

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting May 21, 2002

1. CALL TO ORDER:

The meeting was convened at 5:02 p.m. by Assembly Chairman Dick Traini in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

Present: Anna Fairclough, Dan Sullivan, Fay Von Gemmingen, Melinda Taylor, Doug Van Etten, Dick Traini, Dan Kendall, Allan Tesche, Janice Shamberg, Dick Tremaine, Cheryl Clementson.
Absent: None.

3. PLEDGE OF ALLEGIANCE:

The pledge was led by Bob Bell, former Assemblymember.

4. MINUTES OF PREVIOUS MEETING:

A. Regular Minutes – December 11, 2001

Mr. Tremaine moved, to approve the minutes of the regular meeting
Seconded by Mr. Van Etten, of December 11, 2001.

Question was called on the motion to approve the minutes of December 11, 2001 and it passed without objection.

B. Regular Minutes – January 8, 2002

Ms. Fairclough moved, to approve the minutes of the regular meeting
Seconded by Mr. Tesche, of January 8, 2002.

Ms. Clementson corrected Roll Call, to read “Ms. Clementson was present via telephonic phone call for a portion of the meeting, and excused for the rest”.

Chairman Traini made a friendly amendment.

Question was called on the motion to approve the minutes as amended of January 8, 2002 and it passed without objection.

C. Regular Minutes – January 15, 2002

Ms. Fairclough moved, to approve the minutes of the regular meeting
Seconded by Mr. Kendall, of January 15, 2002.

Ms. Von Gemmingen corrected Roll Call to read “Honorary” next to Richard Lobdell’s name.

Question was called on the motion to approve the minutes as amended of January 15, 2002 and it passed without objection.

5. MAYOR’S REPORT:

Mayor Wuerch announced he had issued a “Water Advisory” to all residents south of Tudor Road, to help conserve water usage. He also announced the fire department reserves were preserved and the reservoirs were checked and water is available. The Mayor explained that the water shortage was caused by a shortage of pipes to carry the water south of Tudor Road, and not lack of water. The City has complied with the permitting process to enlarge the pipe and is waiting for approval.

6. ASSEMBLY CHAIR’S REPORT: None.

7. COMMITTEE REPORTS: None.

8. ADDENDUM TO AGENDA:

Mr. Tesche moved, to amend the agenda to include the addendum items.
Seconded by Ms. Fairclough,

Chairman Traini read the addendum items.

Question was called on the motion to amend the agenda to include the addendum items and it passed without objection.

9. CONSENT AGENDA:

Mr. Tesche moved, to approve all items on the consent agenda as amended.
 Seconded by Ms. Fairclough,

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

1. Resolution No. AR 2002-147, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Ron Watts for his 29 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Clementson requested this item be considered on the Regular Agenda. See item 10.A.

2. Resolution No. AR 2002-167, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Jimmie Daniels for his 27 years as an educator** within the Anchorage School District, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Clementson requested this item be considered on the Regular Agenda. See item 10.A.

B. RESOLUTIONS FOR ACTION - OTHER

1. Resolution No. AR 2002-158 a resolution of the Anchorage Municipal Assembly recommending **selection of a new Municipal Librarian** based on professional qualifications and establishing a selection committee to assist in the process, Assemblymember Tesche.

Mr. Tesche requested this item be considered on the Regular Agenda. See item 10.A.

2. Resolution No. AR 2002-161, a resolution of the Municipality of Anchorage appropriating \$5,000 as a supplemental grant to the Federal Categorical Grants Fund (241), Department of Health and Human Services, from the U.S. Department of Health and Human Services to fund **Family Planning Services**.
 - a. Assembly Memorandum No. AM 469-2002.
3. Resolution No. AR 2002-162, a resolution of the Municipality of Anchorage appropriating \$60,000 from the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Fund (119) Fund Balance as a contribution to the CBERRRSA Capital Improvement Program Fund (419) for **road and drainage capital improvement projects**, Street Maintenance.
 - a. Assembly Memorandum No. AM 470-2002.
4. Resolution No. AR 2002-168, a resolution of the Anchorage Municipal Assembly **supporting Arctic Valley preservation, protection, and enhancement**, Assemblymembers Fairclough, Clementson, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Fairclough requested this item be considered on the Regular Agenda. See item 10.A.

5. Resolution No. AR 2002-169, a resolution appropriating a grant from the State of Alaska, Department of Health and Social Services, Division of Alcoholism and Drug Abuse in the amount of \$50,000 to the Municipality of Anchorage, Department of Law, State Categorical Grants Fund (231) for the purpose of developing and administering the **Domestic Violence Monitoring Program**, Legal Department.
 - a. Assembly Memorandum No. AM 478-2002.
6. Resolution No. AR 2002-170, a resolution of the Municipality of Anchorage appropriating \$16,450 of reimbursed revenues to the Area wide General Fund (101), Office of the Mayor, for a \$10,000 grant to Bridge Builders of Anchorage and \$6,450 for other **community promotions**, Municipal Manager's Office. (**Addendum**)
 - a. Assembly Memorandum No. AM 482-2002.
7. Resolution No. AR 2002-173, a resolution of the Municipality of Anchorage appropriating \$100,000 from a portion of the closing escrow funds associated with the new City Hall lease to be used for the purpose of **tenant improvements within City Hall** to the Area wide Fund (101), Finance. (**Addendum**)
 - a. Assembly Memorandum No. AM 485-2002.
8. Resolution No. AR 2002-179, a resolution of the Anchorage Municipal Assembly revising the 2002 General Government Operating Budget by appropriating the sum of \$96,120 from Area wide General Fund (101) Balance to the Equal Rights Commission to provide funding for increased **investigative and community outreach services**, Assemblymembers Tesche, Taylor, Traini, Tremaine, Van Etten, Shamberg, and Whittle. (**Addendum**)
 - a. Assembly Memorandum No. AM 494-2002.
Postpone to 6-11-02

C. BID AWARDS

1. Assembly Memorandum No. AM 461-2002, recommendation of award to Commercial Recycling Center for providing **roadside and wood lot service** for Anchorage Hillside and Eagle River residents to the Municipality of Anchorage, Anchorage Fire Department (ITB 22-B016) (\$140,000), Purchasing.
2. Assembly Memorandum No. AM 462-2002, recommendation of award to CEF, Inc. dba Sonshine Enterprises for **64th Avenue Norm-Spruce Water Upgrade** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 22-C006) (\$204,951.50), Purchasing.

3. Assembly Memorandum No. AM 476-2002, recommendation of award to Seacoast Construction Co., Inc. for **South Addition Woodstave Upgrade, Phase III** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 22-C007) (\$772,002.50), Purchasing.

