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MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Special Meeting of December 17, 2002

1. CALL TO ORDER:

The meeting was convened at 4:04 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, Janice Shamberg, Dick Tremaine, Dan Sullivan.
Absent: Mr. Kendall (excused).

3. PLEDGE OF ALLEGIANCE:

Ms. Fairclough led the pledge.

4. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:

4A. Ordinance No. AO 2002-162, an ordinance amending Anchorage Municipal Code Chapter 2.50, "**Initiatives and Referenda**" by adding new sections to provide for review and certification of the legal sufficiency of initiative and referenda petitions prior to petitioners gathering of signatures and to provide for the review and certification of signatures on the petition, Assembly Chair Traini.
(CONTINUED FROM 10-29-02; POSTPONED FROM 11-19-02; CARRIED OVER TO 11-26-02 AND 12-10-02)

Chairman Traini gave the history of the item and noted Mr. Tesche had a motion to adopt AO 2002-162 pending. Mr. Tesche made an amendment to AO 2002-162 to substitute "qualified voters" with "Anchorage residents". No action was taken on the motion.

Mr. Tesche advised that after considerable deliberation and discussion with members of the Assembly and certain young people in the community, with the concurrence of various seconds, requested amendments on the table be withdrawn. Mr. Tesche proposed at line 23, where it says "to qualified voters", redact the term "qualified voters" and replace with "residents 16 years of age or older who have not been convicted of a felony".

Mr. Tesche moved, amend AO 2002-162, Line 23, delete "**two qualified voters**" and insert "**residents 16 years of age or older who have not been convicted of a felony**".

Mr. Tremaine declined to withdraw his second of the earlier motion for the reason he did not believe there was any reason to go to "16" and not just go to "residents to have been convicted of felonies".

Mr. Tesche withdrew his amendment.

Mr. Tremaine made a friendly amendment, amend AO 2002-162, Line 23, delete "**two qualified voters**" and insert "**two citizens who have not been convicted of a felony**".
Mr. Tesche accepted as a friendly amendment,

Question was called on Mr. Tremaine's motion to amend AO 2002-162 and it passed.

AYES: Tesche, Whittle, Taylor, Van Etten, Shamberg, Tremaine, Sullivan.

NAYES: Traini, Von Gemmingen.

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

Mr. Tesche moved, amend AO 2002-162, Line 28, delete the word "**additional**".
seconded by Mr. Tremaine,
and it passed without objection,

Mr. Sullivan moved, amend AO 2002-162, Line 23, insert "**resident**" before "**citizens**".
seconded by Mr. Tesche,
and it passed without objection,

Assembly Attorney Mike Gatti noted that felons whose civil rights have been restored can vote.

Question was called on the main motion to adopt AO 2002-162 as amended and it passed.

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

NAYES: None.

- 1 4B. Ordinance No. AO 2002-144, an ordinance enacting Anchorage Municipal Code Chapter 10.80,
 2 **establishing a fee for police protection services**, Assemblymember Tesche.
 3 1. Ordinance No. AO 2002-144(S), an ordinance enacting Anchorage Municipal Code Chapter 10.80,
 4 establishing a fee for police protection services, Assemblymember Tesche.
 5 2. Assembly Memorandum No. AM 990-2002.
 6 3. Ordinance No. AO 2002-144(S-1), an ordinance enacting Anchorage Municipal Code Chapter
 7 10.80, establishing a fee for police protection services, Assemblymember Tesche.
 8 4. Assembly Memorandum No. AM 1034-2002.
 9 (POSTPONED FROM 10-22-02; CARRIED OVER FROM 11-19-02, 11-26-02 AND 12-10-02)

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

11 Mr. Tesche Called the Question on AO 2002-144(S-1).

12
 13 Mr. Tesche Called the Question, to adopt AO 2002-144(S-1).
 14 seconded by Mr. Tremaine,
 15

