

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  
77  
78

**MUNICIPALITY OF ANCHORAGE**

**ANCHORAGE ASSEMBLY**

Minutes for Regular Meeting of February 25, 2003

**1. CALL TO ORDER:**

The meeting was convened at 5:05 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. Shamberg led the pledge.

**4. MINUTES OF PREVIOUS MEETING:** None

**5. MAYOR'S REPORT:**

Mayor Wuerch said the homeowners verification system for the 911 emergency response system was up and running. The telephone number was 565-6789 and must be dialed from the person's home telephone. Building permits increased by 15 percent this year, which meant people were continuing to invest in Anchorage. The appropriations bill was passed out at the House/Senate Conferences. Anchorage received a nice windfall including \$9,000,000 for the Port of Anchorage, \$4,000,000 for wildlife protection programs, \$2,000,000 for sewer and water projects, almost \$7,000,000 for roads in Girdwood, \$2,000,000 for the salmon recovery fund, \$1,000,000 for Anchorage Museum and other programs. There was \$3,750,000 available for locating, purchasing or siting a national archive in Alaska, which could be an opportunity for the University of Alaska or the Loussac Library. The Books on Buses Program, which honors Dr. Suess' birthday, was underway. There were books to read on the buses and children who rode the bus on March 1 or 2 would receive a book to take home.

**6. ASSEMBLY CHAIR'S REPORT:**

Chairman Traini presented Ms. Von Gemmingen with a pin honoring her ten years of service on the Anchorage Assembly.

**7. COMMITTEE REPORTS:** None

**8. ADDENDUM TO AGENDA:**

Ms. Fairclough moved, to amend the agenda to include the addendum items.  
seconded by Ms. Shamberg,

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. Tesche,

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

1. Resolution No. AR 2003-30, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lieutenant Stephen J. Smith for his 17 years of service** with the Anchorage Police Department, Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle.

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

2. Resolution No. AR 2003-41, a resolution of the Anchorage Municipal Assembly **recognizing and honoring Lieutenant Wayne L. Vance for his 20 years of service** with the Anchorage Police Department, Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle. **(addendum)**
3. Resolution No. AR 2003-42, a resolution of the Anchorage Municipal Assembly recognizing March 2-8, 2003 as **Black Church Week of Prayer** for the healing of AIDS, Assemblymembers Taylor, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle. **(addendum)**

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

## B. RESOLUTIONS FOR ACTION - OTHER

1. Resolution No. AR 2003-29, a resolution of the Anchorage Municipal Assembly approving the revised (schematic) design of the **Polaris K-12 School Addition and Renovation project**, Anchorage School District.
  - a. Assembly Memorandum No. AM 8-2003
2. Resolution No. AR 2003-45, a resolution of the Anchorage Municipal Assembly supporting Senate Bill No. 9, **An Act relating to the evaluation and cleanup of sites where certain controlled substances may have been manufactured or stored**, Assemblymember Tesche.

## C. BID AWARDS

1. Assembly Memorandum No. AM 178-2003, recommendation of award to American La France Northwest for furnishing **medic ambulances** to the Municipality of Anchorage, Anchorage Fire Department (ITB 22-B079) (\$267,114), Purchasing.
2. Assembly Memorandum No. AM 179-2003, recommendation of award to Yukon Equipment for **Knuckleboom cranes** to the Municipality of Anchorage, Solid Waste Services (ITB 23-B005) (\$293,728), Purchasing.
3. Assembly Memorandum No. AM 180-2003, recommendation of award to Construction Machinery Industrial LLC for furnishing an **articulating six-wheel drive dump truck** to the Municipality of Anchorage, Solid Waste Services (ITB 23-B004) (\$445,910), Purchasing.

## D. NEW BUSINESS

1. Assembly Memorandum No. AM 197-2003, **Equal Rights Commission reappointments** (Wilbur Hooks, Elary Gromoff), Mayor's Office.
2. Assembly Memorandum No. AM 198-2003, **Housing & Neighborhood Development Commission reappointments** (Carol Gore, Mac Carey), Mayor's Office.
3. Assembly Memorandum No. AM 199-2003, **Human Resources Advisory Board reappointment** (Kathleen Carr), Mayor's Office.
4. Assembly Memorandum No. AM 200-2003, **Municipal Prefunding Investment Board reappointments** (Gary Powell, Everett Robbins), Mayor's Office.
5. Assembly Memorandum No. AM 171-2003, Superior Court Remand of **Northeast Turnagain Special Assessments** for Findings by the Assembly, Assembly Counsel.