The Administration requested this item be considered on the Regular Agenda. See item 10.A.

4. Assembly Memorandum No. AM 480-2002, recommendation of award to Frontier Excavating, Inc. for **South Addition Woodstave Upgrade, Phase III** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 22-C007) (\$887, 514), Purchasing. **(Addendum)**

D. NEW BUSINESS

1. Assembly Memorandum No. AM 434-2002, **Zoning Board of Examiners and Appeals appointments** (Carolyn Greiner, ~~Lana Stiner~~), Mayor's Office.

Mr. Tesche requested this item be considered on the Regular Agenda. See item 10 A.

2. Assembly Memorandum No. AM 414-2002, **Rockhill Limited Road Service Area Board of Supervisors appointment** (John Trautwein), Mayor's Office.
3. Assembly Memorandum No. AM 439-2002, **Assembly Meeting Schedule** (July-December 2002), Assembly Chair Traini.

Ms. Von Gemmingen requested this item be considered on the Regular Agenda, however it was overlooked. See item 16 E.

4. Assembly Memorandum No. AM 477-2002, **Whaler Bar & Grill (#1456) Liquor License Renewal (Beverage Dispensary)** (Northeast Community Council), Clerk's Office.
 - a. Assembly Memorandum No. AM 477-2002(A), **Whaler Bar & Grill (#1456) Liquor License Renewal (Beverage Dispensary)** (Northeast Community Council), Clerk's Office. **(Addendum)**

Ms. Von Gemmingen requested this item be considered on the Regular Agenda. See item 10.A.

5. Assembly Memorandum No. AM 440-2002, **Redevelopment of Northeast Turnagain Neighborhood** – Compliance with Superior Court Order, Assemblymember Tesche.
6. Assembly Memorandum No. AM 463-2002, **Redevelopment of Northeast Turnagain Neighborhood** – Compliance with Superior Court Order, Chair Traini.
7. Assembly Memorandum No. AM 465-2002, proprietary purchase for furnishing **water treatment/boiler chemicals and parts and services** from Betz Dearborn Water Management Group for the Municipality of Anchorage, Municipal Light and Power (ML&P) (\$50,000), Purchasing.
8. Assembly Memorandum No. AM 466-2002, change order No. 1 to contract C-214229 with City Electric, Inc. for construction of the **'E' Street, 11th Avenue to 7th/8th Avenue Vault Duct Construction Project** for the Municipality of Anchorage, Municipal Light and Power (\$134,130.54), Purchasing.
9. Assembly Memorandum No. AM 467-2002, proprietary purchase of **side load refuse truck** from Yukon Equipment, Inc. for the Municipality of Anchorage, Solid Waste Services (\$159,943), Purchasing.
10. Assembly Memorandum No. AM 468-2002, change order #2 to contract No. C-212505, **People Mover Customer Service Center/Assessment Area Tenant Improvements**, Public Transportation.
11. Assembly Memorandum No. AM 474-2002, grant agreement between the Student Conservation Association and the Municipality of Anchorage allowing for reimbursement not to exceed \$154,000 to fund a fire education crew to assist MOA residents with **wildfire education and defensible space preparation**, Anchorage Fire Department.
12. Assembly Memorandum No. AM 475-2002, contract amendment No. 2 to RISE Alaska, LLC for project management services for the **Anchorage 6th Avenue Jail Replacement**, Project No. 00-32 (\$95,244), Project Management and Engineering.
13. Assembly Memorandum No. AM 479-2002, **amendment to 420 L Street lease** with L Street Investments for office space for the Office of the Municipal Attorney, Prosecution Division to increase the rent from \$1.55 per square foot to \$1.75 per square foot and extend the term until December 31, 2002 (\$104,660), Legal Department. **(Addendum)**
14. Assembly Memorandum No. AM 481-2002, **Appeal S-10842, Plat Note #1** – Request to accept late transcript, Municipal Clerk. **(Addendum)**
15. Assembly Memorandum No. AM 486-2002, **Value Liquor #1- 601 W. Dimond Blvd. (#1044)** – Transfer of Ownership for a Package Store Liquor License (Taku/Campbell Community Council), Clerk's Office. **(Addendum)**
16. Assembly Memorandum No. AM 487-2002, **Value Liquor #3 - 11580 Old Seward Hwy. (#1199)** Transfer of Ownership for a Package Store Liquor License (Sand Lake Community Council), Clerk's Office. **(Addendum)**
17. Assembly Memorandum No. AM 488-2002, **Value Liquor #4 – 7141 Jewel Lake Rd. (#1197)** – Transfer of Ownership for a Package Store Liquor License (Bayshore/Klatt Community Council), Clerk's Office. **(Addendum)**

E. INFORMATION AND REPORTS

1. Information Memorandum No. AIM 49-2002, 1st Quarter – **Quarterly Bar Violations Report** 2002, Anchorage Police Department.
2. Information Memorandum No. AIM 50-2002, **contracts awarded between \$50,000 and \$100,000 through formal competitive processes** for the month of April 2002, Purchasing.

3. Information Memorandum No. AIM 51-2002, **Sole Source Procurement Report** for the month of April 2002, Purchasing.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

1. Ordinance No. AO 2002-84, an ordinance amending Anchorage Municipal Code Title 21 by adding definitions pertaining to **land clearing** in Subsection 21.35.020.B., Definitions and Rules of Construction; adding a new section to Anchorage Municipal Code Chapter 21.45 to require pre-approval before clearing land of vegetation; and creating exceptions and penalties therefore, Assemblymember Shamberg. P.H. 9-10-02.
2. Resolution No. AR 2002-143, a resolution appropriating \$5,209,344 of lease revenue from the Jail Lease Revenue Fund (266) to pay the **debt service for the Jail bonds**, Finance.
 - a. Assembly Memorandum No. AM 406-2002.

Administration requested this item be considered on the Regular Agenda. See item 10.A.

3. Resolution No. AR 2002-150, a resolution of the Municipality of Anchorage appropriating \$285,000 from the State of Alaska, to Equipment Maintenance Internal Service Capital Fund (606) for the purpose of purchasing **dedicated compressed natural gas vehicles and fuel maker refueling stations**, Fleet and Facility Management. P.H. 6-11-02.
 - a. Assembly Memorandum No. AM 432-2002.
4. Resolution No. AR 2002-153, a resolution of the Anchorage Municipal Assembly approving a **Master Plan** to create a basic project framework for Plan elements such as, but not limited to, access points, circulation patterns, perimeter buffers, creek alignment, setbacks and land use designations. Approval of the Master Plan does not establish approval for underlying zoning districts, specific uses, densities, traffic generation; site plans for specific parcels, etc. The purpose of the Master Plan is to comply with AO 2001-24(S), condition E.2. Generally located on Alaskan Village Subdivision, Lots 32 through 45, Block 1, and Lots 20 through 47, Block 2 and a portion of the NE 1/4 of the NW 1/4 of Section 24, T13N, R3W, located at the southwest corner of Muldoon Road and DeBarr Road (Alaskan Village/Muldoon Town Center) (Case 2002-036), Assemblymember Clementson. P.H. 6-11-02.

