

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of November 26, 2002

1. CALL TO ORDER:

The meeting was convened at 5:04 p.m. by Assembly Chairman Dick Traini in the Assembly Chambers, 3600 Denali, Anchorage, Alaska.

2. ROLL CALL:

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

3. PLEDGE OF ALLEGIANCE:

Ms. Cheryl Frasca led the pledge.

4. MINUTES OF PREVIOUS MEETINGS:

A. Regular Meeting – October 29, 2002
(NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TREMAINE 11-20-02)

Reconsideration was not taken up.

5. MAYOR'S REPORT:

Mayor Wuerch wished everyone a Happy Thanksgiving.

6. ASSEMBLY CHAIR'S REPORT:

Chairman Traini read a resolution recognizing and honoring individuals of the Spirit of Youth Foundation. Ms. Von Gemmingen and Ms. Fairclough presented the awards.

7. COMMITTEE REPORTS:

Chairman Traini noted the upcoming meeting with the Anchorage Caucus on November 18, 2002.

8. ADDENDUM TO AGENDA:

Mr. Tesche moved, to amend the agenda to include the addendum items.
seconded by Ms. Von Gemmingen,

Chairman Traini read the addendum items.

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

9. CONSENT AGENDA:

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

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS:

B. RESOLUTIONS FOR ACTION – OTHER:

1. Resolution No. AR 2002-369, a resolution of the Anchorage Municipal Assembly **appointing Carol A. Thompson as Assistant Municipal Clerk/Elections Coordinator** within the Municipal Clerk's Office, Assembly Chair Traini.
2. Resolution No. AR 2002-350, a resolution of the Municipal Assembly approving the **revised (schematic) design for the Polaris K-12 School Addition and Renovation Project** preliminary (conceptual) design of the **Chugach Optional Elementary School Addition and Renovation Project**, Anchorage School District.
 - a. Assembly Memorandum No. AM 987-2002.

Mr. Tremaine requested this item be considered on the Regular Agenda. See item 10B.

3. Resolution No. AR 2002-365, a resolution of the Municipality of Anchorage appropriating \$6,000 as a grant to the Miscellaneous Operational Grants Fund (261), Department of Health & Human Services, from March of Dimes to fund **Folic Acid Outreach Project**, Health and Human Services.
 - a. Assembly Memorandum No. AM 979-2002.

Mr. Whittle requested this item be considered on the Regular Agenda. See item 10B.

- 1 4. Resolution No. AR 2002-364, a resolution of the Anchorage Municipal Assembly revising the 2002
2 General Government Operating Budget by appropriating \$31,500 from Areawide General Fund
3 (101) Balance to the Department of Assembly for the purchase of **laptop computers**, Assembly
4 Chair Traini.
5 a. Assembly Memorandum No. AM 962-2002.
- 6 5. Resolution No. AR 2002-368, a resolution of the Anchorage Assembly requesting the State
7 Assessor to undertake a special review of the **assessment, valuation, and taxation procedures** of
8 the Municipality of Anchorage and to recommend corrective action where needed,
9 Assemblymembers Von Gemmingen, Van Etten, Tremaine, Shamberg, Tesche, Whittle, Taylor,
10 and Traini.

12 Mr. Tesche moved for reconsideration of AR 2002-368 after approval of the Consent Agenda. See Regular Agenda, after
13 10D4.

- 15 6. Resolution No. AR 2002-370, a resolution of the Anchorage Municipal Assembly modifying a
16 conditional use for an alcoholic beverages conditional use in the B-2B District for a beverage
17 dispensary use per AMC 21.40.160.D.13., for **Soraya's Latin Dance Club**, located on Anchorage
18 Original Townsite, Block 24A, Lot 5: generally located on the northwest corner of West 4th Avenue
19 and C Street, Assembly Chair Traini. (**addendum**)

21 **C. BID AWARDS:**

- 22 1. Assembly Memorandum No. AM 964-2002, recommendation of award to JKM General
23 Contractors, LLC for **Museum wall fabric replacement** for the Municipality of Anchorage
24 Facility and Fleet Management Department (ITB 22-C049) (\$110,194), Purchasing.
- 25 2. Assembly Memorandum No. AM 965-2002, recommendation of award to Craig Taylor Equipment
26 and Construction Machinery Industrial, LLC for furnishing a **crawler dozer, 3.5 cubic yard front**
27 **end loader and a 3 cubic yard front end loader** to the Municipality of Anchorage, Facility and
28 Fleet Management (ITB 22-B055) (\$636,131.32), Purchasing.
- 29 3. Assembly Memorandum No. AM 966-2002, recommendation of award to Construction Machinery
30 Industrial, LLC for furnishing **diesel motor graders** to the Municipality of Anchorage, Facility and
31 Fleet Management (ITB 22-B058) (\$1,008,004), Purchasing.
- 32 4. Assembly Memorandum No. AM 967-2002, recommendation of award to G.A. Enterprises for
33 providing **snow plowing, snow removal, and sanding services** at various parking lots for the
34 Municipality of Anchorage, Municipal Light and Power (ITB 22-B068) (\$150,000), Purchasing.

36 **D. NEW BUSINESS:**

- 37 1. Assembly Memorandum No. AM 968-2002, proprietary purchase with eXegeSys, Inc. for
38 providing specialized **computer consulting services** to the Municipality of Anchorage, Municipal
39 Light and Power (\$125,000), Purchasing.
- 40 2. Assembly Memorandum No. AM 969-2002, proprietary purchase with G.H. Harlow Company for
41 providing **radio fire alarm decoder systems** to the Municipality of Anchorage, Traffic Department
42 (\$34,525), Purchasing.
- 43 3. Assembly Memorandum No. AM 970-2002, recommendation of award to Lounsbury & Associates,
44 Inc. for providing professional engineering support for **Highway Safety Improvement Projects**
45 for the Municipality of Anchorage, Traffic Department (RFP 22-P022) (\$1,478,895), Purchasing.

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

- 49 4. Assembly Memorandum No. AM 971-2002, change order No. 2 to purchase order 212804 with
50 Lennertz Coyle & Associates, LLC to provide consultant services to develop two **Town Center**
51 **plans** for the Municipality of Anchorage, Planning Department (\$36,400), Purchasing.

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

- 55 5. Assembly Memorandum No. AM 972-2002, recommendation of award to various firms for
56 providing State Training and Employment (STEP), **High Demand Occupational Training** for the
57 Municipality of Anchorage, Department of Planning (RFP 22-P040) (\$218,026), Purchasing.
- 58 6. Assembly Memorandum No. AM 973-2002, cooperative purchase of **miscellaneous light bulbs** on
59 an "as required" basis from Grainger Industrial Supply for the Municipality of Anchorage,
60 Purchasing Department (\$100,000), Purchasing.
- 61 7. Assembly Memorandum No. AM 974-2002, proprietary purchase to **rebuild a Cat 988B loader**
62 from NC Machinery Company for the Municipality of Anchorage, Solid Waste Services
63 (\$365,640), Purchasing.
- 64 8. Assembly Memorandum No. AM 975-2002, recommendation of award to R & M Consultants, Inc.
65 and Lounsbury & Associates, Inc. for providing professional architectural/engineering services for
66 the **Bragaw Street Surface Rehabilitation Project and the Southport Drive Upgrade**, for the
67 Municipality of Anchorage, Project Management & Engineering Department (RFP 22-P014
68 Projects B and D) (\$1,098,845), Purchasing.
- 69 9. Assembly Memorandum No. AM 976-2002, contract amendment No. 4 to professional services
70 contract with Kean and Associates for **Rabbit Creek View Subdivision and Rabbit Creek**
71 **Heights Subdivision Survey Improvement Assessment District 1V96** (\$100,000), Project
72 Management & Engineering.

