2. Resolution No. AR 2006-284, a resolution of the Municipality of Anchorage appropriating \$836,900
6 from the Alaska Department of Health and Social Services as a grant to the State Categorical Grants
7 Fund (231), Department of Health and Human Services for the provision of **Public Health**
8 **Preparedness and Response for Bioterrorism**; Health and Human Services. *Public Hearing 11-14-*
9 *06.*

10 a. Assembly Memorandum No. AM 790-2006.

11 9.F.3. Ordinance No. AO 2006-151, an ordinance amending Anchorage Municipal Code Chapter 21.90 to
12 add a new section 21.90.055 for **undergrounding fees** and costs in dedicated municipal parks;
13 Assemblymember Shamberg. *Public Hearing 11-14-06. (Addendum)*

14
15 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.F.3*)

16
17 Chair Sullivan called the Question on the remainder of Consent Agenda.

18
19 and this motion, as amended, was passed.

20
21
22 AYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

23 NAYES: None.

24 ABSENT: Tesche and Shamberg, each with excused absences.

25
26 The amended Consent Agenda was approved and Chair Sullivan led the body into discussion of the pulled items.

27
28 **END OF CONSENT AGENDA**

29
30
31 **10. REGULAR AGENDA**

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

33 10.A.1. Resolution No. AR 2006-287, a resolution of the Anchorage Municipal Assembly honoring the
34 **Anchorage Equal Rights Commission** for 30 years of service dedicated to the elimination of
35 discrimination in Anchorage; Mayor Begich; Assemblymembers Sullivan, Fairclough, Bauer, Birch,
36 Coffey, Jennings, Ossiander, Shamberg, Stout, Tesche and Traini. **(Addendum)**

37
38 Ms. Ossiander moved, to approve AR 2006-287,
39 Ms. Fairclough seconded,
40 and this was passed without objection.

41
42 Chair Sullivan read and Ms. Ossiander presented the resolution, honoring the Equal Rights Commission (ERC) for 30
43 years of service in Anchorage. Accepting on behalf of the Commission were ERC Chair Denise Morris; ERC Planning
44 Coordinator for the Anniversary Celebration Susan Churchill; ERC Executive Director Barbara Jones, and; ERC Senior
45 Investigator Belinda Davis. Ms. Morris thanked the Assembly and the Mayor for the recognition and stated that ending
46 discrimination was very important. They were holding an event, celebrating their 30-year anniversary at the Fairview
47 Recreation Center on November 9th and the community was encouraged to attend. Ms. Fairclough acknowledged and
48 thanked Ms. Morris for her involvement with many community activities, including working as Executive Director for the
49 Alaska Native Justice Center and as Chair for the Alaska Native Women Sexual Assault Committee. Ms. Morris had
50 also been involved with the meet-and-greet program with Standing Together Against Rape (STAR).

51
52 **10.B. RESOLUTIONS FOR ACTION - OTHER**

53 10.B.4. Resolution No. AR 2006-282, a resolution in support of the Department of Neighborhoods to submit to
54 the State of Alaska an application for a federal grant for **historic surveys of Anchorage's**
55 **neighborhoods.**

56
57 Ms. Ossiander moved, to approve AR 2006-282,
58 Ms. Jennings seconded,

59
60 Ms. Ossiander requested consideration of recognizing various spots in Chugiak-Eagle River, including the 100-year-
61 old church at Eklutna Village and the Spring Creek Lodge, which had been a ~~weigh~~ "way" station on the original
62 highway. The Chugiak Historical Society, a volunteer organization, was trying very hard to preserve some of the
63 buildings. Department of Neighborhoods Director Carma Reed responded that this would fall under the Housing and
64 Community Development Action Plan and all parts of Municipality were eligible for consideration, including Chugiak-
65 Eagle River.