Ms. Clementson requested this item be considered on the Regular Agenda. See item 10.A.

5. Resolution No. AR 2002-157, a resolution of the Municipality of Anchorage appropriating \$603,869 from the National Oceanic and Atmospheric Administration, **Coastal Impact Assistance Program**, to the Federal Categorical Grants Fund (241) for implementation of the Municipality's Coastal Impact Assistance projects, Planning Department. P.H. 6-11-02.
 - a. Assembly Memorandum No. AM 456-2002.
6. Resolution No. AR 2002-163, a resolution reappropriating grant revenues of \$160,000 from the Anchorage Roads and Drainage Service Area Capital Improvement Program Fund (441) to the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Capital Improvement Program Fund (419) for **road and drainage improvement projects in CBERRRSA**, Office of Management and Budget. P.H. 6-11-02.
 - a. Assembly Memorandum No. AM 471-2002.
7. Resolution No. AR 2002-164, a resolution appropriating a grant from the Department of Transportation and Public Facilities, State of Alaska, in the amount of \$380,000 to the Area wide Capital Improvement Program Fund (401), approving the Transfer of Responsibilities Agreement (TORA), and authorizing the contribution of \$361,000 to the Equipment Maintenance Vehicle and Equipment Purchases Fund (606) for the purchase of **regenerative air and mechanical street sweeping equipment**, Street Maintenance. P.H. 6-11-02.
 - a. Assembly Memorandum No. AM 472-2002.
8. Resolution No. AR 2002-165, a resolution of the Municipality of Anchorage approving of the **renaming of Stewart Drive** in Grid SW0254 to Stewart Mountain Drive eliminating duplication of Stewart Drive name in the Chugiak/Eagle River Area, Development Services. P.H. 6-11-02.
 - a. Assembly Memorandum No. AM 464-2002.
9. Resolution No. AR 2002-166, a resolution approving the **Strawberry Road water main extension** and providing for assessment of benefited properties at time of service connection, Water and Wastewater Utility. P.H. 6-11-02.
 - a. Assembly Memorandum No. AM 473-2002.
10. Resolution No. AR 2002-171, a resolution appropriating \$5,209,344 of lease revenue from the Jail Lease Revenue Fund (266) to pay the **debt service for the Jail Bonds**, Controller Division/General Accounting. P.H. 6-11-02. (**Addendum**)
 - a. Assembly Memorandum No. AM 482-2002.

Administration requested this item be considered on the Regular Agenda. See item 10.A.

11. Resolution No. AR 2002-172, a resolution of the Municipality of Anchorage appropriating \$850,000 from the MOA Trust Fund (730) for **expert financial management and support services** provided in calendar year 2002, Finance. P.H. 6-11-02. (**Addendum**)
 - a. Assembly Memorandum No. AM 484-2002.
12. Ordinance No. AO 2002-89, an ordinance of the Anchorage Municipal Assembly enacting a new Chapter 3.99 to the Anchorage Municipal Code, adopting the **Anchorage Municipal Libraries Exhibit Policy** recommended by the Municipal Library Advisory Board on July 31, 2001, and repealing Municipal Operating Policy/Procedure 30-1 promulgated by the Mayor on May 14, 2002, Assemblymembers Tesche, Shamberg, Taylor, Traini, Tremaine, and Von Gemmingen. P.H. 6-25-02. (**Addendum**)

- 13. Ordinance No. AO 2002-86, an ordinance of the Anchorage Municipal Assembly submitting to the qualified voters of the Municipality of Anchorage at the Regular Municipal Election of April 1, 2003 a proposed amendment to the Home Rule Charter clarifying the appointment, duties, and responsibilities of the **Anchorage Equal Rights Commission**, Assemblymembers Tesche, Traini, Taylor, Tremaine Van Etten, Shamberg, and Whittle. P.H. 6-11-02. **(Addendum)**
 - a. Assembly Memorandum No. AM 495-2002.
- 14. Ordinance No. AO 2002-87, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 5.10.040 relating to the powers and duties of the Anchorage Equal Rights Commission and enacting a new Section 5.10.050 relating to **standing committees of the Commission**, Assemblymembers Tesche, Traini, Taylor, Tremaine Van Etten, Shamberg, and Whittle. P.H. 6-11-02. **(Addendum)**
 - a. Assembly Memorandum No. AM 496-2002.
- 15. Ordinance No. AO 2002-88, an ordinance of the Anchorage Municipal Assembly amending AMC Title 3, Administration, by enacting a new Chapter 3.100 and requiring preparation and implementation of an **Affirmative Action Plan**, Assemblymembers Tesche, Taylor, Traini, Tremaine Van Etten, Shamberg, and Whittle. P.H. 6-11-02. **(Addendum)**
 - a. Assembly Memorandum No. AM 497-2002.

Question was called on the motion to approve the remaining items on the consent agenda as amended and it passed:

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Clementson.
NAYES: None.

10. **REGULAR AGENDA:**

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

- 1. Resolution No. AR 2002-147, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Ron Watts for his 29 years of service** with the Municipality of Anchorage, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Clementson moved, to approve AR 2002-147.
Seconded by Mr. Tremaine,
and it passed without
objection,

Ms. Clementson read a resolution honoring Ron Watts and Ms. Von Gemmingen presented the plaque.

- 2. Resolution No. AR 2002-167, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Jimmie Daniels for his 27 years as an educator** within the Anchorage School District, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Action was delayed pending the arrival of Mr. Daniels. See after Item 10 F 3.

B. RESOLUTIONS FOR ACTION - OTHER

- 1. Resolution No. AR 2002-158 a resolution of the Anchorage Municipal Assembly recommending **selection of a new Municipal Librarian** based on professional qualifications and establishing a selection committee to assist in the process, Assemblymember Tesche.

Mr. Tesche moved, to approve AR 2002-158.
Seconded by Mr. Tremaine,

Mr. Tesche moved a friendly amendment to his resolution substituting the word “may” for the word “shall”, line 32, and it passed without objection.

Mayor George Wuerch acknowledged the shared goal of selecting the best-qualified professional librarian.