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

- 1 10. Assembly Memorandum No. AM 977-2002, amendment No. 2 to professional services contract
2 with HDR Alaska, Inc. for **Eklutna River at Old Glenn Highway Bridge Restoration**, Project
3 No. 98-29, Federal/State Project No. BR-001(183)/53945 (\$200,109), Project Management &
4 Engineering.
5

6 The Administration requested this item be considered on the Regular Agenda. See item 10D.
7

- 8 11. Assembly Memorandum No. AM 978-2002, amendment No. 1 to the contract with Chenega
9 Management, LLC for **demolition of the Old Jail and Fire Station No. 1**, Project No. 02-26
10 (\$389,350), Project Management & Engineering.
11 12. Assembly Memorandum No. AM 989-2002, **Budget Advisory Commission appointment**
12 (Kip Knudson), Mayor's Office. **(addendum)**
13 13. Assembly Memorandum No. AM 993-2002, **Barry's "Baranof Lounge"** (#0093) – 2003-2004
14 Renewal of Beverage Dispensary Liquor License (Fairview/Downtown/South Addition/North Star
15 Community Councils), Clerk's Office. **(addendum)**
16 14. Assembly Memorandum No. AM 994-2002, **Denali Steak House** (#4250) – New Beverage
17 Dispensary Liquor License & Transfer of Ownership (South Addition/Downtown/North Star
18 Community Councils), Clerk's Office. **(addendum)**
19 15. Assembly Memorandum No. AM 995-2002, **Yukon Yacht Club LLC** (#1036) *formerly Coach*
20 *House Westmark Inn Third Avenue* - New Beverage Dispensary Liquor License & Transfer of
21 Ownership (Downtown/Fairview/Government Hill Community Councils), Clerk's Office.
22 **(addendum)**
23

24 **E. INFORMATION AND REPORTS:**

- 25 1. Information Memorandum No. AIM 109-2002, **Ship Creek and Eklutna Water Treatment**
26 **Facilities Disinfection Upgrades**, Rockford Corporation Report of Construction Contract Change
27 Orders, Water and Wastewater Utility.
28 2. Information Memorandum No. AIM 110-2002, **Monthly Financial Report – September 2002**,
29 Finance. **(addendum)**
30 3. Information Memorandum No. AIM 111-2002, **Monthly Financial Report – October 2002**,
31 Finance. **(addendum)**
32

33 **F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:**

- 34 1. Ordinance No. AO 2002-169, an ordinance of the Anchorage Municipal Assembly authorizing the
35 **lease of Lot 4A, Port of Anchorage Subdivision**, to CSX Lines of Alaska, LLC., Port of
36 Anchorage. Public Hearing 12-10-02.
37 a. Assembly Memorandum No. AM 982-2002.
38 2. Ordinance No. AO 2002-170, an ordinance of the Anchorage Municipal Assembly extending the
39 term of the **existing leases with CSX Lines of Alaska LLC for Lots 5D-1, 5F-1, 6C-1 and 6D-1,**
40 **Port of Anchorage Subdivision**, pursuant to an exercised option to renew, Port of Anchorage.
41 Public Hearing 12-10-02.
42 a. Assembly Memorandum No. AM 983-2002.
43 3. Ordinance No. AO 2002-171, an ordinance amending Anchorage Municipal Code Chapter 7.25 and
44 amending the Title thereof from "Abandoned, Stolen or Lost Property" to "**Disposition of**
45 **Disposable Property**", Anchorage Police Department. Public Hearing 12-10-02.
46 a. Assembly Memorandum No. AM 984-2002.
47 4. Ordinance No. AO 2002-173, an ordinance of the Anchorage Municipal Assembly amending the
48 zoning map and providing for the rezoning of approximately 8.98 acres from R-10 (Residential
49 Alpine/Slope District) to R-6 SL (Suburban Residential District-Large Lot with Special
50 Limitations) for **Tract A-3, Charlice Subdivision**, generally located on the south side of White
51 Spruce Drive, north of Eagle River Road, Eagle River (Eagle River Valley Community Council)
52 (Planning and Zoning Commission Case 2002-142), Planning Department. Public Hearing 1-7-03.
53 a. Assembly Memorandum No. AM 986-2002.
54 5. Ordinance No. AO 2002-174, an ordinance of the Anchorage Assembly amending Title 2.10 of the
55 Anchorage Municipal Code by enactment of a new Section 2.10.075 relating to the adoption of the
56 Anchorage Assembly's **annual State Legislative Program** and establishing the implementation of
57 the annual State Legislative Program as a prescribed duty of the Mayor, Assemblymember Tesche.
58 Public Hearing 12-17-02.
59 a. Assembly Memorandum No. AM 988-2002.
60 6. Resolution No. AR 2002-366, a resolution appropriating \$375,430 of interest earned on the funds
61 received from a 1997 State of Alaska SB29 Revenue Sharing for Safe Communities award from the
62 State Categorical Grants Fund (231) as contributions to the Anchorage Metropolitan Police Service
63 Area Fund (151) and the Federal Categorical Grants Fund (241), Anchorage Police Department, for
64 **police activities**, Office of Management and Budget. Public Hearing 12-10-02.
65 a. Assembly Memorandum No. AM 980-2002.
66 7. Resolution No. AR 2002-367, a resolution of the Municipality of Anchorage Assembly
67 appropriating \$41,000 from the Heritage Land Bank General Fund (221) to the Heritage Land Bank
68 Capital Fund (421) for a **Phase II Environmental Site Assessment of HLB Parcel No. 4-043**, (the
69 former Hollywood Vista site) located on Government Hill, and amending the 2002 General
70 Government Capital Improvement Budget and amending the 2002-2007 General Government
71 Capital Improvement Program Budget, Heritage Land Bank. Public Hearing 12-10-02.
72 a. Assembly Memorandum No. AM 981-2002.
73 8. Ordinance No. AO 2002-176, an ordinance repealing and reenacting **Title 23** of the Anchorage
74 Municipal Code to adopt the 2000 Editions of the following codes and enacting local amendments
75 thereto: Administrative, Building, Mechanical, Plumbing, Electrical, Fire, Existing Buildings,
76 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, Fuel and Gas Code, Development Services. Public Hearing ~~12-17-02~~ 12-10-02. (addendum)

a. Assembly Memorandum No. AM 1012-2002.