66
67 Mr. Stout moved, to amend AR 2006-282 on Page 1, line 23 *by adding* to read:
68 Mr. Coffey seconded, Mountain View, Government Hill, Fairview ~~and~~ Spenard
69 and this was later withdrawn. "and Muldoon" ~~[Neighborhood]~~ "Neighborhoods.";

70
71 To Ms. Ossiander, Ms. Reed responded that new considerations could be addressed through their Action Plan, which
72 was scheduled for Public Hearing on Tuesday, October 31, 2006. Mayor Begich responded that the Action Plan was
73 already set, but there would be an opportunity to add new considerations for additional future grants at the Public
74 Hearing. Mr. Stout stated that he would withdraw his amendment, if he could be assured that Muldoon would be
75 included in the Action Plan. Ms. Reed responded the Action Plan had already been submitted, but it could be
76 amended. Mr. Coffey, the second, stated that Muldoon could still be added to the resolution because the document
77 was only a prospective. Mayor Begich stated that this resolution was already set for 2005 and 2006, but the Action
78 Plan could be amended for future considerations. Mr. Stout withdrew his amendment, with the concurrence of the
79 second, Mr. Coffey.

1
2 Ms. Ossiander moved, to amend AR 2006-282 on Page 1, Line 22 *by changing* to
3 Mr. Coffey seconded, read: "WHEREAS, the current 2007 Housing and Community
4 and this was approved without objection. Development Action Plan proposes to fund an historic survey
5 of the Spenard neighborhood,"
6

7 Ms. Jennings moved, to amend AR 2006-282 on Page 1, Line 23, *by deleting* to
8 Mr. Coffey seconded, read: ...successful [~~award of~~] award of funds;
9 and this was approved without objection.

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

11
12 **10.C. BID AWARDS** None were pulled for review.

13 **10.D. NEW BUSINESS**

14
15 10.D.3. Assembly Memorandum No. AM 795-2006, Zoning Board of Examiners and Appeals appointment
16 (Mike Marsh); Mayor's Office. (**Addendum**)
17

18
19 Ms. Fairclough moved, to approve AM 795-2006,
20 Ms. Ossiander seconded,

21
22 Ms. Fairclough moved, *to Postpone* AM 795-2006 to November 14, 2006,
23 Ms. Ossiander seconded, to allow the 10-day comment period,
24 and this was approved without objection.
25

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

27
28 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

29 10.F.3. Ordinance No. AO 2006-151, an ordinance amending Anchorage Municipal Code Chapter 21.90 to
30 add a new section 21.90.055 for **undergrounding fees** and costs in dedicated municipal parks;
31 Assemblymembers Shamberg and Coffey. *Public Hearing 11-14-06*. (**Addendum**)
32

33 Mr. Coffey moved, *to introduce* AO 2006-151, with Mr. Coffey added
34 Ms. Ossiander seconded, as a cosponsor,
35 and Mr. Traini was the concurring third.
36

37 Mr. Coffey requested to be added as a cosponsor.

38
39 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

40 11.A. Assembly Memorandum No. AM 753-2006, Planning and Zoning Commission appointment (Jim
41 Palmer); Mayor's Office. (*Postponed from 10-10-06*)
42

43 Ms. Fairclough moved, to approve AM 753-2006,
44 Ms. Ossiander seconded,
45 and this was passed without objection.
46

47 AYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

48 NAYES: None.

49 ABSENT: Tesche and Shamberg, each excused.
50

51 Ms. Fairclough thanked Mr. Palmer for his years of service to Chugiak-Eagle River. She thanked him for his continued
52 dedication and public service to the community as a member of the Planning and Zoning Commission. Mr. Palmer
53 thanked her for the recognition.
54

55 11.B. Resolution No. AR 2006-271, a resolution of the Anchorage Municipal Assembly regarding the
56 **Delaney Park Strip**; Assemblymember Sullivan. (*Postponed from 10-10-06*)
57

58 Chair Sullivan read the resolution title. He turned the Chair over to Ms. Ossiander, allowing him to speak to the issue.
59

60 Mr. Sullivan moved, to approve AR 2006-271,
61 Mr. Coffey seconded,
62

63 Mr. Sullivan stated that this resolution was an alternative to AO 2006-108, which he had introduced to make sure the
64 planning process for Delaney Park was comprehensive and included Assembly participation. The Delaney Park Strip
65 Master Plan Process was now included in the overall Anchorage Downtown Plan. He proposed one amendment.
66

67 Mr. Sullivan moved, to amend AR 2006-271 on Page 1, Line 45 *by adding* to read:
68 Mr. Coffey seconded, "No element of the Delaney Park Strip Master Plan may be
69 implemented prior to final Assembly approval of the Master
70 Anchorage Downtown Plan.;"
71

