

MUNICIPALITY OF ANCHORAGE

ANCHORAGE ASSEMBLY

Minutes for Regular Meeting of April 15, 2003

1. CALL TO ORDER:

The meeting was convened at 5:00 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:

Corey Rennel, student advisor to the School Board, led the pledge.

4. MINUTES OF PREVIOUS MEETING: None

5. MAYOR'S REPORT:

Mayor Wuerch reported on the first quarter budget revisions, which included a four percent reduction in property taxes. Taxes had increased primarily through voter-approved debts for schools, firehouses and roads. Overall, general government spending had remained relatively flat. The first quarter budget revisions contained direct property tax relief and would lower the tax cap, without any spending cuts, layoffs or reduced programs. The revisions would fund 21 additional Anchorage Police Department officer positions and nine dispatcher positions. The revisions did not include fund balance and the 8.75 percent reserve to protect the bond rating would be maintained.

6. ASSEMBLY CHAIR'S REPORT:

Chairman Traini read a portion of a memorandum relating to the certification of the April 1, 2003 election, which would be addressed later in the meeting.

Mr. Tesche moved, to change the order of the day to take up Item 16.A,
seconded by Mr. Tremaine AM 253-2003,
and it passed without objection.

A. Assembly Memorandum No. AM 253-2003, certification of the April 1, 2003, **Regular Municipal Election**, Municipal Clerk.

Mr. Tesche moved, to approve AM 253-2003,
seconded by Ms. Von Gemmingen.

Municipal Attorney Bill Greene introduced the members of the commission.

In response to Mr. Tesche, Mr. Greene discussed the Accuvote system, which he felt was very accurate.

Mr. Tesche requested recommendations of changes, correction or improvements to the Accuvote system to insure future elections ran smoothly.

In response to Mr. Tesche, Mr. Greene recommended that resolutions passed by the Assembly be printed on one ballot in a format that would allow them to be placed in the absentee envelopes without having to be folded.

In response to Ms. Fairclough, Deputy Municipal Attorney Dennis Wheeler said the structure of Title 28 was setup so the Assembly would certify the election results. A re-certification would be necessary if the election results changed after the recount.

In response to Ms. Fairclough, Mr. Greene discussed proposition 2. Past charter amendments did not taken effect in the same election in which they were presented, so pre-clearance was unnecessary until the election they were applicable. In this situation, the proposed charter amendment was to be effective at the same time that it was voted on. Regardless of the court's ruling on proposition 2, the certification would not be effected, except in the sense that the Assembly would determine if they felt the election was valid and the tabulations were without defect. The question of whether proposition 2 could be applied to the current election would be decided by the court.

Mr. Greene advised the Assembly that if they certified the election, they would do so subject to the outcome of the recount under Chapter 28.90.

In response to Ms. Fairclough, Mr. Greene said independent counsel had been engaged to represent the Municipality and the Municipal Clerk on this issue. The judge refused to issue a temporary restraining order to stop the certification of the election and indicated that he would not make a ruling until after he read the briefs, which had to be submitted by Friday.

Mr. Tesche felt the election should be certified by the Assembly as required by the code.

Ms. Taylor declared a potential conflict of interest. Ms. Taylor worked for IBEW, who endorsed and contributed to several candidates. She also personally contributed to several candidates.

Chairman Traini ruled that Ms. Taylor did not have a conflict of interest and would vote on the issue.

Question was called on the motion to approve AM 253-2003 and it passed.

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

NAYES: None

Ms. Taylor moved, for immediate reconsideration of AM 253-2003,
seconded by Ms. Von Gemmingen.

Ms. Taylor urged a no vote.

Question was called on the motion for immediate reconsideration of AM 253-2003 and it failed.

AYES: None

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

The Assembly then returned to the regular agenda.

7. COMMITTEE REPORTS:

In response to Mr. Sullivan, Ms. Taylor said the Public Safety Committee meeting scheduled for April 18, 2003 had been extended to an hour and a half or two hours.

Ms. Taylor reported on the Public Safety Committee meeting. Adell Davis provided suggestions on improving the dispatch system, which would be provided to the administration. The issue of minority hiring at the Anchorage Police Department would be addressed at the next meeting.

Ms. Von Gemmingen received a phone call regarding the hiring practices of the Anchorage Police Department and she asked them to contact the internal auditor. She suggested that the internal auditor could include those issues in a follow-up report.

Ms. Taylor said a report had been received on the number of minority and women executives. She requested a follow-up report indicating whether those were new hires or promotions.