- 9. Resolution No. AR 2002-378, a resolution of the Municipality of Anchorage reducing the 2002 Dividend from the MOA Trust Fund Balance (Fund 730) from \$7,000,000 to \$4,700,000; and subsequently appropriating \$4,700,000 from MOA Trust Reserve Fund Balance (Fund 731) as a contribution to the Areawide contribution to the Areawide General Fund (Fund 101), Finance Department; Assemblymembers Tesche, Fairclough, and Tremaine.

Mr. Tesche, Ms. Fairclough and Mr. Tremaine joined in introducing AR 2002-378. The public hearing was scheduled for December 17, 2002.

- 10. Ordinance No. AO 2002-178, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code by adding a new Section 6.10.032, Budget Performance Measures, Assemblymembers Tesche, Fairclough, and Tremaine.

Mr. Tesche, Ms. Fairclough and Mr. Tremaine joined in introducing AO 2002-178. The public hearing was scheduled for December 17, 2002.

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

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

NAYES: None.

10. REGULAR AGENDA:

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS: None.

B. RESOLUTIONS FOR ACTION – OTHER:

- 10B1. Resolution No. AR 2002-350, a resolution of the Municipal Assembly approving the revised (schematic) design for the Polaris K-12 School Addition and Renovation Project preliminary (conceptual) design of the Chugach Optional Elementary School Addition and Renovation Project, Anchorage School District.

a. Assembly Memorandum No. AM 987-2002.

In response to Mr. Tremaine, Municipal Attorney Bill Greene, advised the Assembly could move a motion to change the name of the school because this was a non-public hearing item.

Ms. Von Gemmingen moved, to introduce AR 2002-350 as Chugach Elementary School. seconded by Mr. Sullivan, and it passed without objection,

- 10B2. Resolution No. AR 2002-365, a resolution of the Municipality of Anchorage appropriating \$6,000 as a grant to the Miscellaneous Operational Grants Fund (261), Department of Health & Human Services, from March of Dimes to fund Folic Acid Outreach Project, Health and Human Services.

a. Assembly Memorandum No. AM 979-2002.

Mr. Whittle moved, to approve AR 2002-365. seconded by Mr. Tesche, and it passed without objection,

In response to Mr. Whittle, Health and Human Services Director, Jewel Jones advised this was primarily an out-reach program working with pregnant mothers and is part of a national campaign with the March of Dimes.

C. BID AWARDS:

D. NEW BUSINESS:

- 10D1. Assembly Memorandum No. AM 970-2002, recommendation of award to Lounsbury & Associates, Inc. for providing professional engineering support for Highway Safety Improvement Projects for the Municipality of Anchorage, Traffic Department (RFP 22-P022) (\$1,478,895), Purchasing.

Ms. Von Gemmingen moved, to approve AM 970-2002. seconded by Ms. Fairclough, and it passed without objection,

In response to Ms. Von Gemmingen, Office of Planning, Development and Public Works Director Craig Campbell advised the Administration had made a mistake, however, the correct figures would be provided.

- 10D2. Assembly Memorandum No. AM 971-2002, change order No. 2 to purchase order 212804 with Lennertz Coyle & Associates, LLC to provide consultant services to develop two Town Center plans for the Municipality of Anchorage, Planning Department (\$36,400), Purchasing.

The Administration requested this item be postponed until 12-10-02.

Mr. Tesche moved, to postpone action on AM 971-2002 to 12-10-02. seconded by Ms. Fairclough,

1 and it passed without objection,

2
3 10D3. Assembly Memorandum No. AM 976-2002, contract amendment No. 4 to professional services
4 contract with Kean and Associates for **Rabbit Creek View Subdivision and Rabbit Creek**
5 **Heights Subdivision Survey Improvement Assessment District 1V96** (\$100,000), Project
6 Management & Engineering.

7
8 The Administration requested this item be postponed until 12-10-02.

9
10 Ms. Fairclough moved, to postpone action on AM 976-2002 to 12-10-02.
11 seconded by Mr. Tesche,
12 and it passed without objection,

13
14 10D4. Assembly Memorandum No. AM 977-2002, amendment No. 2 to professional services contract
15 with HDR Alaska, Inc. for **Eklutna River at Old Glenn Highway Bridge Restoration**, Project
16 No. 98-29, Federal/State Project No. BR-001(183)/53945 (\$200,109), Project Management &
17 Engineering.

18
19 Ms. Fairclough moved, to approve AM 977-2002.
20 seconded by Mr. Tesche,

21
22 Office of Planning, Development and Public Works Director Craig Campbell requested the fund site be changed by
23 amendment to AM 977-2002.

24
25 Ms. Fairclough moved, to amend AM 977-2002, Page 1, Line 38, Fund
26 seconded by Mr. Tesche, Certification should read "**409.7270.3101**".
27 and it passed without objection,

28
29 Question was called on the main motion to approve AM 977-2002 as amended and it passed without objection.

30
31 Mr. Tesche requested Item 9B5, approved on the Consent Agenda, be taken up.

32
33 9B5. Resolution No. AR 2002-368, a resolution of the Anchorage Assembly requesting the State
34 Assessor to undertake a special review of the **assessment, valuation, and taxation procedures** of
35 the Municipality of Anchorage and to recommend corrective action where needed,
36 Assemblymembers Von Gemmingen, Van Etten, Tremaine, Shamberg, Tesche, Whittle, Taylor,
37 and Traini.

38
39 Mr. Tesche moved, for immediate reconsideration of item 9B5,
40 seconded by Mr. Tremaine, AR 2002-368.

41
42 Mr. Tesche recommended a no vote.

43
44 Ms. Fairclough addressed the issue of the Assembly requesting, by formal letter to the State Assessor's office, advice on how
45 to come into compliance. Chief Fiscal Officer Kate Giard responded that a full audit had been completed in the Property
46 Assessment Department over the years. On the basis of the audit, a Strategic Plan was drafted for the Property Assessment
47 Department and she did not believe the tax rolls were not fairly stated. Ms. Giard stated there is a ratio used by the State, and
48 the Municipality of Anchorage was in compliance with the ratios and standards that the IWAO puts forward. Ms. Giard felt
49 the issues could be adequately addressed by the Department through the Strategic Plan which could be brought to the
50 Administration and the Assembly.

51
52 Ms. Fairclough advised she did not sign on the document as a sponsor because she had concerns, in asking the State Assessor
53 to come in and advise the City what they might be doing incorrectly.

54
55 In response to Ms. Fairclough, Municipal Attorney Bill Greene advised the State Assessor does have some supervisory
56 authority over the Municipal tax system under State law, however he did not think the resolution would be a problem.

57
58 Ms. Fairclough stated she did not agree with sending a formal letter to the State and urged a yes vote in reconsideration.

59
60 Ms. Von Gemmingen urged a no vote after having talked with a State official who stated it was not the intent of the State to
61 issue a letter of major error to the Municipality.

62
63 Mr. Tremaine urged a no vote and stated the Assembly was asking the State Assessor to complete a review and make a
64 report.

65
66 The Assemblymembers further discussed the resolution.

67
68 Ms. Von Gemmingen commended the Assessor, Mr. Marty McGee, for his work and the monumental difficulties he faces
69 with limited resources.