72 To Ms. Jennings, Mr. Sullivan responded that it was his intent to postpone the ordinance indefinitely and that the
73 resolution had covered his concern with the Delaney Park Strip, the single most important park in the city because of
74 what it provided to downtown. This would ensure that implementation of the Park Strip Plan included an orderly
75 process, involving the community action group, the commission and the Assembly.
76

77 and this motion was passed without objection.
78

79 To Mr. Birch, Mayor Begich responded that this was supported by the Parks and Recreation Commission.

1
2 To Ms. Fairclough, Mayor Begich responded that this would be in place before the Downtown Plan came before the
3 Assembly, at the end of 2006.

4
5 Acting Chair Ossiander called the Question on the main motion.

6
7 and the main motion, as amended, was approved, 9-0.

8
9 AYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

10 NAYES: None.

11 ABSENT: Tesche and Shamberg, each excused.

12
13 11.C. Ordinance No. AO 2006-108, an ordinance of the Anchorage Municipal Assembly amending
14 Anchorage Municipal Code Title 25, Public Lands, to enact a new chapter, AMC 25.80, **Delaney Park**
15 **Strip**, to require Assembly approval of site plans and facility development for Delaney Park Strip,
16 including all major additions, deletions and improvements; Assemblymember Sullivan.

17 1. Information Memorandum No. AIM 84-2006. (*Public Hearing was Closed 9-26-06; Amended*
18 *9-26-06; Action was postponed from 9-26-06 and 10-10-06*)

19
20 Ms. Fairclough moved, *to postpone indefinitely* AO 2006-108,

21 Ms. Ossiander seconded,

22 and this was approved without objection.

23
24 **12. APPEARANCE REQUESTS** There were none.

25
26 **13. CONTINUED PUBLIC HEARINGS**

27 13.A. Resolution No. AR 2006-264, a resolution of the Anchorage Assembly approving the **Heritage Land**
28 **Bank 2007 Work Program** and 2008-2012 Five-Year Management Plan; Heritage Land Bank.

29 1. Assembly Memorandum No. AM 721-2006. (*Continued from 10-17-06*)

30
31 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
32 and called the Question.

33
34 Mr. Coffey moved, *to approve* AR 2006-264,

35 Mr. Traini seconded,

36
37 Ms. Fairclough moved, *to Postpone* AR 2006-264 to November 14, 2006,

38 Mr. Birch seconded,

39
40 Mr. Birch requested a response from the Administration about the Municipality getting out of the land business, after
41 the city's needs and purposes were identified and once all municipal lands were disposed of.

42
43 Ms. Ossiander requested a response from the Administration about the Turnagain Community Council's comments
44 concerning the airport lands. She also wanted to discuss the possibility of a cemetery in Eagle River.

45
46 Ms. Jennings supported postponement because she also had amendments to add and Ms. Ward was not present.

47
48 Mr. Coffey stated that he also had questions and he requested a worksession be scheduled. Municipal Clerk Barbara
49 Gruenstein scheduled a worksession. Mr. Coffey supported postponement.

50
51 Chair Sullivan requested that all questions be sent to the Heritage Land Bank

52
53 and the motion to postpone passed without objection.

54
55 AYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

56 NAYES: None.

57 ABSENT: Tesche and Shamberg, each excused.

58
59 **14. NEW PUBLIC HEARINGS**

60
61 Mr. Coffey moved, *to Combine 2nd Public Hearing* on AO 2006-130,

62 Ms. Fairclough seconded, AR 2006-238, AO 2006-132, AR 2006-234 and AO 2006-133,

63 and this was approved without objection. Agenda items 14.A, 14.B, 14.C, 14.D and 14.E,

64
65 Chair Sullivan read the ordinance and resolution titles and opened Combined 2nd Public Hearing.

66
67 JOE GRIFFITH, Chair of the Anchorage Museum Association (AMA), testified in support of the \$3.8 million for 2007, in
68 accordance with the AMA agreement with the city. With the transfer from the city to the AMA in the past year, the AMA
69 had transitioned staff and management from the city to the AMA, had continued with programming and operations, had
70 continued with the building program, had increased the AMA staff and had continued the integration of the
71 Imaginarium. The AMA would be independent of Municipal operations after 2007 and operating under contract. To
72 Mr. Birch, Mr. Griffith responded that it had been agreed that the AMA Chief Executive Officer Pat Wolfe would be
73 retiring when a replacement was formally recruited. Mr. Birch stated that he supported the AMA budget.