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 and it passed without objection.

9. CONSENT AGENDA:

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

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS:

1. Resolution No. AR 2003-87, a resolution of the Anchorage Municipal Assembly recognizing May 9, 2003 as **“Police Memorial Day”**, and remembering and honoring those who have given their lives in the line of duty, Assemblymembers Taylor, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle.

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

2. Resolution No. AR 2003-93, a resolution of the Anchorage Municipal Assembly recognizing the honors received by the **Chugiak High School choirs** at the National Invitational Festival March 20-22, 2003, Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle. (**addendum**)

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

B. RESOLUTIONS FOR ACTION – OTHER:

1. Resolution No. AR 2003-79, a resolution of the Municipality of Anchorage accepting and appropriating \$300 from State of Alaska 2001 **legislative grants** to Anchorage School District per Senate Bill 29, Office of Management and Budget.
 - a. Assembly Memorandum No. AM 339-2003.
2. Resolution No. AR 2003-88, a resolution to restore full funding for support of the Anchorage Youth Court by appropriating \$95,000 from Areawide General Fund (101) Balance to the Department of Health and Human Services **Restorative Justice Program**, Assemblymember Tesche.
 - a. Assembly Memorandum No. AM 338-2003.

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

3. Resolution No. AR 2003-94, a resolution of the Anchorage Municipal Assembly requesting that the 70-30 or 60-40 match for **municipal school construction costs** be maintained for all municipal bond debt already approved by the voters, Assemblymembers Shamberg, Taylor, Tesche, Traini, Tremaine, Van Etten, and Von Gemmingen. **(addendum)**
4. Resolution No. AR 2003-100, a resolution of the Anchorage Municipal Assembly supporting passage of **House Bill 11**, “An Act relating to deposits to the Alaska Permanent Fund from mineral lease rentals, royalties, royalty sale proceeds, net profit shares under AS 38.05.180(F) and (G), Federal mineral revenue sharing payments received by the State from mineral leases, and bonuses received by the State from mineral leases, and limiting deposits from those sources to the 25 percent required under Art. IX, Sec. 15, Constitution of the State of Alaska; and providing for an effective date”, Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle. **(addendum)**

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

C. BID AWARDS:

1. Assembly Memorandum No. AM 305-2003, recommendation of award to Anchorage Roofing & Contracting, Inc. for **Harry J. McDonald Memorial Recreation Center roof repairs and reroofing** for the Municipality of Anchorage, Maintenance & Operations Department (ITB 23-C007) (\$131,445), Purchasing.

D. NEW BUSINESS:

1. Assembly Memorandum No. AM 337-2003, **Red Robin Burgers & Spirits (#2267)** – Transfer of Ownership for a Beverage Dispensary/Restaurant Designation Permit Liquor License (Mt. View and Russian Jack Community Councils), Clerk’s Office.
2. Assembly Memorandum No. AM 340-2003, 2003/2004 Liquor License Renewal: **Midnight Sun Brewery Company (#3466)** - Brewery (Taku/Campbell Community Council), Clerk’s Office.
3. Assembly Memorandum No. AM 323-2003, recommendation of award to Boslough Construction, Inc. to provide design build services for a **Beach Lake Trails Center** for the Municipality of Anchorage, Cultural and Recreational Services (RFP 23-P001) (\$669,410), Purchasing.
4. Assembly Memorandum No. AM 324-2003, grant award to **Habitat for Humanity**, Anchorage for the purchase of land for the Municipality of Anchorage, Community Development Division (\$151,975), Purchasing.

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

5. Assembly Memorandum No. AM 325-2003, amendment No. 3 to purchase order 74638 with Kemppe, Huffman & Ellis, P.C. for providing **legal services** for the Municipality of Anchorage, Municipal Light and Power (\$150,000), Purchasing.
6. Assembly Memorandum No. AM 326-2003, contract amendment No. 3 to professional services contract with DOWL Engineers for **Denali Street Reconstruction, 40th Avenue to Fireweed Lane**, PM&E Project No. 99-24 (\$154,540), Project Management & Engineering.
7. Assembly Memorandum No. AM 327-2003, change order No. 4 to purchase order 230109 with GeoNorth, LLC for providing **water resource database development and computer services** in support of Anchorage 2000 Watershed Management Program for the Municipality of Anchorage, Project Management and Engineering (\$166,000), Purchasing.