70
71 Question was called on the motion for immediate reconsideration of AR 2002-368 and it failed.

72
73 AYES: Fairclough, Kendall, Sullivan.

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

75
76 **E. INFORMATION AND REPORTS:** None.

1 In response to Chairman Traini, Office of Planning, Development and Public Works Director Craig Campbell advised the
2 Administration had no changes to the document; however, they would like to address the effective date.

3
4 Mr. Whittle moved, to amend AO 2002-141(S-2), Page 4, Item #45, to
5 seconded by Ms. Taylor, “add \$700,000 GO bonds to 2003 from the total
6 \$3,450,000”.

7
8 The Assemblymembers discussed the amendment.

9
10 Mayor Wuerch suggested State school funding for this project and to keep the funding in Other.

11
12 Mr. Whittle withdrew his motion, second Ms. Taylor concurred.

13
14 Question was called on the main motion to adopt AO 2002-141(S-2) and it passed.

15
16 AYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Kendall, Shamberg,
17 Tremaine, Sullivan.

18 NAYES: None.

19
20 Mr. Tesche moved, for immediate reconsideration of AO 2002-141(S-2)
21 seconded by Ms. Furlough,

22
23 Question was called on the motion for immediate reconsideration of AO 2002-141(S-2) and it failed.

24
25 AYES: None.

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

28
29 11C. Resolution No. AR 2002-295, a resolution of the Municipality of Anchorage adopting the **2003-2008 Six**
30 **Year Fiscal Program**, Office of Management and Budget.

31 1. Assembly Memorandum No. AM 822-2002.

32 (CONTINUED FROM 10-29-02; POSTPONED FROM 11-19-02)

33
34 Chairman Traini gave the history of the item and noted no motions were pending.

35
36 Mr. Tesche moved, to approve AR 2002-295.
37 seconded by Ms. Von Gemmingen,

38
39 Mr. Tesche urged a yes vote.

40
41 Question was called on the motion to approve AR 2002-295 and it passed.

42
43 AYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Kendall, Shamberg,
44 Tremaine, Sullivan.

45 NAYES: None.

46
47 11D. Ordinance No. AO 2002-140, an ordinance of the Municipality of Anchorage adopting and appropriating
48 funds for the **2003 General Government Operating Budget** for the Municipality of Anchorage, Office of
49 Management and Budget.

50 1. Assembly Memorandum No. AM 820-2002.

51 2. Ordinance No. AO 2002-140(S), an ordinance of the Municipality of Anchorage adopting and
52 appropriating funds for the 2003 General Government Operating Budget for the Municipality of
53 Anchorage, Office of Management and Budget. (**addendum**)

54 3. Assembly Memorandum No. AM 1011-2002.

55 (POSTPONED FROM 11-19-02)

56
57 Chairman Traini gave the history of the item and noted no motions were pending.

58
59 Mr. Tesche moved, to adopt AO 2002-140(S).
60 seconded by Ms. Von Gemmingen,

61
62 Mr. Tesche distributed his amendment to AO 2002-140(S).

63
64 Mr. Tesche moved, to amend AO 2002-140(S) as follows:
65 seconded by Mr. Whittle, “AO 2002-140(S) is amended by enactment of a new
66 numbered section to read: Sec. _____. Based on the
67 July 2002 report of the Internal Auditor, \$1,198,453.73
68 was spent for Municipal travel during 2001. As required
69 by AMC 6.10.033, the total amount proposed by the
70 Mayor for travel in 2003 is \$380,520, a reduced amount
71 which reflects laudable efforts to eliminate unnecessary
72 travel expenditures by Municipal agencies. As allowed by
73 Charter Sec. 17.13. and AMC 6.10.070(C), that reduced
74 amount - \$380,520 is specifically *appropriated* for travel
75 expenditures in 2003. Unless and until additional funds
76 for travel are specifically *appropriated* by the Assembly,

1 expenditures for travel by executive branch agencies may
2 not exceed \$380,520 during 2003. Similarly, travel
3 expenditures for all other agencies may not exceed those
4 amounts stated in the Mayor's proposed 2003 general
5 government operating budget".
6

7 Mayor Wuerch offered a friendly amendment, accepted by Mr. Tesche.

8
9 Mayor Wuerch moved,
10 seconded by Mr. Tesche,
11 and it passed without objection,

12 to amend Mr. Tesche's amendment to AO 2002-140(S) to
13 "delete the word 'appropriated' and insert 'budgeted'; and
14 delete 'appropriated' and insert 'approved' by the
15 Assembly.

16 Mayor Wuerch and Mr. Tesche agreed on the language and intent of the amendment.

17 The Assemblymembers discussed the amendment. Mr. Tesche noted the travel amount should be increased from \$380,520 to
18 \$420,520 by amendment.

19 Mr. Tesche moved,
20 seconded by Mr. Whittle,
21 and it passed without objection,

22 to amend Mr. Tesche's amendment to AO 2002-140(S) to
23 "change the figure \$380,520 to \$420,520 throughout the
24 amendment".

25 Office of Planning, Development and Public Works Director Craig Campbell noted Mr. Tesche's original amendment should
26 include "and legislative" to cover Assembly travel.

27 Mr. Tesche moved,
28 seconded by Mr. Van Etten,
29 and it passed without objection,

30 to amend Mr. Tesche's amendment to AO 2002-140(S) to
31 include the words "and legislative" after the word
32 "executive".

33 Question was called on the main motion to adopt AO 2002-140(S) as amended to read "AO 2002-140(S) is amended by
34 enactment of a new numbered section to read: Sec. ____ . Based on the July 2002 report of the Internal Auditor,
35 \$1,198,453.73 was spent for Municipal travel during 2001. As required by AMC 6.10.033, the total amount proposed
36 by the Mayor for travel in 2003 is \$420,520, a reduced amount which reflects laudable efforts to eliminate unnecessary
37 travel expenditures by Municipal agencies. As allowed by Charter Sec. 17.13. and AMC 6.10.070(C), that reduced
38 amount - \$420,520 is specifically budgeted for travel expenditures in 2003. Unless and until additional funds for
39 travel are specifically approved by the Assembly, expenditures for travel by executive and legislative branch agencies
40 may not exceed \$420,520 during 2003. Similarly, travel expenditures for all other agencies may not exceed those
41 amounts stated in the Mayor's proposed 2003 general government operating budget" and it passed.

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

44 NAYES: None.

45 Mr. Tremaine noted the Assembly would be asked to increase their allocation out of the ATU trust reserve by \$1.7 million
46 over what was appropriated earlier in the year and an additional \$2 million next year, both being related to our Risk Pool.
47 Mr. Tremaine expressed his concern that the funds for next year do not show up in the budget, after having been notified of
48 the expected increase.