Mr. Tesche also moved a friendly amendment to his resolution substituting the word “may” for the word “shall, line 34, and it passed without objection.

Question was called on the motion to approve AR 2002-158 as amended and it passed:

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Clementson.
NAYS: None.

- 2. Resolution No. AR 2002-168, a resolution of the Anchorage Municipal Assembly **supporting Arctic Valley preservation, protection, and enhancement**, Assemblymembers Fairclough, Clementson, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Fairclough moved, to approve AR 2002-168.
Seconded by Ms. Shamberg,
and it passed without
objection,

Ms. Fairclough presented a letter and requested the Clerk mail it to various named individuals.

C. BID AWARDS

1. Assembly Memorandum No. AM 476-2002, recommendation of award to Seacoast Construction Co., Inc. for **South Addition Woodstave Upgrade, Phase III** for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (ITB 22-C007) (\$772,002.50), Purchasing.

Mr. Sullivan moved, to postpone indefinitely AM 476-2002.
 Seconded by Mr. Tremaine,
 and it passed without
 objection,

D. NEW BUSINESS

1. Assembly Memorandum No. AM 434-2002, **Zoning Board of Examiners and Appeals appointments** (Carolyn Greiner, ~~Lana Stinert~~), Mayor's Office.

Mr. Tremaine moved, to reconsider earlier approval of AM 434-2002.
 Seconded by Mr. Kendall,
 and it passed without
 objection,

Ms. Fairclough moved, to divide the question between the two appointments
 Seconded by Mr. Tesche, within AM 434-2002.
 and it passed without
 objection,

Ms. Fairclough moved, to delete Lana Stinert from AM 434-2002.
 Seconded by Mr. Tesche,
 and it passed without
 objection,

Mr. Tesche moved, to postpone action on Carolyn Greiner until 6-11-2002
 Seconded by Mr. Tremaine, under AM 434-2002.
 and it passed without
 objection,

2. Assembly Memorandum No. AM 477-2002, **Whaler Bar & Grill** (#1456) Liquor License Renewal (Beverage Dispensary) (Northeast Community Council), Clerk's Office.
 - a. Assembly Memorandum No. AM 477-2002(A), Whaler Bar & Grill (#1456) Liquor License Renewal (Beverage Dispensary) (Northeast Community Council), Clerk's Office. (**Addendum**)

Ms. Von Gemmingen moved, to postpone indefinitely AM 477-2002.
 Seconded by Mr. Sullivan,
 and it passed without
 objection,

Ms. Von Gemmingen moved, to approve AM 477-2002(A).
 Seconded by Mr. Sullivan,
 and it passed without
 objection,

E. INFORMATION AND REPORTS

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

1. Resolution No. AR 2002-171, a resolution appropriating \$5,209,344 of lease revenue from the Jail Lease Revenue Fund (266) to pay the **debt service for the Jail Bonds**, Controller Division/ General Accounting. P.H. 6-11-02. (**Addendum**)
 - b. Assembly Memorandum No. AM 482-2002.

Ms. Fairclough moved, to introduce AR 2002-171.
 Seconded by Ms. Shamberg,
 and it passed without
 objection,

2. Resolution No. AR 2002-143, a resolution appropriating \$5,209,344 of lease revenue from the Jail Lease Revenue Fund (266) to pay the **debt service for the Jail bonds**, Finance.
 - b. Assembly Memorandum No. AM 406-2002.

Ms. Fairclough moved, to postpone indefinitely AR 2002-143.
 Seconded by Ms. Shamberg,
 and it passed without
 objection,

3. Resolution No. AR 2002-153, a resolution of the Anchorage Municipal Assembly approving a **Master Plan** to create a basic project framework for Plan elements such as, but not limited to, access points, circulation patterns, perimeter buffers, creek alignment, setbacks and land use designations. Approval of the Master Plan does not establish approval for underlying zoning

districts, specific uses, densities, traffic generation; site plans for specific parcels, etc. The purpose of the Master Plan is to comply with AO 2001-24(S), condition E.2. Generally located on Alaskan Village Subdivision, Lots 32 through 45, Block 1, and Lots 20 through 47, Block 2 and a portion of the NE 1/4 of the NW 1/4 of Section 24, T13N, R3W, located at the southwest corner of Muldoon Road and DeBarr Road (Alaskan Village/Muldoon Town Center) (Case 2002-036), Assemblymember Clementson. P.H. 6-11-02.

Ms. Clementson, Mr. Tremaine, and Mr. Kendall joined in introducing this Resolution AR 2002-153. The public hearing was scheduled for 6-11-02.

Ms. Clementson stated this resolution was the corrected version of the resolution previously introduced in February 2002, and is the conceptual master plan for Alaska Village. She requested full packets be provided to all Assemblymembers and that a work session be scheduled for June 11, 2002.

Chairman Traini returned to Item 10.A.2 upon Mr. Daniels arrival at the Assembly Chambers.

- 10A2. Resolution No. AR 2002-167, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Jimmie Daniels for his 27 years as an educator** within the Anchorage School District, Assemblymembers Clementson, Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen.

Ms. Clementson moved, to approve AR 2002-167.
Seconded by Mr. Tesche,
and it passed without
objection,

Ms. Fairclough read a resolution honoring Mr. Daniels and Ms. Clementson and Ms. Taylor presented the resolution.

Ms. Clementson moved, to change the order of the day to 16 A, AM 339-2002.
Seconded by Ms. Shamberg,
and it passed without
objection,

- 16A. Assembly Memorandum No. AM 339-2002, **certification of the May 7, 2002, Municipal Runoff Election**, Municipal Clerk.

Lucretia Olsen, Chair of the Municipal Election Commission, presented the results of the Municipal Runoff Election of May 7, 2002 to the Assemblymembers for certification.

Ms. Clementson moved, to certify AM 339-2002, the May 7, 2002 Municipal Runoff
Seconded by Ms. Shamberg, Election.

The Assembly thanked Ms. Olsen and other members of the Commission, for their dedication and professionalism.

Chairman Traini thanked the members of the Municipal Election Commission, the Clerk’s office and all the volunteers.

Question was called on the motion to approve AM 339-2002 and it passed:

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Clementson.
NAYES: None.

Ms. Clementson took the floor and presented gifts and thank you comments to fellow members of the Assembly. Mayor Wuerch, fellow Assemblymembers, and friends offered personal insights and thanked Ms. Clementson for her service. Chairman Traini thanked her for her 9 years of service on the Assembly.