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

8. Assembly Memorandum No. AM 328-2003, change order to various purchase orders for providing professional **engineering services** for the 2000 Watershed Management Program for the Municipality of Anchorage, Project Management and Engineering (\$524,557), Purchasing.
9. Assembly Memorandum No. AM 329-2003, proprietary awards for purchase of **bus stop benches and sidewalk luminaries** from Division 10 and Arctic Sales, respectively, for the Municipality of Anchorage, Public Transportation Department (\$93,062), Purchasing.
10. Assembly Memorandum No. AM 330-2003, proprietary contract award to ZGF Architects for providing consultant services for a **Transit Center** for the Municipality of Anchorage, Transportation (\$62,305), Purchasing.

Mr. Sullivan requested this item be considered on the Regular Agenda. See item 10D.

11. Assembly Memorandum No. AM 331-2003, proprietary purchase to Electrical Reps Alaska for furnishing **traffic counters** to the Municipality of Anchorage, Traffic Department (\$33,119), Purchasing.
12. Assembly Memorandum No. AM 351-2003, **Anchorage Parking Authority Board of Directors** appointment (Anthony Price), Mayor’s Office. **(addendum)**
13. Assembly Memorandum No. AM 352-2003, **Bidding Review Board** appointments (Jim Rooney, Howard Levine), Mayor’s Office. **(addendum)**
14. Assembly Memorandum No. AM 353-2003, **Chugiak-Eagle River Parks and Recreation Board of Supervisors** appointment (Scott Bailey), Mayor’s Office. **(addendum)**
15. Assembly Memorandum No. AM 354-2003, **Investment Advisory Commission** appointment (Jon Calder), Mayor’s Office. **(addendum)**
16. Assembly Memorandum No. AM 355-2003, **Port Commission** reappointment (Brad Kroon), Mayor’s Office. **(addendum)**

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

E. INFORMATION AND REPORTS:

1. Information Memorandum No. AIM 41-2003, waiver of formal procedures for providing **front wheel drive police sedans** to the Municipality of Anchorage, Maintenance & Operations Department, Facility & Fleet Maintenance Division (ITB 23-B025) (\$429,792), Purchasing.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:

1. Ordinance No. AO 2003-69, an ordinance of the Anchorage Municipal Assembly extending the term of the existing **lease with Totem Ocean Trailer Express, Inc.** for an area in the southern portion of the Transit Warehouse Building at the Port of Anchorage, totaling approximately 6,909 square feet, pursuant to an exercised option to renew, Port of Anchorage. P.H. 5-13-03.
 - a. Assembly Memorandum No. AM 332-2003.
2. Ordinance No. AO 2003-70, an ordinance authorizing the **sale of properties foreclosed** by the Municipality for delinquent taxes and/or special assessments, Real Estate Services. P.H. 6-10-03.
 - a. Assembly Memorandum No. AM 310-2003.
3. Resolution No. AR 2003-54, a resolution revising the **2003 General Government Capital Improvement Budget** and the **2003-2008 Capital Improvement Program**, Office of Management and Budget. P.H. 4-22-03.
 - a. Assembly Memorandum No. AM 237-2003.
4. Resolution No. AR 2003-75 a resolution of the Municipality of Anchorage providing for a **revision of the Anchorage School District Budget** for FY 2003-2004, Anchorage School District. P.H. 4-22-03.
 - a. Assembly Memorandum No. AM 303-2003.
 - b. Resolution No. AR 2003-75(S), a resolution of the Municipality of Anchorage providing for a revision of the Anchorage School District Budget for FY 2003-2004, Anchorage School District. **(addendum)**
 - c. Assembly Memorandum No. AM 303-2003(A).
5. Resolution No. AR 2003-83, a resolution of the Municipality of Anchorage appropriating supplemental award of \$150,000 to the State Categorical Grants Fund 9231) from the Alaska Department of Labor and Workforce Development for the Program Year (PY) 2002/Federal Fiscal Year (FFY) 2003 **Workforce Investment Act Statewide Projects** – Incentive Grant within the Planning Department. P.H. 4-22-03.
 - a. Assembly Memorandum No. AM 333-2003.
6. Resolution No. AR 2003-84, a resolution appropriating Community Development Block Grant program income and HOME Investment Partnership recaptured funds generated by U.S. Department of Housing and Urban Development programs in the amounts of \$271,406 of **Community Development Block Grant program income** and \$144,231 of **HOME recaptured funds** in the Planning Department to the Federal Categorical Grants Fund (241), Planning Department. P.H. 4-22-03.
 - a. Assembly Memorandum No. AM 334-2003.