74
75 TOM McGRATH, representing the Spenard Community Council, testified of capital projects needed for Spenard,
76 including improvements for Van Buren Street and 48th Avenue, projected for completion in 2008. This project had
77 been delayed since 1979, when the Spenard Recreation Center had been built. Children now frequented the center
78 and a park across the street. There was a safety concern with traffic, which included trucks and double-wide trailers.
79 He requested an amendment to have this project be completed in 2007. Ms. Jennings concurred. She stated that

1 Heritage Land Bank Executive Director Robin Ward was negotiating on real estate deals and the Assembly was
2 pursuing state money, otherwise the Municipality would bond for the project. Mr. McGrath requested having this listed
3 as a priority project in the Capital Improvement Program (CIP).

4
5 CATHY GLEASON, Vice President of the Turnagain Community Council, reported on the council's list of CIP priorities,
6 including rankings of road and park projects. The top park priority was listed as the coast trail buffer, greenbelt
7 acquisition, located west of Lyn Ary Park to Earthquake Park. The council wanted to delete the 35th and McRae
8 project altogether because it had been listed as a collector. The top priority road project was the Turnagain Street
9 upgrade, from Northern Lights to 35th Avenue, which was a safety hazard. They requested that Turnagain Street and
10 Turnagain Boulevard be designed as local routes and not as collector routes. Ms. Ossiander stated the 35th and
11 McRae project had been postponed to 2011, so there would be time for consideration of design changes. If the item
12 was deleted there would not be an opportunity to discuss or refine it. Ms. Gleason opposed that project being
13 identified with collector status. Ms. Jennings stated that the working group had met every Friday night all summer and
14 had agreed on a plan which was now being considered and she recommended that project remain in the CIP.

15
16 ANNA BELL STEVENS, Chair of the Mayor's Senior Citizen Advisory Commission, requested consideration during the
17 first quarter budget revisions, for a Senior Services Coordinator position, which would manage the many services for
18 seniors available in the city. Seniors were the fastest growing population in Alaska. To Mr. Coffey, she responded that
19 she would present details of the position to the Assembly prior to the first quarter budget revisions. To Ms. Jennings,
20 Ms. Stevens responded that this position would be responsible for managing senior activities, transportation and
21 bringing organizations together. Mr. Stout requested a full job description for the position. An assisted living facility
22 operator responded that currently there was no one person coordinating needed services and she urged support.

23
24 KATHLEEN PLUNKETT, Chair of the Russian Jack Community Council, submitted a council resolution unanimously
25 supporting funding for a design, rehabilitation and remodeling of Fire Station 3. This project was a priority. The
26 council voted unanimously to request \$100,000 to continue the Weed and Feed Program for the next year. The
27 council also requested CIP funding for additional traffic calming studies and additional cross walks for schools and
28 parks. To Ms. Fairclough, Ms. Plunkett responded that the council was requesting support only for Fire Station 3. To
29 Mr. Coffey, Ms. Plunkett responded the community had received funding for one traffic calming project in the past and
30 others had been included with larger road projects. The improvements had caused people to notice pedestrians and
31 to slow down. Deputy Municipal Manager Michael Abbott responded that there was bond funding available in the CIP
32 for capital improvements for several areas which had completed traffic calming studies. Improvements for Pine Street
33 were listed as a priority in the Russian Jack area. Mr. Coffey responded that these were listed in the budget book on
34 Page 6-4, with an appropriation of \$750,000 and a proposed \$750,000 in state grants. Mr. Abbott responded that
35 traffic calming studies identify clear benefits from each and prioritize the projects.