49 In response to Mr. Tremaine, Chief Fiscal Officer Kate Giard replied that included in the 2003 operating budget was
50 approximately \$7.2 million for the Risk Management Pool. Ms. Giard advised that represented an increase over the current
51 year's budget of nearly \$800,000 and it would account for the cost of normal on-going litigation, property insurance and
52 workers comp claim payments. The additional amount discussed with the Assembly is not included in the \$7.2 million
53 budget. Ms. Giard explained that it was a rather unusual circumstance which the Administration did not know about when
54 preparing the 2003 budget and that it was brought to the attention of the Assembly, and proposed the use of one time funds to
55 account for that

56 Mr. Tremaine responded he was still concerned about the anticipated operating expense of \$2 million in year 2003 and the
57 lack of budgeting funding was unclear.

58 In response to Mr. Tremaine, Ms. Giard noted the costs were legal in nature and had not yet been incurred, but that it could
59 be a significant possibility.

60 Municipal Attorney Bill Greene added that when anticipating a claim we reserve for potentialities and the time frame is
61 unclear.

62
63 Mr. Tesche moved,
64 seconded by Ms. Fairclough,

65 for immediate reconsideration of AO 2002-140(S)
66 as amended.

67 Mr. Tesche urged a no vote.

68 Question was called on the motion for immediate reconsideration of AO 2002-140(S) as amended and it failed.

69 AYES: Tremaine.

70 NAYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Kendall, Shamborg, Sullivan.

71 Chairman Traini took up Item 12, Appearance Requests.
72
73
74
75
76

12. APPEARANCE REQUESTS:

12A. **Mary Whitmore**, regarding the issue of city maintenance and cost for the South Coastal Trail extension.

Mr. Hank Hosford appeared in place of Ms. Whitmore. Mr. Hosford spoke regarding city maintenance and cost for the South Coastal Trail extension.

12B. **Boyd Morgenthaler**, regarding extension of the Coastal Trail - The role of the MOA and its duty to notify affected property owners. **(addendum)**

Mr. Boyd Morgenthaler spoke regarding the South Coastal Trail extension.

In response to Mr. Morgenthaler, Office of Planning, Development and Public Works Director Craig Campbell, advised he agreed with the need for a 60-day delay and that the City, as a co-sponsor, had also only received the EIS and had no time to read or review the contents. The State had taken control of the project and the issuing of the EIS.

12C. **George Trefry**, regarding construction and maintenance costs associated with the proposed extension of "Knowles Coastal Trail" – What are the funding options? **(addendum)**

Mr. George Trefrey spoke regarding the South Coastal Trail extension and the need for a delay to determine the various issues involved and the potential funding costs.

In response to Mr. Tesche, Cultural and Recreational Services Director Jim Posey stated the City has to agree to take over the trail, however, at this time there is no agreement with the State as to how it will be built, which funds will be used, or how the maintenance will be taken care of.

12D. **Dave Norton**, regarding the Coastal Trail extension.

Mr. Dave Norton spoke regarding the Coastal Trail extension and provided the history and planning process of the project.

The meeting recessed at 6:45 p.m. and reconvened at 7:15 p.m.

Mr. Tesche moved, to change the order of the day to take up
seconded by Mr. Sullivan, Item 11K, AO 2002-117.
Mr. Kendall objected,

Chairman Traini ruled the motion failed with Mr. Kendall objecting and only 6 members were in the Assembly Chambers.

Mr. Tremaine moved, to change the order of the day to take up
seconded by Mr. Van Etten, Item 14A AO 2002-113.
and it passed without objection,

14. NEW PUBLIC HEARINGS:

14A. Ordinance No. AO 2002-113, an ordinance repealing or amending and renumbering sections of Anchorage Municipal Code Chapters 21.67, 15.40, and 15.50 and Anchorage Municipal Code of Regulations Chapter 21.67, regarding **Stormwater and Watershed Management**; and amending Anchorage Municipal Code Sections 4.40.150, 14.60.030, 21.10.015, 21.35.020 and 21.40.230; to provide for the implementation and enforcement of stormwater and watershed management; 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.

1. Assembly Memorandum No. AM 944-2002.

2. Assembly Memorandum No. AM 944-2002(A), AO 2002-113; Stormwater and Watershed Management and Land Clearing, Assemblymember Shamberg. **(addendum)**3. Assembly Memorandum No. AM 1010-2002, AO 2002-113: NPDES/Land clearing Ordinance, Office of Planning, Development, and Public Works. **(addendum)**

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

ELIZABETH MCKEE testified in support of the ordinance.

GARY SMITH, testified against the ordinance.

ARTHUR L. BROWN, testified against the ordinance.

Ms. Fairclough stated she wished to take up AO 2002-117.

Ms. Fairclough moved, to change the order of the day to take up Item 11K,
seconded by Mr. Tesche, AO 2002-117.
Mr. Tremaine objected,

11K. Ordinance No. AO 2002-117, an ordinance repealing or amending and renumbering sections of Anchorage Municipal Code Chapters 21.67, 15.40, and 15.50 and Anchorage Municipal Code of Regulations Chapter 21.67, regarding **Stormwater and Watershed Management**; and amending Anchorage Municipal Code

1 Sections 4.40.150, 14.60.030, 21.10.015, 21.35.020 and 21.40.230; to provide for the implementation and
2 enforcement of stormwater and watershed management, Development Services.

3 1. Assembly Memorandum No. AM 717-2002.

4 2. Ordinance No. AO 2002-117(S), an ordinance repealing or amending and renumbering sections of
5 Anchorage Municipal Code Chapters 21.67, 15.40, and 15.50 and Anchorage Municipal Code of
6 Regulations Chapter 21.67, regarding Stormwater and Watershed Management; and amending
7 Anchorage Municipal Code Sections 4.40.150, 14.60.030, 21.10.015, 21.35.020 and 21.40.230; to
8 provide for the implementation and enforcement of stormwater and watershed management,
9 Assemblymember Shamberg.

10 (POSTPONED FROM 10-29-02; CARRIED OVER FROM 11-19-02)

11 Ms. Fairclough moved, to adopt AO 2002-117.
12 seconded by Mr. Tesche,

13
14
15 Ms. Fairclough addressed the land clearing portion of the ordinance and advised this ordinance was the Administration's
16 ordinance. Ms. Fairclough said she only wanted to insert hydro-axing requiring a permit.

17
18 In response to Ms. Fairclough, Office of Planning, Development and Public Works Director Craig Campbell requested
19 additional time to review the hydro-axing section.

20
21 Chairman Traini recessed the meeting for a 5-minute at ease.

22
23 After Assembly and Administration discussion, Ms. Fairclough withdrew her motion, second Mr. Tesche concurred.

24
25 Chairman Traini requested the Assemblymembers return to the Public Hearing on Item 14A, AO 2002-113, noting the
26 Assembly could later return to Item 11K, AO 2002-117.

27
28 Chairman Traini continued with the Public Hearing on 14A, AO 2002-113.

29
30 ROY THOMAS, testified against the ordinance.

31
32 KIRSTEN ANGELL, testified in support of the ordinance.

33
34 GLEN BIEGLE, testified against the ordinance.

35
36 NANCY TODD, testified AO 2002-113 is confusing and hard to understand.

37
38 KATY NEHER, representing Angelus Memorial Park, testified against the ordinance.