Ms. Fairclough asked the record to reflect that she abstained from voting on this issue.

7. Resolution No. AR 2003-85, a resolution of the Municipality of Anchorage appropriating the contribution of \$223,250 received from the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Fund 119 approved 2002 budget to the CBERRRSA Capital Improvement Program (CIP) Fund 419 for **road and drainage capital improvement projects** within the CBERRRSA, Maintenance and Operations. P.H. 4-22-03.
 - a. Assembly Memorandum No. AM 335-2003.
8. Resolution No. AR 2003-86, a resolution of the Municipality of Anchorage appropriating \$1,602,590 of 2003 tax revenues from the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Mill Levy Fund 119 as a contribution to the CBERRRSA Capital Improvement Program (CIP) Fund 419 for **road and drainage capital improvement projects** within the CBERRRSA, Maintenance and Operations. P.H. 4-22-03.
 - a. Assembly Memorandum No. AM 336-2003.
9. Resolution No. AR 2003-89, a resolution of the Municipality of Anchorage appropriating \$199,000 as a grant to the Federal Categorical Grants Fund (241), Department of Health and Human Services, from the Southcentral Foundation for the purpose of providing **Emergency Alcohol Services**, Health and Human Services. P.H. 4-22-03. **(addendum)**
 - a. Assembly Memorandum No. AM 349-2003.

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

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

10. REGULAR AGENDA:

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS:

1. Resolution No. AR 2003-87, a resolution of the Anchorage Municipal Assembly recognizing May 9, 2003 as **“Police Memorial Day”**, and remembering and honoring those who have given their lives in the line of duty, Assemblymembers Taylor, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle.

Ms. Taylor moved, to approve AR 2003-87,
seconded by Mr. Tesche,
and it passed without objection.

Ms. Taylor read the resolution.

2. Resolution No. AR 2003-93, a resolution of the Anchorage Municipal Assembly recognizing the honors received by the **Chugiak High School choirs** at the National Invitational Festival March 20-22, 2003, Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle. (**addendum**)

Mr. Kendall moved, to approve AR 2003-93,
seconded by Ms. Fairclough,
and it passed without objection.

Ms. Fairclough read the resolution.

B. RESOLUTIONS FOR ACTION – OTHER:

1. Resolution No. AR 2003-88, a resolution to restore full funding for support of the Anchorage Youth Court by appropriating \$95,000 from Areawide General Fund (101) Balance to the Department of Health and Human Services **Restorative Justice Program**, Assemblymember Tesche.
 - a. Assembly Memorandum No. AM 338-2003.

Mr. Sullivan moved, to approve AR 2003-88,
seconded by Mr. Tesche.

In response to Mr. Sullivan, Health and Human Services Director Jewel Jones said AR 2003-88 would fund intake officers to work directly with the Youth Court. The state had not honored their commitment to fund two intake officers.

Mr. Sullivan moved, to postpone AR 2003-88 to April 22, 2003 and schedule a
seconded by Mr. Kendall. public hearing,

Mr. Sullivan would like to hear from the State and the Youth Court to determine if one additional intake officer would be adequate.

Mr. Tesche opposed postponing AR 2003-88. The requirement for a public hearing was set at \$100,000. He discussed the past funding of the intake officers, which had been reduced in previous years. AR 2003-88 would restore the funding to the same level that existed in 2000 before the current administration took office. Without three intake officers, the number of cases before the Youth Court would continue to decline.

Mr. Tremaine spoke in favor of AR 2003-88. He discussed the success rate of the Youth Court and felt money invested in this program would reduce overall Public Safety funds needed by reducing overall crime.

Mr. Sullivan said his intent was to fund two intake officers with the State of Alaska funding the third intake officer, as originally agreed upon. He felt the fact that the Municipality of Anchorage would be funding three state employees was worth an examination.

Executive Director Michael Scott said in response to Mr. Tesche's written request to have this issue placed on the legislative lobbying agenda, the administration made that part of their overall effort. Mr. Tesche had also asked the administration to be supportive of this issue as a first quarter budget amendment. A work session was schedule for Friday and he suggested inviting the State of Alaska to attend the meeting to discuss the issue.

In response to Mr. Tesche, Mr. Scott said he did not know if the funding for the intake officers was in the Governor's budget proposal. He felt it was appropriate to postpone AR 2003-88 until the work session to give the State of Alaska the opportunity to honor their commitment.

Mr. Tesche noted that apparently there was no commitment from the State of Alaska to fund the intake officer and recommended a no vote on postponing AR 2003-88.