36
37 NEIL KOENIGER, Chair of the Animal Control Advisory Board, supported an additional \$30,000 to fund the Animal
38 Control Officer position full time. They needed increased staffing. To Ms. Ossiander, Office of Management and
39 Budget Janet Mitson responded funding had been added for the part-time position but there were no additional
40 services proposed. To Ms. Ossiander, Mr. Koeniger responded that the board had reviewed the priorities of outreach
41 and education versus the emphasis on enforcement and had concluded that the department needed additional staff.
42 Their request for a full time enforcement officer was consistent with a completed study on their facility by the National
43 Animal Control Association, which had indicated the Anchorage facility was seventeen officers short. He responded
44 they did have a community outreach coordinator working in the schools. To Ms. Jennings, he responded that making
45 the enforcement officer full time would diminish response times to complaints and would increase patrolling off-leash
46 dog parks.

47
48 BOB BELL, a former Anchorage Assemblymember, distributed a petition with 700 signatures from people on Spenard
49 Road. He and the Northstar Business Association, representing businesses on Spenard Road, Fireweed Lane and
50 Arctic Boulevard, opposed the current design proposed for Spenard, which included a three-lane road, no bus
51 turnouts, a roundabout and placement of medians which would not allow access to businesses. They opposed making
52 Spenard Road one way from Minnesota to 36th Avenue. The design did not improve safety and was a disaster for the
53 businesses. They requested upgrades to lighting, sidewalks, landscaping and safety improvements. He requested
54 persons in the audience, who were businesses owners on Spenard Road to stand to show support for their petition.
55 To Chair Sullivan, Mr. Bell responded that he had 30 years of experience as a professional engineer. To Mr. Coffey,
56 he responded that he had engineered road designs similar to those of Spenard and Fireweed. The design
57 implemented on 15th Avenue worked because the community there was residential, not business. Mr. Coffey stated
58 that a similar design had been proposed for Arctic, which had businesses. Mr. Bell requested delay on Spenard Road,
59 to see what the impacts would be to Arctic Boulevard.

60
61 BAXTER GAMBLE, a Spenard Road business owner, distributed a map showing businesses, with indication of those
62 opposing the road design. Businesses were most concerned with access to their shops and opposed the three-lane
63 design. They supported better lighting, curbs and sidewalks and snow removal. To Ms. Jennings, Mr. Gambel
64 responded that there were some businesses that supported the three lanes. Mayor Begich stated that REI supported
65 the design. Chair Sullivan stated that he had met with the Northstar group and it sounded like the group was coming
66 up with recommendations for dealing with traffic concerns.

67
68 With no additional public testimony, Chair Sullivan closed Combined 2nd Public Hearing on AO 2006-130, AR 2006-
69 238, AO 2006-132, AR 2006-234 and AO 2006-133 and Continued Public Hearing to October 31st. He stated that
70 written testimony and comments could be submitted to the Assembly through the Municipal Clerk's Office.

- 71
72 14.A. **SECOND PUBLIC HEARING:** Ordinance No. AO 2006-130, an ordinance of the Municipality of
73 Anchorage adopting and appropriating funds for the **2007 (Updated) General Government**
74 **Operating Budget** for the Municipality of Anchorage; Office of Management and Budget.
75 1. Assembly Memorandum No. AM 656-2006.

76
77 *(Clerk's Note: See Agenda item 14, for details of Combined 2nd Public Hearing.)*
78

- 1 14.B. **SECOND PUBLIC HEARING:** Resolution No. AR 2006-238, a resolution approving the **2007-2012**
2 **General Government Capital Improvement Program (CIP)**; Office of Management and Budget.
3 1. Assembly Memorandum No. AM 657-2006.

4
5 *(Clerk's Note: See Agenda item 14, for details of Combined 2nd Public Hearing.)*

- 6
7 14.C. **SECOND PUBLIC HEARING:** Ordinance No. AO 2006-132, an ordinance adopting the **2007**
8 **General Government Capital Improvement Budget (CIB)**; Office of Management and Budget.
9 1. Assembly Memorandum No. AM 658-2006.

10
11 *(Clerk's Note: See Agenda item 14, for details of Combined 2nd Public Hearing.)*

- 12
13 14.D. **SECOND PUBLIC HEARING:** Resolution No. AR 2006-234, a resolution approving the **2007-2012**
14 **Municipal Utilities/Enterprise Activities Capital Improvement Program**; Office of Management and
15 Budget.
16 1. Assembly Memorandum No. AM 662-2006.