11. **OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:**
A. **NOTICE OF RECONSIDERATION:** Resolution No. AR 2002-156, a resolution establishing the delinquent dates for the first and second half of **yearly real property tax payments** for Tax Year 2002.
1. Assembly Memorandum No. AM 450-2002.
(APPROVED 5-14-02; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TREMAINE 5-14-02; NOTICE OF RECONSIDERATION WAS WITHDRAWN BY MR. TREMAINE 5-15-02)

(Clerk’s Note: No action needed.)

- B. Ordinance No. AO 2001-158(S-3), an ordinance amending all of Title 17, regulating the **care and control of animals** within the Municipality, including but not limited to adoption, impound, euthanasia, licensing, immunization, quarantine, administration, fees, fines and penalties, and other matters, Assemblymember Tremaine.

(Clerk’s Note: Public Hearing is closed on this item.)

Ms. Taylor moved, Page 3, Line 27, to amend time period from “five” to “two”
Seconded by Mr. Tremaine, on AO 2001-158(S-3).

Assemblymembers discussed the proposed amendment.

Question was called on the motion to amend AO 2001-158(S-3) and it failed:

AYES: Taylor, Tesche.
NAYES: Sullivan, Von Gemmingen, Van Etten, Traini, Fairclough, Kendall, Shamberg, Tremaine, Whittle.

Mr. Kendall moved, Page 3, Line 31, to amend time period from “10” to “20”
seconded by Ms. Von Gemmingen, minutes on AO 2001-158(S-3).

Assemblymembers discussed the proposed amendment.

Question was called on the motion to amend AO 2001-158(S-3) and it passed:

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Whittle.
NAYES: Sullivan.

Ms. Fairclough moved, Page 5, Line 27, to amend to read as follows: “veterinary
seconded by Mr. Tremaine, needs, feeding habits, and its condition, size, species, age and
and it passed without breed”, and mass insertion of word “age” throughout
objection, document on AO 2001-158(S-3).

Ms. Fairclough moved, Page 6, Line 11, to delete “Re” on line 11, capitalize
seconded by Mr. Kendall, “convey” on line 12, “put a period at the end of title to”, and
delete “from another person” on AO 2001-158(S-3).

Mr. Tremaine objected to the use of the word “convey” and had several suggestions from the Legal Department.

Question was called on the motion to amend AO 2001-158(S-3) and it failed:

AYES: Von Gemmingen, Van Etten, Fairclough, Kendall.
NAYES: Sullivan, Taylor, Traini, Shamberg, Tremaine, Whittle.
(Clerk’s Note: Mr. Tesche was out of the room at the time of the vote).

Mr. Tremaine moved, Page 6, Lines 12 and 13, replace the reconvey definition to
seconded by Ms. Fairclough, read: “Reconvey means to acquire and/or arrange for sale or
and it passed without transfer of an animal by a person acting as a broker or agent
objection, for another, with or without remuneration, whether or not
such person has title to or possession of the animal” on
AO 2001-158(S-3).

Ms. Fairclough moved, Page 11, Line 47, to amend to insert “Item D”, proposed
Seconded by Mr. Kendall, change “good clause exemption for chronic animal noise”,
“D.A notice to comply or an NOV shall not be issued where to
do so would be unfair, examples of where issuances of a
Notice to Comply or an NOV would be unfair includes where
the complainant or the other person intentionally causes the
chronic animal noise, where the chronic animal noise was
caused by illegal activity, *and* where the chronic animal noise
was caused by a stray animal or a stranger in the yard”,
AO 2001-158(S-3).

Assemblymembers discussed the proposed amendment.

Mr. Tremaine offered a friendly amendment to Ms. Fairclough’s amendment to change “and” to “*and/or*” between the words
...activity and where.

Mr. Tremaine recommended a no vote.

Mr. Kendall offered a friendly amendment to Ms. Fairclough’s amendment to change the placement of her amendment in the
text from “D” to #5 under C”.

Question was called on the motion to amend AO 2001-158(S-3) and it failed:

AYES: Sullivan, Von Gemmingen, Fairclough, Kendall.
NAYES: Taylor, Van Etten, Traini, Shamberg, Tremaine, Whittle.
(Clerk’s Note: Mr. Tesche was out of the room at the time of the vote).

Ms. Fairclough moved, Page 13, Line 35, to move section E {D}, AO 2001-158(S-3).

Ms. Fairclough withdrew the motion.

Mr. Tremaine moved, Page 11, Line 34 change “will” to “shall”, AO 2001-158(S-3).
Seconded by Ms. Fairclough,
and it passed without
objection,

Ms. Fairclough moved,
Seconded by Mr. Kendall,
and it passed without
objection,

Page 21, Line 8, to unbold “I” in “animal” and Page 21,
Line 12, to insert “ferret” after cat, AO 2001-158(S-3).

Ms. Fairclough moved,
Seconded by Mr. Van Etten,

Page 42, Line 9 to insert “or age” after “due to the
health”, AO 2001-158(S-3).

Ms. Fairclough withdrew her motion.

Ms. Fairclough moved,
Seconded by Mr. Tremaine,

Page 42, to delete lines “32 through 35 as the exception”.
AO 2001-158(S-3).

Ms. Fairclough requested for the record that, if the Assembly wanted the chief animal control officer to be able to have the authority on an early spay neuter program, please vote no. If a restriction to 4 months of age and above, please vote yes.

Mr. Tremaine said he would vote no.

Mr. Greene noted under section E. 2., lines 32 through 35 the wording is still subject to safe medical practice.

Question was called on the motion to amend AO 2001-158(S-3) and it failed:

AYES: Van Etten, Fairclough.
NAYES: Von Gemmingen, Taylor, Traini, Kendall, Tesche, Shamberg, Tremaine, Whittle.
(Clerk’s Note: Mr. Sullivan was out of the room at the time of the vote).

Ms. Fairclough moved,
Seconded by Mr. Tremaine,

Page 62, under Animal Care and Control Fee Schedule,
“sterilized dogs up to one year \$12.00, up to two years \$22.00,
AO 2001-158(S-3).

Ms. Von Gemmingen said she would vote no.

Several Assemblymembers discussed the amendment.

Question was called on the motion to amend AO 2001-158(S-3) and it passed:

AYES: Taylor, Van Etten, Fairclough, Tesche, Shamberg, Whittle.
NAYES: Von Gemmingen, Traini, Kendall, Tremaine.
(Clerk’s Note: Mr. Sullivan was out of the room at the time of the vote).

Ms. Fairclough moved,
seconded by Mr. Tremaine,

Page 62, l.b.to amend: “flat fee for a multi-animal facility
license, \$150.00 bi-annually”, AO 2001-158(S-3).

Question was called on the motion to amend AO 2001-158(S-3) and it passed:

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Whittle.
NAYES: Sullivan.