Mr. Sullivan moved, to amend the motion to postpone AR 2003-88 to
seconded by Mr. Kendall. April 22, 2003, with no public hearing necessary,

Mr. Sullivan felt postponing AR 2003-88 a week would not cause any harm and would give the State of Alaska the opportunity to honor their commitment to fund an intake officer.

Question was called on the motion to postpone AR 2003-88 and it failed.

AYES: Fairclough, Kendall, Sullivan

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

Question was called on the motion to approve AR 2003-88 and it passed.

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

NAYES: None

Mr. Tesche and both asked to be heard. Chairman Traini ruled that Mr. Tesche would be heard first.

Mr. Tesche moved, for immediate reconsideration of AR 2003-88,
seconded by Ms. Fairclough.

Mr. Tesche recommended a no vote.

Ms. Fairclough moved, to challenge the ruling of the chair and change the order
seconded by Mr. Kendall. of the Assemblymember called upon to speak,

Mr. Tremaine read Robert's Rules of Order, page 366, which said the best interests of the Assembly required the floor to be assigned to a claimant who was not the first to rise and address the chair.

Chairman Traini noted a yes vote would sustain the ruling of the chair.

Question was called on the motion to challenge the ruling of the chair and it failed.

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

NAYES: Fairclough, Kendall, Sullivan

Question was called on the motion for immediate reconsideration of AR 2003-88 and it failed.

AYES: Fairclough, Sullivan

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

- 10B2. Resolution No. AR 2003-100, a resolution of the Anchorage Municipal Assembly supporting passage of **House Bill 11**, "An Act relating to deposits to the Alaska Permanent Fund from mineral lease rentals, royalties, royalty sale proceeds, net profit shares under AS 38.05.180(F) and (G), Federal mineral revenue sharing payments received by the State from mineral leases, and bonuses received by the State from mineral leases, and limiting deposits from those sources to the 25 percent required under Art. IX, Sec. 15, Constitution of the State of Alaska; and providing for an effective date", Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle. (**addendum**)

Mr. Tesche moved, to approve AR 2003-100,
seconded by Ms. Fairclough.

In response to Mr. Tesche, Ms. Fairclough said AR 2003-100 provided economic revenue to the State of Alaska's fiscal cap and would reduce the contribution to the Alaska Permanent Fund from 50 percent to the 25 percent required by the State Constitution. This would allow municipalities and the State of Alaska to fund programs, which would be in addition to federal government funding.

Ms. Von Gemmingen spoke in favor of AR 2003-100, which she felt was necessary due to budget deficits.

Mr. Van Etten noted that AR 2003-100 was piecemeal and not part of a comprehensive plan.

Mr. Tremaine discussed a municipal dividend program where the money would go directly to the municipalities rather than the general fund. He noted that House Bill 11 was still in committee and could be changed.

Mr. Tremaine offered a friendly amendment to AR 2003-100 to removed "House Bill 11" and substitute "this body supports passage of a bill."

Mr. Fairclough spoke against the friendly amendment and felt they should support House Bill 11 as submitted.

Mr. Tesche and Ms. Fairclough accepted Mr. Tremaine's amended friendly amendment to AR 2003-100 to read "this body supports passage of House Bill 11 in its current form."

Mr. Sullivan spoke in favor of AR 2003-100 and pointed out that the solution to the fiscal gap crisis not be a comprehensive omnibus bill, but incremental efforts towards a solution.

Mr. Tesche felt AR 2003-100 made good sense and he would like this to be part of a comprehensive fiscal plan.

Ms. Von Gemmingen spoke in favor of AR 2003-100.

Mr. Kendall said the legislature would have to work step by step in solving the budget crisis. He felt AR 2003-100 was an appropriate measure for the Assembly to support.

Ms. Shamberg spoke in favor of AR 2003-100.

Mr. Van Etten spoke in favor of AR 2003-100. He compared this to the Anchorage 2020 Comprehensive Plan, which was a framework that was filled in with ordinances and not accomplished at one time.

Question was called on the motion to approve AR 2003-100 as amended and it passed without objection.

Chairman Traini changed the order of the day to take up Item 12, Appearance Requests, and Item 14, New Public Hearings.

12. APPEARANCE REQUESTS:
A. **Jim Barnett**, regarding Girdwood development. (**addendum**)

JIM BARNETT said he was representing Girdwood 2020, a non-profit corporation based in Girdwood and dedicated to the implementation of the Girdwood area plan and the transition of the Girdwood community to a four season mountain resort. The Assembly reviewed Girdwood's video "Opportunities Unlimited."