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

6. Assembly Memorandum No. AM 163-2003, 2003-2004 Liquor License Renewals: **Yamaya Restaurant** (#3728), **Kobe Teppayaki House** (#2958), **Ding How** (#4123), **Tiffany's Café** (#3392), **Panda Express** (#3711), **Aladdin's Fine Mediterranean & American Cuisine** (#2520), **O'Brady's Burgers & Brew** (#1989), **New China Restaurant** (#1347), **Little Italy Restaurant** (#2254), **Ichiban Restaurant** (#2113), **Golden Pond Restaurant** (#93-2845), - Restaurant/Eating Place; **Pancho's Villa Restaurant** (#74), **Club Paris** (#99-258), **The Great Alaskan Bush Co.** (#1839), **Rumrunner's Old Towne Bar & Grill** (#4157), **Fletcher's** (#2290), **Don Jose's Mexican Restaurant** (#3311), **Quarterdeck** (#932), **Simon & Seaforts Saloon & Grill** (#1050), **Whale's Tail** (#1224), **Crow's Nest** (#290), **PJ's** (#826), **Black Angus Steak House #2** (#531), **Asia Garden** (#83), **Applebee's II** (#4173), **Mr. Whitekey's Fly By Night Club** (#2097), **Long Branch Saloon** (#670), **Hong Kong Restaurant** (#525), **Holiday Inn/Conversations** (#89-0519), **Gwennie's Old Alaska Restaurant** (#1478), **George's Homestead** (#321), **Ginza Restaurant** (#3607), **Soraya's Club** (#4182), **Spenard Paradise Inn** (#1139) - Beverage Dispensary; **Diamond Jim's** (#2926) **George's Homestead Grocery & Liquor** (#322), **Eagle River Liquor** (#1011) - Package Store; **Eagle River Elks Lodge** (#2682), **American Legion Post #33** (#2476), **Kulis Air National Guard NCO Club** (#603) - Club; **Glacier Brewhouse** (#3985) - Brewpub (Airport Heights, Bayshore/Klatt, Chugiak/Birchwood, Spenard, Taku/Campbell, Downtown, Sand Lake, Turnagain, Campbell Park, Northeast, Fairview, Eagle River, Abbott Loop, & Rogers Park Community Councils), Clerk's Office.

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

7. Assembly Memorandum No. AM 164-2003, **Williams Express, Inc.** (#1317), NO PREMISE – Transfer of Location for a Package Store Liquor License (Northeast Community Council), Clerk's Office.

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

8. Assembly Memorandum No. AM 165-2003, 2003/2004 Liquor License Renewals: **Bombay Deluxe** (#4158), **China Express** (#2925), **El Rodeo** (#3082), **Twin Dragon Mongolian BBQ** (#733) - Restaurant/Eating Place; **O'Bradys #2** (#3396) - Beverage Dispensary (Downtown, Fairview, Northeast, Scenic Park, Spenard Community Councils), Clerk's Office.
9. Assembly Memorandum No. AM 166-2003, 2003/2004 Liquor License Renewals: **Wings 'N Things** (#84-2046), **Northern China Restaurant** (#1582), **Double D's Sandwich Shop** (#3368), **Mario Restaurant** (#3500) - Restaurant/Eating; **The New Peanut Farm** (#842), **Carlos' Fine Mexican Restaurant** (#3538), **Carpentier's Cocktail Lounge** (#201) - Beverage Dispensary; **Party Time/Boniface Liquor Inc.** (#834) - Package Store; **VFW Post #10252** (#1894) - Club; **Moose's Tooth Brewing Co.** (#3972) - Brewpub (Downtown, Spenard, Mountain View, Northeast, Campbell Park, Muldoon, Abbott Loop, Eagle River, Bayshore/Klatt, Huffman/O'Malley, Spenard Community Councils), Clerk's Office.
10. Assembly Memorandum No. AM 134-2003, proprietary purchase of **computer software support and maintenance** from Tiburon, Inc. for the Municipality of Anchorage, Anchorage Police Department (APD) (\$127,743), Purchasing.