Mr. Tremaine moved,
Seconded by Ms. Fairclough,
and it passed without
objection,

to extend the meeting for the purposes of finishing this
agenda item, AO 2001-158(S-3).

Ms. Fairclough moved,
Seconded by Mr. Kendall,

Page 29, delete item B, lines 29 through 31,
AO 2001-158(S-3).

Ms. Fairclough moved,
Seconded by Mr. Kendall,
and it passed without
objection,

Page 29, starting on line 30 after the word requirement
insert “at no cost.” and delete the balance of the sentence,
AO 2001-158(S-3).

Mr. Greene noted the amendment was inconsistent with previous amendment establishing a flat fee.

Mr. Kendall moved,
Seconded by Ms. Fairclough,
and it passed without
objection,

Page 29, line 30, amend “at no cost” to read as follows:
“at a maximum cost provided for in the fee schedule”,
AO 2001-158(S-3).

In response to Mr. Tremaine, Mr. Greene advised that if the Assembly agreed to treat mushing facilities as defined in the deleted language, as a commercial facility, then Title 21 may well impact that in residential zones. Mr. Tesche disagreed.

Mr. Tremaine moved,
Seconded by Ms. Fairclough,
and it passed without
objection,

Page 9, Line 26, amend 17.15.090(A)(2) to “17.15.090(B)(2)”;
Page 9, Line 44, delete “animal” and leave “dog”;
Page 10, Line 40, keep (“NOV”), AO 2001-158(S-3).

Mr. Tremaine moved,
Seconded by Ms. Fairclough,
and it passed without
objection,

Page 12, Line 43, delete “Require” and insert “Requiring”,
AO 2001-158(S-3).

Mr. Tremaine moved,
Seconded by Ms. Shamberg,
and it passed without
objection,

Page 19, Line 36, delete “it to leave” and insert “the animal’s
feces to be left” and Page 19, Line 37, insert “other persons”
after the word “or”, AO 2001-158(S-3).

Mr. Tremaine moved,
Seconded by Mr. Kendall,
and it passed without
objection,

Page 20, Line 3, insert “nonsterile” before the word “male”.
AO 2001-158(S-3).

Mr. Tremaine moved,
Seconded by Ms. Shamberg,

Page 22, Line 24, delete Lines 25 through 42, “A and B”,
renumber C as “A”, AO 2001-158(S-3).

Question was called on the motion to amend AO 2001-158(S-3) and it passed:

AYES: Von Gemmingen, Taylor, Van Etten, Traini, Kendall, Tesche, Shamberg, Tremaine, Whittle.
NAYES: Sullivan, Fairclough.

Mr. Tremaine moved,
Seconded by Ms. Shamberg,

Page 22, Line 47, to read: “comply with standards 1 through 7
in Section 17.10.050 ...”; delete 8 and 9, AO 2001-158(S-3).

Question was called on the motion to amend AO 2001-158(S-3) and it passed:

AYES: Von Gemmingen, Traini, Kendall, Tesche, Shamberg, Tremaine, Whittle.
NAYES: Sullivan, Taylor, Van Etten, Fairclough.

12. **APPEARANCE REQUESTS:**
A. **Theresa Nangle Obermeyer, Ph.D.**

Dr. Obermeyer appeared before the Assembly and spoke regarding fair municipal elections per website..

13. **CONTINUED PUBLIC HEARINGS:**
A. **Ordinance No. AO 2002-73**, an ordinance authorizing the **expansion of the “Permit and Development Center”** located south of Tudor and Bragaw and the amendment of the terms of the existing land and building leases to provide for the building expansion.
1. Assembly Memorandum No. AM 398-2002.
2. Assembly Memorandum No. AM 455-2002, lease rate revisions to AO 2002-73, an ordinance authorizing expansion of the Permit and Development Center, Office of Planning, Development, and Public Works.
3. Information Memorandum No. AIM 48-2002, Ordinance No. AO 2002-73 – Permit and Development Center Expansion, Office of Planning, Development, and Public Works.

Chairman Traini opened the public hearing and asked if anyone wished to speak. He noted the Assembly would be taking a dinner break.

Chairman Traini took up the Oath of Office, Item 16 B.

16B. The **Oath of Office** was administered to Brian Whittle, with Magistrate Brock Shamberg reading the Oath of Office and performing the swearing in ceremony.

Chairman Traini recessed the meeting at 7:15 p.m. and reconvened at 7:43 p.m.

Chairman Traini took up the Assembly Reorganization, Item 16 C.

16C. **Assembly Reorganization.**

Mr. Tesche moved,
Seconded by Ms. Shamberg,

to nominate Dick Traini for Chair.

Mr. Sullivan moved,
Seconded by Fairclough,

to nominate Dan Kendall for Chair.

Nominations were closed. Voting by closed secret ballot was conducted. Municipal Clerk Greg Moyer read the results: Mr. Traini 10 votes, Mr. Kendall 1 vote.

Mr. Tesche moved,
Seconded by Mr. Kendall,

to nominate Anna Fairclough for Vice Chair.

Mr. Sullivan moved,
Seconded by Mr. Van Etten,

to nominate Fay Von Gemmingen for Vice Chair.

Nominations were closed. Voting by closed secret ballot was conducted. Municipal Clerk Greg Moyer read the results: Ms. Von Gemmingen 7 votes, Ms. Fairclough 4 votes.

Chairman Traini returned to item 13 A. AO 2002-73 for public hearing.

- A. Ordinance No. AO 2002-73, an ordinance authorizing the **expansion of the “Permit and Development Center”** located south of Tudor and Bragaw and the amendment of the terms of the existing land and building leases to provide for the building expansion.
1. Assembly Memorandum No. AM 398-2002.
 2. Assembly Memorandum No. AM 455-2002, lease rate revisions to AO 2002-73, an ordinance authorizing expansion of the Permit and Development Center, Office of Planning, Development, and Public Works.
 3. Information Memorandum No. AIM 48-2002, Ordinance No. AO 2002-73 – Permit and Development Center Expansion, Office of Planning, Development, and Public Works.

Chairman Traini opened the public hearing and asked if anyone wished to speak. Chairman Traini stated the ground rules for testifying. Each speaker had three minutes to speak and could only speak once on this issue.

TIM POTTER, of DOWL Engineers spoke in support of the ordinance.

Mr. Kendall moved, to adopt AO 2002-73.
Seconded by Mr. Sullivan,

Mr. Kendall offered his support for the relocation.

In response to Mr. Tesche, Office of Planning, Development and Public Works Director Craig Campbell, responded that the Permit Center was in compliance with the 2020 Comprehensive Plan. The core of the Municipality’s administrative functions would be located downtown while the Permit and Development Center need not necessarily be in the downtown area. Planning is a pivot between the policy side and the implementation side.