Mr. Tesche asked Mr. Barnett to supply a copy of the video to the Anchorage Economic Development Corporation to supplement their marketing of Anchorage as a good place to do business.

14. NEW PUBLIC HEARINGS:
A. Ordinance No. AO 2003-61, an ordinance amending Anchorage Municipal Code Section 3.70.060 to change the definition of **exempt employees** as related to the staff of the Treasurer, Finance.
1. Assembly Memorandum No. AM 238-2003.

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

Ms. Fairclough moved, to approve AO 2003-61,
seconded by Mr. Kendall.

Question was called on the motion to approve AO 2003-61 and it passed.

AYES: Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Kendall, Shamberg
NAYES: None

(Clerk's Note: Mr. Tesche, Mr. Tremaine and Mr. Sullivan were out of the room at the time of the vote.)

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS:
A. Assembly Memorandum No. AM 278-2003, change order No. 3 to purchase order 221233 with KME Fire Apparatus c/o Oregon Fire Equipment Company to provide a **4x4 triple combination pumper and a fire tanker** to the Municipality of Anchorage, Anchorage Fire Department (\$675,591), Purchasing.
(PURCHASE OF ANCHORAGE FIRE EQUIPMENT (\$278,109) WAS BIFURCATED AND POSTPONED FROM 4-8-03; CHUGIAK FIRE EQUIPMENT WAS APPROVED 4-8-03)

Chairman Traini gave the history of AM 278-2003 and noted no motions were pending.

Mr. Tremaine moved, to approve AM 278-2003,
seconded by Mr. Kendall.

Michelle Westin York said the bids for the wood lots would be out on Thursday. If no bids were received, they would look at the waiver for PLI lands and other options.

In response to Mr. Tremaine, Ms. York discussed the funding of the fire tanker.

Question was called on the motion to approve AM 278-2003 and it passed without objection.

- B. Assembly Memorandum No. AM 267-2003, 2003/2004 Liquor License Renewals: **Williams Express, Inc.** (#1371)-*NO PREMISE*, **Williams Express, Inc.** (#1991)-*NO PREMISE* – Package Store, Clerk's Office.
(CARRIED OVER FROM 3-18-03; WILLIAMS EXPRESS, INC. (#1371)-*NO PREMISE*, WILLIAMS EXPRESS, INC. (#1991)-*NO PREMISE* WERE BIFURCATED & POSTPONED FROM 4-8-03)

Chairman Traini gave the history of AM 267-2003 and no motions were pending.

Ms. Fairclough moved, to postpone AM 267-2003 indefinitely,
seconded by Ms. Von Gemmingen,
and it passed without objection.

- C. Information Memorandum No. AIM 33-2003, Transmittal of Arbitrator's decision and award for United Association of Journeyman and Apprentices of the **Plumbing and Pipefitting Industry-Local 367** (Local 367) and the Municipality of Anchorage, Employee Relations.
(CARRIED OVER FROM 3-18-03; POSTPONED FROM 4-8-03)

Chairman Traini gave the history of AIM 33-2003 and noted a motion to accept was on the floor.

Mr. Tesche said David Otto had offered to provide the information that had been requested last week. He requested time to meet with the administration on this matter.

Ms. Fairclough moved, to postpone AIM 33-2003 until April 22, 2003,
seconded by Mr. Van Etten,
and it passed without objection.

- D. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2003-71, an ordinance of the Anchorage Municipal Assembly setting the rate of **tax levy and levying taxes** for the Municipality of Anchorage Areawide General Purposes including municipal schools and all

service areas of the Municipality for the Municipal Tax Year 2003, approving the total amount of municipal tax for Fiscal Year 2003, Assemblymember Tesche. **(TO BE SUBMITTED)**
(INTRODUCED & SET FOR HEARING ON 4-22-03; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TESCHE 4-9-03)

Chairman Traini gave the history of AO 2003-71 and noted no motions were pending.

Mr. Tesche noted that a duplicate ordinance and resolution had been introduced at the last Assembly meeting to insure that the Assembly could take action on the first quarter revisions to the 2003 budget and the mill levying.

Mr. Tesche moved, to postpone AO 2003-71 indefinitely,
seconded by Ms. Fairclough,
and it passed without objection.