16 Question was called on the motion to Call the Question to adopt AO 2002-144(S-1) and it passed.
 17

18 AYES: Tesche, Whittle, Taylor, Fairclough, Von Gemmingen, Van Etten, Shamberg, Tremaine.
 19 NAYES: Traini, Sullivan.
 20

21 Question was called on the main motion to adopt AO 2002-144(S-1) and it passed.
 22

23 AYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Shamberg,
 24 Tremaine.
 25 NAYES: Sullivan.
 26

27 Mr. Tesche moved, for Immediate Reconsideration of AO 2002-144(S-1).
 28 seconded by Mr. Tremaine,
 29

30 In response to Ms. Fairclough, Mayor Wuerch responded the Administration would provide a written policy outlining
 31 implementation of the ordinance.
 32

33 Mr. Sullivan urged reconsideration of the item citing the absence of Mr. Kendall and detailed clarification of the policy's
 34 implementation. Mr. Sullivan urged a yes vote on the Reconsideration motion.
 35

36 The Assembly and the Administration discussed the contents of the policy and the Administration agreed to work with the
 37 Assembly to develop the policy.
 38

39 Mr. Sullivan requested Chairman Traini change his vote on the main motion to adopt AO 2002-144(S-1) from yes to "**NO**".
 40

41 Question was called for Immediate Reconsideration of AO 2002-144(S-1) and it failed.
 42

43 AYES: Fairclough, Sullivan.
 44 NAYES: Tesche, Whittle, Taylor, Traini, Von Gemmingen, Van Etten, Shamberg, Tremaine.
 45

- 46 4C. Assembly Memorandum No. AM 971-2002, change order No. 2 to purchase order 212804 with Lennertz
 47 Coyle & Associates, LLC to provide consultant services to develop two **Town Center plans** for the
 48 Municipality of Anchorage, Planning Department (\$36,400), Purchasing.
 49 1. Assembly Memorandum No. AM 971-2002(A), 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.
 52 (POSTPONED FROM 11-26-02; CARRIED OVER TO 12-10-02)
 53

54 Chairman Traini gave the history of the item and noted no motions were pending.
 55

56 Mr. Whittle moved, to approve AM 971-2002(A).
 57 seconded by Ms. Taylor,
 58

59 In response to Ms. Shamberg, Planning Department Director Sue Fison advised the primary difference with the (A) version
 60 was a greater emphasis on the Arts and Cultural district.
 61

62 Question was called on the motion to approve AM 971-2002(A) and it passed.
 63

64 AYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Shamberg,
 65 Tremaine, Sullivan.
 66 NAYES: None.
 67

- 68 4D. Ordinance No. AO 2002-117, an ordinance repealing or amending and renumbering sections of Anchorage
 69 Municipal Code Chapters 21.67, 15.40, and 15.50 and Anchorage Municipal Code of Regulations Chapter
 70 21.67, regarding **Storm water and Watershed Management**; and amending Anchorage Municipal Code
 71 Sections 4.40.150, 14.60.030, 21.10.015, 21.35.020 and 21.40.230; to provide for the implementation and
 72 enforcement of storm water and watershed management, Development Services.
 73 1. Assembly Memorandum No. AM 717-2002.
 74
 75

1 4E. Resolution No. AR 2002-348, a resolution of the Municipality of Anchorage to **purchase Lot 28, located**
 2 **within Section 9, T12N, R3W, S.M.**, 4.25-acre parcel bounded by East 80th, Laverne Place and Winchester
 3 Street in South Anchorage, Cultural and Recreational Services.
 4 1. Assembly Memorandum No. AM 904-2002.
 5 (CONTINUED FROM 10-29-02; POSTPONED FROM 11-19-02; CARRIED OVER FROM 11-26-02
 6 AND 12-10-02)

7
8 Chairman Traini gave the history of the item and noted no motions were pending.