Mr. Sullivan moved, to amend AO 2002-73, Page 1, Section 1, Lines 44 and 45; “to allow for construction on the Ground Lease property of an additional 20,272 square feet of office facilities attached to the existing Permit and Development Center.”
Seconded by Mr. Kendall,
and it passed without objection,

Mr. Van Etten moved, to amend AO 2002-73, Page 2, Section 2, Lines 3 through 8, to “existing Building Lease to provide for expansion of an additional office facility attached to the existing Permit and Development Center on the Ground Lease property with a monthly rent of \$0.998 per square foot for the entire building, plus operations and maintenance costs of \$0.836 per square foot for the entire building, and to provide for construction of a parking lot for the building”.
Seconded by Ms. Fairclough,
and it passed without objection

Question was called on the motion to adopt AO 2002-73 as amended and it passed:

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Whittle.
NAYES: Tremaine.
(Clerk’s Note: Mr. Brian Whittle’s first vote cast as Assemblymember).

Ms. Fairclough moved, for immediate reconsideration.
Seconded by Mr. Sullivan,

Question was called on the motion for immediate reconsideration of AO 2002-73 and it failed:

AYES: Tremaine.
NAYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Whittle.

14. NEW PUBLIC HEARINGS:

- A. Resolution No. AR 2002-155, a resolution of the Municipality appropriating \$46,380,000 of proceeds of General Obligation Bonds to the Area wide CIP Fund (401), Anchorage Fire Service Area CIP Fund (431), Anchorage Roads and Drainage Service Area CIP Fund (441), and Eagle River Chugiak Parks and Recreation Area CIP Fund (462), to pay the costs of **public safety, fire protection, road, storm drainage, and parks and recreation and related capital improvement projects**; and contributing \$712,500 from the Anchorage Roads and Drainage Service Area CIP Fund (441) to the Equipment Maintenance Internal Service Fund (601) for the purchase of **street maintenance vehicles**, Office of Management and Budget.
1. Assembly Memorandum No. AM 441-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Tesche moved, to approve AR 2002-155.
Seconded by Mr. Sullivan,

There was no discussion.

Question was called on the motion to approve AR 2002-155 and it passed:

AYES: Sullivan, Von Gemmingen, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Whittle.

NAYES: None.

(Clerk's Note: Ms. Taylor was out of the room at the time of the vote).

- B. Resolution No. AR 2002-142, a resolution of the Municipality of Anchorage appropriating \$167,572 from the Federal Emergency Management Agency and a contribution of \$71,816 from Anchorage Fire Service Area Fund (131) to the Federal Categorical Grants Fund (241) for a **“Managing Acute Cardiac Emergencies” training program and a Health and Wellness program** for the Anchorage Fire Department.

1. Assembly Memorandum No. AM 405-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Ms. Von Gemmingen moved, to approve AR 2002-142.
Seconded by Mr. Tesche,

There was no discussion.

Question was called on the motion to approve AR 2002-142 and it passed:

AYES: Sullivan, Von Gemmingen, Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Whittle.

NAYES: None.

(Clerk's Note: Ms. Taylor was out of the room at the time of the vote).

- C. Resolution No. AR 2002-141, a resolution of the Municipality of Anchorage providing for **revisions to the 2001 General Government Operating Budget** to provide 2001 appropriations commensurate with 2001 expenditures for various departments and funds, Office of Management and Budget.

1. Assembly Memorandum No. AM 404-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Tesche moved, to approve AR 2002-141.
Seconded by Ms. Shamberg,

In response to Ms. Von Gemmingen and Mr. Tesche, Chief Fiscal Officer Kate Giard, responded the resolution was necessary to provide authority for monies previously spent and monies were needed to balance their budget.

Question was called on the motion to approve AR 2002-141 and it passed:

AYES: Sullivan, Von Gemmingen, Taylor Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Whittle.

NAYES: None.

- D. Resolution No. AR 2002-159, a resolution of the Anchorage Municipal Assembly approving a conditional use for an alcoholic beverages conditional use in the B-3 District for a package store use/license per AMC 21.40.180.D.8. for **Brown Jug, Inc.**, located on Lot 2, Robert Pippel Subdivision; generally located on the northeast corner of Old Glenn Highway and Monte Road (Eagle River Community Council) (Case 2002-099), Planning Department.

1. Assembly Memorandum No. AM 459-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak.

Chairman Traini requested the applicant come forward. Mr. Lowell Shin, representing Brown Jug, complied.

REVEREND DAVID GEORGE, pastor of the church immediately adjacent to Brown Jug testified against the license.

LOWELL SHIN, representing Brown Jug spoke in favor of the liquor license.

Chairman Traini closed the public hearing.

Ms. Fairclough Moved, to approve AR 2002-159.
Seconded by Mr. Tesche,

Question was called on the motion to approve AR 2002-159 and it passed:

AYES: Sullivan, Von Gemmingen, Taylor Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Whittle.

NAYES: None.

(Clerk's Note: Mr. Tremaine was out of the room at the time of the vote).

- E. Ordinance No. AO 2002-31, an ordinance **repealing and reenacting Title 23 of the Anchorage Municipal Code** to adopt the 2000 editions of the following codes and enacting local amendments thereto: Administrative, Building, Mechanical, Plumbing, Fire, Existing Buildings, Residential, Building

Construction Contractor Requirements, Fire Protection Service Outside Service Areas, Energy Conservation, School Relocatables, Safety Code for Elevators and Escalators, Electrical Code, Mobile Aircraft Shelters, Grading, and Fuel Gas Code, Department of Development Services.

1. Assembly Memorandum No. AM 124-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak.

LANCE TAYLOR, spoke in opposition to the proposed ordinance.

Chairman Traini closed the public hearing.

Ms. Fairclough moved, to continue public hearing to 9-10-2002.
Seconded by Mr. Sullivan,
and it passed without
objection,

Chairman Traini recessed the meeting at 9:25 p.m. Chairman Traini reconvened the meeting at 9:37 p.m.

F. Ordinance No. AO 2002-60, an ordinance of the Municipality of Anchorage amending Anchorage Municipal Code 21.15.134 to provide for **platting of commercial tracts that include large retail establishments** (Planning and Zoning Commission Case 2002-092), Assemblymember Tesche.

1. Information Memorandum No. AIM 53-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Mr. Tesche moved, to continue the public hearing to 6-11-2002.
Seconded by Ms. Taylor,
and it passed without
objection,

G. Ordinance No. AO 2002-63, an ordinance amending Anchorage Municipal Code Title 21 by amending the R-5 (Rural Residential District) Zoning District Subsection 21.40.070.D. to **allow off street parking spaces and structures as conditional uses** (Planning and Zoning Commission Case 2002-087), Assemblymember Von Gemmingen.