17
18 *(Clerk's Note: See Agenda item 14, for details of Combined 2nd Public Hearing.)*

- 19
20 14.E. **SECOND PUBLIC HEARING:** Ordinance No. AO 2006-133, an ordinance adopting and appropriating
21 funds for the **Municipal Utilities/Enterprise Activities Operating Budget Fiscal Year 2007**
22 **(Update) and the 2007 Municipal Utilities/Enterprise Activities Capital Improvement Budget**;
23 Office of Management and Budget.
24 1. Assembly Memorandum No. AM 659-2006.

25
26 *(Clerk's Note: See Agenda item 14, for details of Combined 2nd Public Hearing.)*

- 27
28 14.F. **SECOND PUBLIC HEARING:** Ordinance No. AO 2006-134, an ordinance adopting and appropriating
29 funds for the **2007 Operating and Capital Budgets for the Cooperative Services Authority (CSA)**;
30 Office of Management and Budget.
31 1. Assembly Memorandum No. AM 660-2006.

32
33 Chair Sullivan read the ordinance title and opened 2nd Public Hearing. With no one to testify, he closed 2nd Public
34 Hearing and Continued the matter to October 31, 2006.

- 35
36 14.G. **SECOND PUBLIC HEARING:** Ordinance No. AO 2006-135, an ordinance adopting and appropriating
37 funds for the **2007 Operating and Capital Budgets for the Anchorage Community Development**
38 **Authority (ACDA)**; Office of Management and Budget.
39 1. Assembly Memorandum No. AM 661-2006.

40
41 Chair Sullivan read the ordinance title and opened 2nd Public Hearing. With no one to testify, he closed 2nd Public
42 Hearing and Continued the matter to October 31, 2006.

- 43
44 14.H. Ordinance No. AO 2006-149, an ordinance approving the acquisition of real property described as
45 **Tract B, Muldoon Estates Subdivision**, and the appropriation of an amount not to exceed four
46 million dollars (\$4,000,000.00).
47 1. Assembly Memorandum No. AM 780-2006.
48 2. Ordinance No. AO 2006-149(S), an ordinance approving the acquisition of real property
49 described as Tract B, Muldoon Estates Subdivision, and the appropriation of an amount not to
50 exceed four million dollars (\$4,000,000.00). **(Laid on the Table)**

51
52 Chair Sullivan read the ordinance title.

53
54 Mr. Coffey disclosed a possible conflict of interest, due to his ownership of adjacent property, across DeBarr Road,
55 from the subject property. He was also 31% owner and a managing partner in the Muldoon (*Noodlum*) Mall. This
56 proposed city acquisition could possibly result in future development of public parks and facilities, relocation of Chester
57 Creek and an extension of DeBarr Road to Boston Street, which could determine different access points to his
58 business property. Whether those changes would result in benefits (*to his property*) was speculative and was the
59 question the Assembly needed to determine

60
61 Chair Sullivan asked the Question, "Does Mr. Coffey have a substantial financial interest in the matter before the
62 Assembly?"

63
64 Ms. Jennings stated that any benefit would be considered conjectural and Mr. Coffey did not have a conflict of interest.

65
66 Ms. Ossiander stated that Mr. Coffey was only part owner and the subject property may or may not be developed to
67 the benefit of his property. Mr. Coffey did not have a conflict of interest.

68
69 Mr. Coffey questioned if there should be vote for the record. Chair Sullivan stated that it was the consideration of the
70 Assembly.

71
72 To Ms. Fairclough, Mr. Coffey responded that he would certainly be able to participate with the matter, while remaining
73 fair and impartial, with the best interest of the City of Anchorage.

74
75 Chair Sullivan ruled that Mr. Coffey did not have a conflict of interest and ordered him to participate in the matter and
76 there were no objections. He opened Public Hearing.

77
78 DON SMITH, who had a lien on the property, testified in support of the city's buying the land, which would be
79 developed to benefit the community and fit the town center concept. The price of the land was a good price. To Mr.