39
40 ANDRE LAMARA, supported the ordinance.

41
42 TIM STEVENS, testified in support of the ordinance and felt it should only apply to undeveloped property.

43
44 DAVID LEE, testified against the ordinance.

45
46 GARY HICKLING, testified against the ordinance.

47
48 BENJAMIN SHERBURNE, testified against the ordinance.

49
50 JOHN WAALKES, testified against the ordinance.

51
52 WILLIAM REINER, testified against the ordinance.

53
54 SHARON LOWE, testified in support of the ordinance.

55
56 CATHY BROOKS, testified against the ordinance.

57
58 PHILLIP PETEE/JOAN PETEE, testified against the ordinance.

59
60 DIANNA KUKOWSKI, testified against the ordinance.

61
62 TERRY MACDONALD, testified against the ordinance.

63
64 PER BJORN-RENE, testified against the ordinance.

65
66 RON AKSAMIT, testified against the ordinance.

67
68 Chairman Traini recessed the meeting for a 10-minute break.

69
70 Chairman Traini reconvened the meeting.

71
72 EVA LOKEN, testified against the ordinance.

73
74 DWAYNE ADAMS, from Planning and Zoning, supported the ordinance.

75
76 LORAN SOLEC, testified against the ordinance.

1
2 MICHAEL ANDERSON, volunteered for any group working on the ordinance.

3
4 TIM POTTER, testified and explained his presence on the Committee.

5
6 TVON SAFAR, testified against the ordinance.

7
8 KATHLEEN PLUNKETT, testified against the ordinance.

9
10 BOB MILLER, testified against the ordinance.

11
12 RAY STOVER, testified against the ordinance.

13
14 DIANNE HOLMES, Committee member.

15
16 AINSLIE PHILLIPS, Committee member.

17
18 JENNIVEE HOLABECK, testified.

19
20 Chairman Traini asked if anyone else wished to speak. There was no one, and he closed the public hearing.

21
22 Ms. Shamberg moved, to table AO 2002-113 and send it back to the Planning and
23 seconded by Mr. Tesche, Zoning Committee.

24
25 Mr. Sullivan moved, a substitute motion to postpone AO 2002-113 indefinitely.
26 seconded by Ms. Fairclough,

27
28 The Assemblymembers discussed the substitute motion to postpone indefinitely.

29
30 In response to Mr. Van Etten, Tim Potter and Dwayne Adams agreed the Committee did not address the water quality portion
31 of the ordinance and both AO 2002-113 and AO 2002-117 should be sent back to the Committee.

32
33 Question was called on the motion to postpone indefinitely AO 2002-113 and it passed.

34
35 AYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Kendall, Sullivan.

36
37 NAYES: Shamberg, Tremaine.

38
39 Mr. Tesche moved, to take up Item 11K AO 2002-117.
40 seconded by Mr. Tremaine,
41 and it passed without objection,

42
43 Chairman Traini noted there was no motion pending.

44
45 Mr. Tremaine moved, to postpone indefinitely AO 2002-117.
46 seconded by Ms. Shamberg,

47
48 Mr. Tremaine noted that an attorney would most likely advise the Assembly that no matter what comes forward from the
49 Committee, it would need a different title and number. Mr. Tremaine further stated he did not believe the Assembly needed
50 to go to the Planning and Zoning Commission, but rather the Committee could be useful and it would be a committee of the
51 Assembly that the Assembly puts together and would, therefore, come back to the Assembly with a new title and
52 recommendations that Planning and Zoning make for AO 2002-117 and AO 2002-113. The new ordinance would come
53 before the Assembly for public hearing with a new title and number.

54
55 Ms. Fairclough advised the Assembly needed to take into consideration the time constraints for submitting the NPDES
56 portion and not incur violations and penalties.

57
58 In response to Ms. Fairclough, Office of Planning, Development and Public Works Director Craig Campbell responded there
59 were risks involved in postponing indefinitely. Mr. Campbell advised they would have to go back to Planning and Zoning,
60 which would require several months, which would put the City at risk with the EPA and the Water Quality Permit. Mr.
61 Campbell further noted the basic text of AO 2002-117 was acceptable, with the exclusion of problem areas, which could be
62 taken out. The Assembly could postpone the ordinance for one week to make any changes.

63
64 In response to Ms. Fairclough, Municipal Attorney Bill Greene, addressed the question of the accuracy of the existing title on
65 AO 2002-117. Mr. Greene concurred with Mr. Campbell that the title, as submitted, was correct.

66
67 Ms. Fairclough urged a no vote and stated she felt the Assembly should go forward in a timely manner.

68
69 Mr. Sullivan moved, to substitute to postpone AO 2002-117 to 12-17-02.

70
71 Mr. Sullivan stated he felt the Administration would have adequate time to make minor changes.

72
73 In response to Chairman Traini, Mr. Tremaine agreed to modify his motion to postpone indefinitely, with the concurrence of
74 Ms. Shamberg, with the clarification "that it was the intent as stated by this body during public discussion, that we would
75 probably be adding something about hydro-axing or something like that and I take it that that was implicit in Ms.
76 Fairclough's question to the legal attorney, who said that the title is therefore sufficient".

1 In response to Mr. Tremaine's statement and question if his understanding was correct, Office of Planning, Development and
2 Public Works Director Craig Campbell replied the title was sufficient for the document the Administration has submitted.

3
4 Mr. Tremaine stated that, looking at the four criteria in the EPA permit, two of them deal explicitly, up front, with land
5 clearing. "I am hearing from legal counsel that the title of AO 2002-117 is sufficient to deal with the EPA permit, and I take
6 it that means in all of its ramifications."

7
8 In response to Mr. Tremaine, Municipal Attorney Bill Greene stated he was unsure if he was tracking with Mr. Tremaine.

9
10 Mr. Tremaine read "EPA says, on Page 7 of 39, the permit that was presented to us, that two of the four policies to be
11 evaluated shall include encourage preservation of 25% of native vegetation and require permitting and review of land
12 clearing activities."

13
14 Mr. Campbell replied it was already included in the title of AO 2002-117 and covers the ability to respond to EPA permit
15 requirements in terms of land clearing and grubbing.

16
17 Mr. Tremaine agreed to modify his motion to postpone indefinitely AO 2002-117 and to delay action until 12-17-02.

18
19 Ms. Shamberg questioned Michael Gatti, Assembly Counsel that if there were modifications would the land clearing
20 ordinance or the watershed ordinance have to go back to Planning and Zoning? Mr. Gatti replied that if the ordinance has
21 already gone through Planning and Zoning process once and there are some amendments that fall within its parameters, he
22 felt it could be remanded.

23
24 Ms. Shamberg accepted the second from Mr. Tremaine.

25
26 Mr. Tremaine moved, to postpone AO 2002-117 to 12-17-02.
27 seconded by Ms. Shamberg,
28 and it passed without objection,

29
30 Mr. Tesche moved, to change the order of the day to take up Item 11E,
31 seconded by Mr. Tremaine, AO 2002-162.

32
33 Ms. Taylor questioned if Item 11J AO 2002-144 would be heard.