11E. **NOTICE OF RECONSIDERATION:** Resolution No. AR 2003-91, a resolution of the Anchorage Municipal Assembly providing for a **revision to the 2003 General Government Operating Budget**, Assemblymember Tesche. **(TO BE SUBMITTED)**
(INTRODUCED & SET FOR HEARING ON 4-22-03; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TESCHE 4-9-03)

Mr. Tesche moved, to postpone AR 2003-91 indefinitely,
seconded by Ms. Fairclough,
and it passed without objection.

The Assembly then returned to the regular agenda.

C. BID AWARDS: None.

D. NEW BUSINESS:

10D1. Assembly Memorandum No. AM 324-2003, grant award to **Habitat for Humanity**, Anchorage for the purchase of land for the Municipality of Anchorage, Community Development Division (\$151,975), Purchasing.

Mr. Whittle moved, to approve AM 324-2003,
seconded by Mr. Tesche.

Mr. Whittle read a portion of the memorandum and discussed the need for the grant to be ongoing to provide more affordable housing while generating a sustainable income source for the home program. He encouraged everyone to continue lobbying efforts on this issue.

Question was called on the motion to approve AM 324-2003 and it passed without objection.

10D2. Assembly Memorandum No. AM 327-2003, change order No. 4 to purchase order 230109 with GeoNorth, LLC for providing **water resource database development and computer services** in support of Anchorage 2000 Watershed Management Program for the Municipality of Anchorage, Project Management and Engineering (\$166,000), Purchasing.

Ms. Fairclough moved, to approve AM 327-2003,
seconded by Mr. Tremaine,

Ms. Fairclough moved, to amend AM 327-2003, line 26, to delete the second “in a.”
seconded by Ms. ?,
and it passed without objection.

Question was called on the motion to approve AM 327-2003 as amended and it passed without objection.

10D3. Assembly Memorandum No. AM 330-2003, proprietary contract award to ZGF Architects for providing consultant services for a **Transit Center** for the Municipality of Anchorage, Transportation (\$62,305), Purchasing.

Mr. Sullivan moved, to approve AM 330-2003,
seconded by Ms. Fairclough.

In response to Mr. Sullivan, Mr. Scott said they had three proposals for sites for the Health and Human Services building in the U-Med area, but would like to have the issue postponed for further review.

Mr. Sullivan moved, to postpone AM 330-2003 to May 13, 2003,
seconded by Ms. Fairclough,
and it passed without objection.

10D4. Assembly Memorandum No. AM 355-2003, **Port Commission** reappointment (Brad Kroon), Mayor’s Office. **(addendum)**

Mr. Tremaine moved, to postpone AM 355-2003 to April 22, 2003,
seconded by Ms. Fairclough,
and it passed without objection.

E. INFORMATION AND REPORTS: None.

F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION: None.

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

11A. Assembly Memorandum No. AM 278-2003, change order No. 3 to purchase order 221233 with KME Fire Apparatus c/o Oregon Fire Equipment Company to provide a **4x4 triple combination pumper and a fire tanker** to the Municipality of Anchorage, Anchorage Fire Department (\$675,591), Purchasing. (PURCHASE OF ANCHORAGE FIRE EQUIPMENT (\$278,109) WAS BIFURCATED AND POSTPONED FROM 4-8-03; CHUGIAK FIRE EQUIPMENT WAS APPROVED 4-8-03)

(Clerk's Note: This item addressed earlier in the meeting. See after item 14A.)

11B. Assembly Memorandum No. AM 267-2003, 2003/2004 Liquor License Renewals: **Williams Express, Inc. (#1371)-NO PREMISE, Williams Express, Inc. (#1991)-NO PREMISE** - Package Store, Clerk's Office. (CARRIED OVER FROM 3-18-03; WILLIAMS EXPRESS, INC. (#1371)-NO PREMISE, WILLIAMS EXPRESS, INC. (#1991)-NO PREMISE WERE BIFURCATED & POSTPONED FROM 4-8-03)

(Clerk's Note: This item addressed earlier in the meeting. See after item 14A.)

11C. Information Memorandum No. AIM 33-2003, Transmittal of Arbitrator's decision and award for United Association of Journeyman and Apprentices of the **Plumbing and Pipefitting Industry-Local 367** (Local 367) and the Municipality of Anchorage, Employee Relations. (CARRIED OVER FROM 3-18-03; POSTPONED FROM 4-8-03)

(Clerk's Note: This item addressed earlier in the meeting. See after item 14A.)