1 Birch, Mr. Smith responded that if this land went up for auction, it would go for more than \$5 million. To Mr. Birch, Mr.
2 Smith responded that he personally had taken an extended backhoe and for one week had dug test holes on the
3 property and had found the land was very good and very developable. Mr. Coffey responded that the Assembly had
4 reviewed a soils report that indicated poor soil conditions on the back part of the property which required excavation
5 and removal. Mr. Smith stated that he was not disputing the report. He responded that he had resources to purchase
6 this property for more than five million dollars, but could not disclose his sources. To Chair Sullivan, Mr. Smith
7 responded that if the city did not purchase, the property could be auctioned off to developers who could put in dense
8 housing developments. Mr. Smith stated that he was interested in being a consultant to the city on this matter.
9

10 RYAN STENCEL, Operations Manager of the Anchorage Soil and Water Conservation District (ASWCD), testified in
11 support of approving the acquisition. If the property went to auction, the price would be higher and all certainties of
12 control and development of a town center concept would be gone. To Mr. Coffey, Ms. Stencil responded that the \$5
13 million was a reasonable price, considering the increased public knowledge of this property and because there were
14 developers who needed the land and would build high density, residential developments. To Ms. Jennings, Ms.
15 Stencil responded that the ASWCD was working with the Corps of Engineers, Fish and Wildlife, Fish and Game and
16 other agencies, for the relocation and enhancement of Chester Creek away from the proposed roadway and back to its
17 original location. The creek could be widened and deepened, decreasing the risks of flooding. Mayor Begich
18 responded that the portion of Chester Creek on the other side (of Muldoon) had already been established and
19 improved.
20

21 JAY MULESKY, a 25-year resident in the Muldoon Heights Subdivision, referenced a map to show his property to the
22 north of the subject property. He testified in support of the city purchasing the property for park land. He opposed high
23 density residential development. The land had very poor soil conditions and was swamp land. To Ms. Jennings, he
24 responded that in the 1980's trucks from neighboring developments had dumped peat on this property. To Mr. Stout,
25 Mr. Mulesky responded that his property located on DeBarr and Valley was residential. To Ms. Jennings, Mr. Mulesky
26 responded there was a large building boom in the 1980's and there were hundreds of trucks that had dumped there.
27

28 Chair Sullivan called for additional public testimony, and there being none, he closed Public Hearing and called the
29 Question.
30

31 Ms. Ossiander moved, to approve AO 2006-149,
32 Ms. Jennings seconded,

33
34 Mr. Bauer moved, to approve ~~[AO 2006-149]~~ "AO 2006-149(S),"
35 Ms. Jennings seconded,
36

37 Mr. Bauer stated that the S-version included additional information and the intent was the same.
38

39 To Chair Sullivan, Municipal Attorney Jim Reeves responded that the S-version addressed the funding mechanism for
40 the transaction. Chief Fiscal Officer Jeff Sinz responded that the S-version included additional clarity of the \$4 million
41 source, described as an interfund loan from net assets of Municipal Light and Power (ML&P). To Chair Sullivan, Mr.
42 Sinz responded that the plan was to provide the funding through an interfund loan and this specified the source, the
43 terms of repayment of the loan and the rate of interest.
44

45 To Ms. Ossiander, Mr. Sinz responded that the source of funds had always been described as an interfund loan and a
46 source needed to be specified. In this case, the source was identified within Fund 520, which just happened to be an
47 ML&P fund, which had sufficient cash resources available to support the transaction.
48

49 Mr. Coffey stated that the question remained, if the city should be engaged in the acquisition and disposition of real
50 property on this magnitude, particularly when the city's needs were not for the entire 29-acre parcel, but for only the 12
51 acres on the east end, for a public park and facilities. He was familiar with the parcel and knew that the land had been
52 used for dumping material for many, many years. Testimony heard that evening on the ability to develop that property
53 was not credible. This property had been for sale for many years and many interested people had looked into buying
54 the back acreage, for residential development, but it had unsuitable conditions. The appraisal described peat, peat
55 and more peat and other sorts of deleterious material, and it was swamp. There was no developer who would buy it
56 today for residential development. The city had approved the acquisition of 12 acres for park land, but had been
57 unaware of the associated illegal drug activity and now there was a federal lien (*against the property*), with litigation in
58 federal court. Now, the only way the city could develop a park was to buy the whole parcel. The question was if the
59 city should buy. There were many questions that remained. There was justification to purchase because the price
60 was right, it was ideal land for a park and there was a public need for the space, following the town center concept. If
61 the city acquired the parcel, during the course of the five-year loan from ML&P, the property could possibly be
62 replatted and rezoned and the city would be able to dispose of the front portion of the parcel, for enough money to
63 break even. There were two additional considerations that would indicate this was a wise deal. Improvements and
64 relocation of Chester Creek would allow the city right of way to DeBarr, which would create opportunity for direct park
65 access. There was minimal financial risk to the city. There would be a commitment to a town center concept for that
66 area and appropriate development for B-zoned property. He was leery of deals that came so fast, but it had been
67 thought out with the Mayor's Office, attorneys and staff, and it could be done. He would support it.
68