34
35 Mr. Tesche withdrew his motion, second Mr. Tremaine concurred.

36
37 Ms. Taylor moved, to change order of the day to take up Item 11J AO 2002-144,
38 seconded by Mr. Sullivan, and Item 11E AO 2002-162 before 11:00 p.m.
39 and it passed without objection,

- 40
41 11J. Ordinance No. AO 2002-144, an ordinance enacting Anchorage Municipal Code Chapter 10.80,
42 **establishing a fee for police protection services**, Assemblymember Tesche.
43 1. Ordinance No. AO 2002-144(S), an ordinance enacting Anchorage Municipal Code Chapter 10.80,
44 establishing a fee for police protection services, Assemblymember Tesche. (**addendum**)
45 2. Assembly Memorandum No. AM 990-2002.
46 (POSTPONED FROM 10-22-02; CARRIED OVER FROM 11-19-02)

47
48 Chairman Traini gave the history of the item and noted no motions were pending.

49
50 Ms. Taylor asked for a Point of Personal Privilege to allow her constituent to testify.

51
52 Mr. Sullivan moved, to reopen public hearing on Item 11J AO 2002-144.
53 seconded by Ms. Taylor,
54 and it passed without objection,

55
56 Chairman Traini re-opened the public hearing on AO 2002-144 and any S versions and asked if anyone wished to speak.

57
58 ROSEMARY HOTCH, testified against the ordinance.

59
60 ELAINE ELLETCHE, testified against the ordinance.

61
62 Chairman Traini asked if anyone else wished to speak. There was no one, and he closed the public hearing.

63
64 Mr. Tesche moved, to adopt AO 2002-144(S).
65 seconded by Ms. Taylor,

66
67 No Action taken. Carried over to 12-10-02.

- 68
69 11E. Ordinance No. AO 2002-162, an ordinance amending Anchorage Municipal Code Chapter 2.50, "**Initiatives**
70 **and Referenda**" by adding new sections to provide for review and certification of the legal sufficiency of
71 initiative and referenda petitions prior to petitioners gathering of signatures and to provide for the review
72 and certification of signatures on the petition, Assembly Chair Traini.
73 (CONTINUED FROM 10-29-02; POSTPONED FROM 11-19-02)

74
75 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)

- 1 11F. Assembly Memorandum No. AM 945-2002, Assembly approval of Change Order #2 to contract with Trena
 2 L. Heikes to provide **legal services** in the area of worker's compensation (\$250,000), Finance.
 3 (POSTPONED FROM 11-19-02)
 4

5 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)
 6

- 7 11G. Assembly Memorandum No. AM 946-2002, Assembly approval of Change Order #2 to contract with
 8 DeLisio Moran Geraghty & Zobel, P.C. to provide **legal services** in the area of worker's compensation
 9 (\$150,000), Finance.
 10 (POSTPONED FROM 11-19-02)
 11

12 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)
 13

- 14 11H. Resolution No. AR 2002-348, a resolution of the Municipality of Anchorage to **purchase Lot 28, located**
 15 **within Section 9, T12N, R3W, S.M.**, 4.25-acre parcel bounded by East 80th, Laverne Place and Winchester
 16 Street in South Anchorage, Cultural and Recreational Services.
 17 1. Assembly Memorandum No. AM 904-2002.
 18 (CONTINUED FROM 10-29-02; POSTPONED FROM 11-19-02)
 19

20 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)
 21

- 22 11I. Ordinance No. AO 2002-154, an ordinance of the Anchorage Municipal Assembly authorizing the sublease
 23 of a portion of Alaska Railroad Lease Contract No. 6434, also known as the **South Tidelands**, located in the
 24 Port of Anchorage, totaling approximately 8,567 square feet, to Alaska Basic Industries, Inc., Port of
 25 Anchorage.
 26 1. Assembly Memorandum No. AM 884-2002.
 27 (CONTINUED FROM 10-29-02; POSTPONED FROM 11-19-02)
 28

29 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)
 30

- 31 11J. Ordinance No. AO 2002-144, an ordinance enacting Anchorage Municipal Code Chapter 10.80,
 32 **establishing a fee for police protection services**, Assemblymember Tesche.
 33 1. Ordinance No. AO 2002-144(S), an ordinance enacting Anchorage Municipal Code Chapter 10.80,
 34 establishing a fee for police protection services, Assemblymember Tesche. (**addendum**)
 35 2. Assembly Memorandum No. AM 990-2002.
 36 (POSTPONED FROM 10-22-02; CARRIED OVER FROM 11-19-02)
 37

38 (Clerk's Note: This item was considered earlier in the evening. See before Item 11E AO 2002-162.)
 39

- 40 11K. Ordinance No. AO 2002-117, an ordinance repealing or amending and renumbering sections of Anchorage
 41 Municipal Code Chapters 21.67, 15.40, and 15.50 and Anchorage Municipal Code of Regulations Chapter
 42 21.67, regarding **Stormwater and Watershed Management**; and amending Anchorage Municipal Code
 43 Sections 4.40.150, 14.60.030, 21.10.015, 21.35.020 and 21.40.230; to provide for the implementation and
 44 enforcement of stormwater and watershed management, Development Services.
 45 1. Assembly Memorandum No. AM 717-2002.
 46 2. Ordinance No. AO 2002-117(S), an ordinance repealing or amending and renumbering sections of
 47 Anchorage Municipal Code Chapters 21.67, 15.40, and 15.50 and Anchorage Municipal Code of
 48 Regulations Chapter 21.67, regarding Stormwater and Watershed Management; and amending
 49 Anchorage Municipal Code Sections 4.40.150, 14.60.030, 21.10.015, 21.35.020 and 21.40.230; to
 50 provide for the implementation and enforcement of stormwater and watershed management,
 51 Assemblymember Shamberg.
 52 (POSTPONED FROM 10-29-02; CARRIED OVER FROM 11-19-02)
 53

54 (Clerk's Note: This item was considered earlier in the evening during a change of order request by Ms. Fairclough. See Item
 55 14A).
 56

57 12. APPEARANCE REQUESTS:

- 58 12A. **Mary Whitmore**, regarding the issue of city maintenance and cost for the South Coastal Trail extension.
 59

60 (Clerk's Note: This item considered earlier in the evening. See after Item 11D AO 2002-140(S).
 61

- 62 12B. **Boyd Morgenthaler**, regarding extension of the Coastal Trail - The role of the MOA and its duty to notify
 63 effected property owners. (**addendum**)
 64

65 (Clerk's Note: This item considered earlier in the evening. See after Item 11D AO 2002-140(S).
 66

- 67 12C. **George Trefry**, regarding construction and maintenance costs associated with the proposed extension of
 68 "Knowles Coastal Trail" – What are the funding options? (**addendum**)
 69

70 (Clerk's Note: This item considered earlier in the evening. See after Item 11D AO 2002-140(S).
 71

- 72 12D. **Dave Norton**, regarding the Coastal Trail extension.
 73

74 (Clerk's Note: This item considered earlier in the evening. See after Item 11D AO 2002-140(S).
 75

76 13. CONTINUED PUBLIC HEARINGS:

- 1 13A. Ordinance No. AO 2002-153, an ordinance amending the zoning map and providing for the rezoning of
 2 approximately 3.8 acres from PLI-SL (Public Lands and Institutions District) with Special Limitations and
 3 B-1A SL (Local & Neighborhood Business) with Special Limitations to R-10 SL (Residential Alpine/Slope
 4 District) with Special Limitations for **Lot 18 and a portion of Lot 17, Block 2, Near Point Knoll**
 5 **Subdivision** (proposed Near Point Knoll Subdivision, Block 2, Lots 17A and 18A per Preliminary Plat
 6 S-10940, a subdivision of Lots 17 & 18, Block 2, Near Point Knoll Subdivision per Plat No. 99-78), and the
 7 rezoning of approximately 15,007 SF from PLI-SL (Public Lands and Institutions District) with Special
 8 Limitations to PLI-SL for a portion of Lot 17, Block 2, Near Point Knoll Subdivision (proposed Near Point
 9 Knoll Subdivision, Block 2, Lot 17B per Preliminary Plat S-10940, a subdivision of Lots 17 & 18, Block 2,
 10 Near Point Knoll Subdivision per Plat No. 99-78); generally located to the east of Basher Drive and north of
 11 Nearpoint Drive (Basher Community Council) (Planning and Zoning Commission Case 2002-131), Planning
 12 Department.
 13 1. Assembly Memorandum No. AM 893-2002.
 14 (CONTINUED FROM 11-19-02)

15
 16 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)

- 17
 18 13B. Ordinance No. AO 2002-163, an ordinance amending Anchorage Municipal Code Title 5, and Anchorage
 19 Municipal Code of Regulations, Title 5, governing the **Anchorage Equal Rights Commission** to correct
 20 errors in citations and grammar; to move certain definitions from the Regulations to the Code; to reorganize
 21 the duties of the Standing Committee on the Promotion of Tolerance and Diversity; and to make other
 22 substantive and technical changes, Anchorage Equal Rights Commission.
 23 1. Assembly Memorandum No. AM 955-2002.
 24 (CONTINUED FROM 11-19-02)

25
 26 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)

- 27
 28 13C. Ordinance No. AO 2002-164, an ordinance amending Anchorage Municipal Code Title 5 to add a new
 29 Chapter providing for **fair housing practices and enforcement**, Anchorage Equal Rights Commission.
 30 1. Assembly Memorandum No. AM 956-2002.
 31 (CONTINUED FROM 11-19-02)

32
 33 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)

34
 35 **14. NEW PUBLIC HEARINGS:**

- 36 14A. Ordinance No. AO 2002-113, an ordinance repealing or amending and renumbering sections of Anchorage
 37 Municipal Code Chapters 21.67, 15.40, and 15.50 and Anchorage Municipal Code of Regulations Chapter
 38 21.67, regarding **Stormwater and Watershed Management**; and amending Anchorage Municipal Code
 39 Sections 4.40.150, 14.60.030, 21.10.015, 21.35.020 and 21.40.230; to provide for the implementation and
 40 enforcement of stormwater and watershed management; amending Anchorage Municipal Code Title 21 by
 41 adding definitions pertaining to land clearing in Subsection 21.35.020.B., Definitions and Rules of
 42 Construction; adding a new section to Anchorage Municipal Code Chapter 21.45 to require pre-approval
 43 before clearing land of vegetation; and creating exceptions and penalties therefore, Assemblymember
 44 Shamberg.
 45 1. Assembly Memorandum No. AM 944-2002.
 46 2. Assembly Memorandum No. AM 944-2002(A), AO 2002-113; Stormwater and Watershed
 47 Management and Land Clearing, Assemblymember Shamberg. (**addendum**)
 48 3. Assembly Memorandum No. AM 1010-2002, AO 2002-113: NPDES/Land clearing Ordinance,
 49 Office of Planning, Development, and Public Works. (**addendum**)

50
 51 (Clerk's Note: This item was considered earlier in the evening. See after Item 12D).

- 52
 53 14B. Resolution No. AR 2002-359, a resolution of the Municipality of Anchorage appropriating \$294,000 from
 54 the **Federal Seized and Forfeited Monies** from Categorical Fund (257), awarded from criminal narcotics
 55 cases by the U.S. Drug Enforcement Agency, to the Police Investigation Fund (257) for use by the
 56 Anchorage Police Department.
 57 1. Assembly Memorandum No. AM 939-2002.

58
 59 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)

- 60
 61 14C. Resolution No. AR 2002-360, a resolution of the Municipality of Anchorage appropriating \$112,900 from
 62 the Areawide General Fund Balance (101), to the Department of Health and Human Services, for **Indigent**
 63 **Defense Services**, Health and Human Services.
 64 1. Assembly Memorandum No. AM 940-2002.

65
 66 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)

- 67
 68 14D. Resolution No. AR 2002-362, a resolution of the Municipality of Anchorage authorizing the Heritage Land
 69 Bank (HLB) to grant a **2000 square foot easement within HLB Parcel No. 1-077**, also known as Lot 3,
 70 Department of Lands Subdivision in Section 36, T15N, R2W, Seward Meridian, in Eagle River, to
 71 Matanuska Electric Association (MEA) for the purpose of providing electrical and telecommunications
 72 service to property adjoining to the south of the subject parcel, Heritage Land Bank.
 73 1. Assembly Memorandum No. AM 949-2002.

74
 75 (Clerk's Note: This item was carried over to the 12-10-02 meeting.)
 76

15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None.

16. SPECIAL ORDERS:

16A. Ordinance No. AO 2002-178, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code by adding a new Section 6.10.032, Budget Performance Measures, Assemblymembers Tesche, Fairclough, and Tremaine.

Mr. Tesche, Ms. Fairclough and Mr. Tremaine joined in introducing AO 2002-178. The public hearing was scheduled for December 17, 2002.

16B. Resolution No. AR 2002-378, a resolution of the Municipality of Anchorage reducing the 2002 Dividend from the MOA Trust Fund Balance (Fund 730) from \$7,000,000 to \$4,700,000; and subsequently appropriating \$4,700,000 from MOA Trust Reserve Fund Balance (Fund 731) as a contribution to the Areawide contribution to the Areawide General Fund (Fund 101), Finance Department; Assemblymembers Tesche, Fairclough, and Tremaine.

Mr. Tesche, Ms. Fairclough and Mr. Tremaine joined in introducing AR 2002-378. The public hearing was scheduled for December 17, 2002.

17. UNFINISHED AGENDA: None.

18. AUDIENCE PARTICIPATION: None.

19. ASSEMBLY COMMENTS: None.

20. EXECUTIVE SESSIONS: None.

21. ADJOURNMENT:

The meeting adjourned at 10:55 p.m.

Chairman

ATTEST:

Municipal Clerk

Date Minutes Approved:

January 7, 2003, 2002

GM:cmw

INDEX

Table listing various items and their corresponding page numbers, such as Appointments (1), Appropriations (1, 2, 3, 4, 7, 15), and Six Year Fiscal Program (7).