1. Information Memorandum No. AIM 54-2002.

2. Ordinance No. AO 2002-63(S), an ordinance amending Anchorage Municipal Code Title 21 by amending the R-5 (Rural Residential District) Zoning District Subsection 21.40.070.D. to allow off street parking spaces and structures as conditional uses (Planning and Zoning Commission Case 2002-087).

Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one and he closed the public hearing.

Ms. Von Gemmingen moved, to adopt AO 2002-63(S).
Seconded by Ms. Taylor,

Mr. Tremaine and Ms. Von Gemmingen expressed their reasoning for this ordinance to allow off-street parking under the R-5 zoning, which would allow for future rezoning as needed.

In response to Mr. Tremaine, Craig Campbell noted in the Abbott Loop town center area there were pockets of R-5 from previous mobile home parks.

Ms. Shamberg and Mr. Tremaine expressed their support.

In response to Ms. Von Gemmingen, Mr. Jerry Weaver, Manager of Zoning and Platting Division, Planning Department, replied that a conditional use permit would be required.

In response to Mr. Van Etten, Mr. Weaver advised that under this ordinance, parking structures were allowed. Junkyards would not be permitted.

Question was called on the motion to adopt AO 2002-63(S) and it passed:

AYES: Sullivan, Von Gemmingen, Taylor Van Etten, Traini, Fairclough, Kendall, Tesche, Shamberg, Tremaine, Whittle.
NAYES: None.

H. Ordinance No. AO 2002-64, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 21 by amending Chapter 21.50.090, **Conditional Use Standards-Junkyards**, to eliminate the requirement for traffic access (Planning and Zoning Commission Case 2002-093), Assemblymember Shamberg.

1. Assembly Memorandum No. AM 313-2002.

2. Information Memorandum No. AIM 55-2002.

Chairman Traini opened the public hearing and asked if anyone wished to speak.

RONALD JORDAN, testified in opposition to the ordinance.

Chairman Traini closed the public hearing.

Ms. Shamberg moved, to adopt AO 2002-64.
Seconded by Mr. Tesche,

Ms. Shamberg spoke with members of the Permitting Department regarding the ordinance and discovered an (S) version is being proposed by Planning.

Mr. Sullivan moved, to postpone action until 6-11-2002.

Motion died for lack of a second.

Question was called on the motion to adopt AO 2002-64 and it passed:

AYES: Von Gemmingen, Taylor Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine, Whittle.

NAYES: Sullivan.

(Clerk's Note: Mr. Kendall was out of the room at the time of the vote).

Ms. Shamberg moved, for immediate consideration of AO 2002-64.
Seconded by Mr. Tesche,

Ms. Shamberg urged a no vote.

Question was called on the motion for immediate consideration of AO 2002-64 and it failed:

AYES: Fairclough, Sullivan.

NAYES: Von Gemmingen, Taylor Van Etten, Traini, Tesche, Shamberg, Tremaine, Whittle.

(Clerk's Note: Mr. Kendall was out of the room at the time of the vote).

15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

16. SPECIAL ORDERS:

A. Assembly Memorandum No. AM 339-2002, **certification of the May 7, 2002, Municipal Runoff Election**, Municipal Clerk.

(Clerk's Note: See after Item 10 F 3.)

B. The **Oath of Office** was administered to Brian Whittle.

(Clerk's Note: See Item 13 B.)

C. **Assembly Reorganization.**

(Clerk's Note: See Item 13 C.)

D. Ordinance No. AO 2002-90, an ordinance amending the zoning map and approving the rezoning of approximately 75 acres from R-6 (Suburban Residential – Large Lot) Zoning District to PC (Planned Community) Zoning District for the E 1/2, NW 1/4, SW 1/4, NW 1/4, the NE 1/4, NW 1/4, the NE 1/4, SW 1/4, NW 1/4, and the S 1/2, SW 1/4, NW 1/4, Section 21, T12N, R3W, S.M., AK, generally located on the **southeast corner of Lake Otis Parkway and East 112th Avenue** (Huffman/O'Malley Community Council) (Planning and Zoning Commission Case 2002-011). P.H. 6-25-2002

[Mr. Tesche, Mr. Tremaine, and Mr. Van Etten joined in introducing this Ordinance. The public hearing was scheduled for 6-26-02.](#)

E. Assembly Memorandum No. AM 439-2002, **Assembly Meeting Schedule** (July-December 2002), Assembly Chair Traini.

Ms. Von Gemmingen moved, to reconsider Item D3, AM 439-2002.
Seconded by Mr. Sullivan,
and it passed without
objection,

Ms. Von Gemmingen noted the Alaska Municipal League local government conference is the week of Nov. 10th through the 15th and several Assemblymembers would be attending and unavailable for the Assembly Meeting on November 12, 2002. The Assemblymembers discussed different dates for possible meeting scheduling taking into consideration budget meetings.

Ms. Von Gemmingen moved, to cancel the 11-12-2002 meeting and reinstate 11-26-2002
seconded by Mr. Sullivan, meeting, AM 439-2002.

Question was called on the motion to amend AM 439-2002 and it passed:

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Whittle.

NAYES: Fairclough, Tesche, Shamberg, Tremaine.

(Clerk’s Note: Mr. Kendall was out of the room at the time of the vote).

Mr. Sullivan moved,
seconded by Ms.. Von Gemmingen,
and it passed without
objection,

to cancel the 7-9-2002 meeting and re-instate the 7-16-2002
meeting, AM 439-2002.

Chairman Traini called for a vote on the main motion to approve the amended AM 439-2002 and it passed:

AYES: Sullivan, Von Gemmingen, Taylor, Van Etten, Traini, Fairclough, Tesche, Shamberg, Tremaine, Whittle.

NAYES: None.

(Clerk’s Note: Mr. Kendall was out of the room at the time of the vote).

- F. An Assembly work session was requested for June 11, 2002 concerning the **Master Plan** for the Muldoon
Town Center area (AR 2002-153).
- G. An Assembly work session was requested for May 28, 2002 concerning the **water shortage in South
Anchorage**.

17. UNFINISHED AGENDA: None.
18. AUDIENCE PARTICIPATION: None.
19. ASSEMBLY COMMENTS: None.
20. EXECUTIVE SESSIONS: None.
21. ADJOURNMENT:

Mr. Sullivan moved,
Seconded by Mr. Tesche,
and it passed without
objection,

to adjourn the meeting.

The meeting adjourned at 11:19 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved: _____ 2002

GM:cmw