69 Ms. Jennings concurred with Mr. Coffey's description and details. To her question, Mayor Begich responded that it
70 was the city's intention to retain the back acreage and the sale of the front acreage would pay back the loan. Ms.
71 Jennings stated this was good use of wetlands and it would make a good park. She liked the fact that Chester Creek
72 would be rehabilitated. It had been thought out as best as it could be, given the circumstances. She would support it.
73

74 Mr. Stout concurred with the details offered by Mr. Coffey. As a representative of that area, he had looked at this
75 property for a long time and it was arguable if the price was too much. He felt the city would be able to recover the
76 money over time and the city would retain control to make sure it was developed in the fashion the city wanted. That
77 was important because the city was trying to clean up Muldoon. Otherwise, the city might lose the opportunity. It met
78 all the criteria of all that was wanted there and he supported the ordinance.
79

1 Mr. Bauer supported the ordinance. He concurred with Mr. Coffey's statement of the facts. The salmon restoration
2 would involve federal funds and would not be a cost to taxpayers.

3
4 To Ms. Fairclough, Mayor Begich responded that the relocation of Chester Creek would provide an opportunity to open
5 up and acquire access to northern portions needed to extend DeBarr Road. Ms. Fairclough clarified that the city was
6 interested in selling the front portion of the property and she requested consideration of any possible litigation factors
7 from future development that may have an adverse impact on Valley, Autumn and Boston Streets. Mayor Begich
8 concurred and stated that any rezoning and future development would include public process to get community input.

9
10 Mr. Traini supported Mr. Stout's desire to save this property. He supported the rehabilitation of Chester Creek and the
11 salmon restoration.

12
13 Ms. Jennings supported Mr. Stout's point that the city would have full control with ownership of the property.

14
15 Chair Sullivan stated that there was a perception that this lot would be a park, but it was the city's intention to sell the
16 front acreage. It was a high price to pay for what could only be considered as marginal land, except for a small portion
17 that fronted Muldoon. Anchorage had more park land than virtually anywhere in America. But this location was
18 unique, with commercial and a mix of residential homes and there was a need for additional park land. It was not a
19 good price and it was not desirable property, but it was a good location and he would support it for development.

20
21 Chair Sullivan called the Question.

22
23 and this motion passed, 9-0.

24
25 AYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

26 NAYES: None.

27 ABSENT: Tesche and Shamberg, each excused.

28
29 Mr. Bauer moved for immediate reconsideration and urged a NO-vote.

30
31 Mr. Bauer moved, *for immediate reconsideration of AO 2006-149(S),*
32 Mr. Coffey seconded,
33 and this motion failed unanimously.

34
35 AYES: None.

36 NAYES: Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Stout, Traini and Jennings.

37 ABSENT: Tesche and Shamberg, each excused.

38
39 **15. SPECIAL ORDERS** None.

40
41 **16. UNFINISHED AGENDA** None.

42
43 **17. AUDIENCE PARTICIPATION** None.

44
45 **18. ASSEMBLY COMMENTS** None.

46
47 **19. EXECUTIVE SESSIONS** None.

48
49 **20. ADJOURNMENT**

50
51 Chair Sullivan called for a motion to adjourn the meeting.

52
53 Mr. Coffey moved, *to adjourn the Regular Assembly Meeting,*
54 Mr. Traini seconded,
55 and this motion was passed without objection.

56
57 The Regular Assembly Meeting was adjourned at 8:35 p.m.

58
59
60
61
62
63
64
65 _____
66 DAN SULLIVAN, Assembly Chair

67
68
69
70
71
72 ATTEST:

73 _____
74 LINDA HEIM, Acting Municipal Clerk

75 Date Minutes Amended and Approved: November 14, 2006.

76 MC/BG

77 *(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)*