9
10 Mr. Tremaine moved, to approve AR 2002-348.
 11 seconded by Ms. Fairclough,
 12

13 In response to Mr. Tremaine, Cultural and Recreational Services Director Jim Posey noted all the funds were provided in the
14 list given to Mr. Tremaine.

15
16 Ms. Fairclough responded she had requested the information and the bonds were sold appropriately and are being applied
17 appropriately.
18

19 Question was called on the motion to approve AR 2002-348 and it passed.
20

21 AYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Shamberg, Tremaine, Sullivan.
 22 NAYES: None.
 23

24 4F. Assembly Memorandum No. AM 976-2002, contract amendment No. 4 to professional services contract
 25 with Kean and Associates for **Rabbit Creek View Subdivision and Rabbit Creek Heights Subdivision**
 26 **Survey Improvement Assessment District 1V96** (\$100,000), Project Management & Engineering.
 27 (POSTPONED FROM 11-26-02; CARRIED OVER TO 12-10-02)
 28

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

30
31 Ms. Fairclough moved, to approve AM 976-2002.
 32 seconded by Mr. Sullivan.
 33

34 In response to Mr. Tremaine, Municipal Attorney Bill Greene, replied the legal department had not been paid anything and
35 the fees and costs Mr. Tremaine was looking for were to an outside contract counsel.
36

37 In response to Chairman Traini, Mr. Greene was unable to supply the dates in question.
38

39 Mr. Tremaine supplied the dates and amounts requested by Chairman Traini and noted he would not support the AM.
40

41 Question was called on the motion to approve AM 976-2002 and it failed.
42

43 AYES: Whittle, Fairclough, Traini, Von Gemmingen, Sullivan.
 44 NAYES: Tesche, Taylor, Van Etten, Shamberg, Tremaine.
 45

46 The Assemblymembers discussed the future of the project and the legal requirements involved.
47

48 4G. Ordinance No. AO 2002-154, an ordinance of the Anchorage Municipal Assembly authorizing the sublease
 49 of a portion of Alaska Railroad Lease Contract No. 6434, also known as the **South Tidelands**, located in the
 50 Port of Anchorage, totaling approximately 8,567 square feet, to Alaska Basic Industries, Inc., Port of
 51 Anchorage.
 52 1. Assembly Memorandum No. AM 884-2002.
 53 (CONTINUED FROM 10-29-02; POSTPONED FROM 11-19-02; CARRIED OVER FROM 11-26-02
 54 AND 12-10-02)
 55

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

57
58 Mr. Tesche moved, to adopt AO 2002-154.
 59 seconded by Ms. Fairclough,
 60

61 Question was called on the motion to adopt AO 2002-154 and it passed.
62

63 AYES: Tesche, Whittle, Taylor, Fairclough, Traini, Von Gemmingen, Van Etten, Shamberg,
 64 Tremaine, Sullivan.
 65 NAYES: None.
 66

67 4H. Resolution No. AR 2002-352, a resolution of the Anchorage Municipal Assembly revising the 2002 General
 68 Government Operating Budget by appropriating \$30,000 from the Anchorage Parks and Recreation Service
 69 Area Fund (161) Balance to the Cultural and Recreational Department to provide funding to complete a
 70 **Little League ball field development and site plan**, Assemblymembers Traini and Tesche.
 71 1. Assembly Memorandum No. AM 933-2002.
 72 (POSTPONED FROM 10-29-02; CARRIED OVER FROM 12-10-02)
 73

74 Chairman Traini gave the history of the item and noted no motions were pending.
75

76 Mr. Tesche moved, to postpone action on AR 2002-352 to 12-17-02

1 seconded by Mr. Tremaine, Regular Meeting.
2 and it passed without objection,

3
4 **5. ADJOURNMENT:**

5
6 The Special Meeting adjourned at 4:55 p.m.
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14 _____
15 Chairman

16
17
18 ATTEST:

19
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21 _____
22 Municipal Clerk

23
24 Date Minutes Approved: 1-07-03, 2002

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27 GM:cmw
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