11D. **NOTICE OF RECONSIDERATION:** Ordinance No. AO 2003-71, an ordinance of the Anchorage Municipal Assembly setting the rate of **tax levy and levying taxes** for the Municipality of Anchorage Areawide General Purposes including municipal schools and all service areas of the Municipality for the Municipal Tax Year 2003, approving the total amount of municipal tax for Fiscal Year 2003, Assemblymember Tesche. **(TO BE SUBMITTED)** (INTRODUCED & SET FOR HEARING ON 4-22-03; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TESCHE 4-9-03)

(Clerk's Note: This item addressed earlier in the meeting. See after item 14A.)

11E. **NOTICE OF RECONSIDERATION:** Resolution No. AR 2003-91, a resolution of the Anchorage Municipal Assembly providing for a **revision to the 2003 General Government Operating Budget**, Assemblymember Tesche. **(TO BE SUBMITTED)** (INTRODUCED & SET FOR HEARING ON 4-22-03; NOTICE OF RECONSIDERATION WAS GIVEN BY MR. TESCHE 4-9-03)

(Clerk's Note: This item addressed earlier in the meeting. See after item 14A.)

12. APPEARANCE REQUESTS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND NO LATER THAN 6:30 P.M.):

12A. **Jim Barnett**, regarding Girdwood development. **(addendum)**

(Clerk's Note: This item addressed earlier in the meeting. See after item 10B2.)

13. CONTINUED PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M.):

14. NEW PUBLIC HEARINGS (SHALL BEGIN NO EARLIER THAN 6:00 P.M. AND END NO LATER THAN 11:00 P.M.):

14A. Ordinance No. AO 2003-61, an ordinance amending Anchorage Municipal Code Section 3.70.060 to change the definition of **exempt employees** as related to the staff of the Treasurer, Finance.
1. Assembly Memorandum No. AM 238-2003.

(Clerk's Note: This item addressed earlier in the meeting. See after item 10B2.)

15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS:

16. SPECIAL ORDERS:

16A. Assembly Memorandum No. AM 253-2003, certification of the April 1, 2003, **Regular Municipal Election**, Municipal Clerk.

(Clerk's Note: This item addressed earlier in the meeting. See after Item 6, Assembly Chair's Report.)

16B. Resolution No. AR 2003-106, a resolution of the Anchorage Municipal Assembly amending the 2003 General Government Operating Budget by appropriating \$40,000 from Areawide General Fund (101) Balance to the Department of Assembly to cover the costs associated with **the recount of the Mayoral election**, Assembly Chair Traini. **(LAID ON THE TABLE)**
1. Assembly Memorandum No. AM 369-2003.

Mr. Tesche moved, to approve AR 2003-16,
seconded by Ms. Von Gemmingen.

In response to Mr. Tesche, the Court Clerk said the party requesting the recount had paid the required \$100 per precinct.

In response to Mr. Tesche, Chairman Traini said \$12,200 would be received. The total cost to the taxpayers would be \$28,800.

In response to Mr. Tesche, the Court Clerk said they would have to order the memory cards for the Accuvote system and separate the candidate ballots from the proposition ballots. She anticipated that the recount would begin on Monday and be completed by Friday, depending on the amount of staff utilized.

Mr. Tesche felt everything should be done to complete the recount as soon as possible. He urged the Court Clerk to consider multiple shifts and Accuvote machines to speed up the process.

In response to Mr. Tesche, Chairman Traini said if Mr. Begich received less than 45 percent of the votes in the recount then a runoff election would be held.

In response to Mr. Tesche, the Court Clerk felt confident that a runoff election could be held by the May 6, 2003, if required.

Question was called on the motion to approve AR 2003-16 and it passed without objection.

- 17. **UNFINISHED AGENDA:** None.
- 18. **AUDIENCE PARTICIPATION:** None.
- 19. **ASSEMBLY COMMENTS:**

Ms. Fairclough invited the community to a fundraiser for Standing Together Against Rape on April 26, 2003. The cost would be \$100 per seat at the Fourth Avenue Theatre.

In response to Ms. Von Gemmingen, Toni Jones introduced her students from the University of Alaska, Anchorage. The students had been studying how changes occurred in a community and strategies to help implement changes.

- 20. **EXECUTIVE SESSIONS:** None.
- 21. **ADJOURNMENT:**

Mr. Kendall moved, to adjourn the meeting,
seconded by Mr. Tesche,
and it passed without objection.

The meeting adjourned at 7:40 p.m.

Chairman

ATTEST:

Acting Municipal Clerk
LINDA HEIM

Date Minutes Approved: July 15, 2003

LH:KRON