11. Assembly Memorandum No. AM 136-2003, cooperative agreement with U.S. Department of Agriculture (USDA) for **avian vector control services** for the Municipality of Anchorage, Solid Waste Services (\$89,145), Purchasing.
12. Assembly Memorandum No. AM 167-2003, contract amendment No. 2 to Pacific Asphalt, Inc. for miscellaneous **Americans with Disabilities Act sidewalk improvements**, Contract No. C-220374, Project No. 00-17 (\$8,300), Project Management & Engineering.
13. Assembly Memorandum No. AM 168-2003, amendment No. 6 to professional services contract with CRW Engineering Group, LLC for **Campbell Creek Trail Connection, International Airport Road Undercrossing and Lake Otis Crossing**, Project No. 96-18 (\$301,070), Project Management & Engineering.
14. Assembly Memorandum No. AM 169-2003, 2003 grant agreement with Greater Anchorage, Inc. to support the **2003 Fur Rendezvous Winter Festival** (\$56,187), Municipal Manager's Office.
15. Assembly Memorandum No. AM 170-2003, approval of **2003 grants to non-profit parks and recreation service providers**, Cultural and Recreational Services.
16. Assembly Memorandum No. AM 181-2003, proprietary purchase for providing **library materials** from Blackwell's Book Services to the Municipality of Anchorage, Department of Cultural & Recreational Services (\$34,000), Purchasing.
17. Assembly Memorandum No. AM 182-2003, proprietary purchase of **library network services** from OCLC/WLN for the Municipality of Anchorage, Department of Cultural & Recreational Services (\$49,000), Purchasing.
18. Assembly Memorandum No. AM 183-2003, proprietary purchase of **licensing support agreement** with PeopleSoft USA, Inc. for the Municipality of Anchorage, Information Technology Department (\$344,474), Purchasing.
19. Assembly Memorandum No. AM 184-2003, change order No. 1 to purchase order 220743 with Marine Research and Environmental Services to provide update services to the 1994 "**Hazards Analysis Report**" for the Municipality of Anchorage, Office of Emergency Management (\$30,000), Purchasing.
20. Assembly Memorandum No. AM 185-2003, recommendation of award to Avail Technologies, Inc. for providing **Advanced Operating System integration services** for the Municipality of Anchorage, Public Transportation Department (RFP 22-P045) (\$157,718), Purchasing.
21. Assembly Memorandum No. AM 186-2003, proprietary purchase of **computer hardware maintenance & software license renewal** from Hewlett Packard Company, Inc. for the Municipality of Anchorage, Anchorage Water and Wastewater Utility (\$64,304.08), Purchasing.
22. Assembly Memorandum No. AM 135-2003, contract amendment No. 6 to contract No. 76678 with Davis Wright Tremaine LLP for providing **legal services** for the Municipality of Anchorage, Employee Relations (\$25,000), Purchasing.
23. Assembly Memorandum No. AM 137-2003, Assembly approval of change order #3 to contract with Sandberg, Wuestenfeld & Corey to provide **legal services** in the area of tort liability (\$210,000), Finance.
24. Assembly Memorandum No. AM 188-2003, proprietary purchase for providing **library materials** from the Gale Group to the Municipality of Anchorage, Department of Cultural and Recreational Services (\$98,000), Purchasing.
25. Assembly Memorandum No. AM 189-2003, approval of contract with Girdwood Volunteer Fire & Rescue, Inc. to provide **fire, rescue and emergency medical services** in the Girdwood Fire Service Area for the Municipality of Anchorage, Anchorage Fire Department (AFD) (\$282,500), Purchasing.
26. Assembly Memorandum No. AM 190-2003, cooperative purchase of **computer hardware, software and services** from International Business Machines (IBM) Corporation for the Municipality of Anchorage, Purchasing Department (\$460,000), Purchasing.
27. Assembly Memorandum No. AM 191-2003, amendment No. 2 to professional engineering services contract with CRW Engineering Group for the design study of the **Pine Street Extension Project, DeBarr Road to Reka Drive**, Project No. 00-10 (\$143,282), Project Management & Engineering.
28. Assembly Memorandum No. AM 192-2003, amendment No. 3 to professional **legal services** contract with the Law Firm of Owens & Turner regarding employment and labor law (\$100,000), Legal Department. (**addendum**)
29. Assembly Memorandum No. AM 201-2003, **Building Board appointments** (David Paule, Bob Whealy), Mayor's Office. (**addendum**)
30. Assembly Memorandum No. AM 202-2003, **Public Facilities Advisory Commission appointments** (Thomas Boyle, Carmen Lyon, Chris Spoerhase), Mayor's Office. (**addendum**)
31. Assembly Memorandum No. AM 203-2003, **On-Site Water & Wastewater Systems Technical Review Board appointments** (David Beveridge, William Schnabel), Mayor's Office. (**addendum**)
32. Assembly Memorandum No. AM 204-2003, **Planning and Zoning Commission appointment** (Don Poulton), Mayor's Office. (**addendum**)
33. Assembly Memorandum No. AM 205-2003, **Platting Board appointments** (Bruce Phelps, Dennis Linnell, Jean Funatake), Mayor's Office. (**addendum**)
34. Assembly Memorandum No. AM 206-2003, **Urban Design Commission appointments** (Wende Wilber, Juan Ania, Cindy Kinard), Mayor's Office. (**addendum**)
35. Assembly Memorandum No. AM 207-2003, **Zoning Board of Examiners & Appeals appointment** (Laurie Herman), Mayor's Office. (**addendum**)
36. Assembly Memorandum No. AM 208-2003, **Federation of Community Councils 2003 support services** (\$108,000), Clerk's Office. (**addendum**)
37. Assembly Memorandum No. AM 209-2003, Request to file late as an appellee to Appeal Case S-10999, Park West Subdivision, Clerk's Office. (**addendum**)

## E. INFORMATION AND REPORTS

1. Information Memorandum No. AIM 18-2003, Internal Audit Report 2003-1 – **Municipal Procurement Card Program, Purchasing Department**, Internal Audit.

Ms. Shamberg requested this item be considered on the Regular Agenda. See item 10E.

2. Information Memorandum No. AIM 19-2003, **contracts awarded between \$50,000 and \$100,000 through formal competitive processes** for the month of January 2003, Purchasing.
3. Information Memorandum No. AIM 20-2003, **Sole Source Procurement Report** for the month of January 2003, Purchasing.
4. Information Memorandum No. AIM 21-2003, **Asplund WWTF Solids Handling Improvements Project** – Alaska Mechanical, Inc. (PO 0000206120), Report of construction contract change orders (\$4,227,326.75), Water and Wastewater Utility.
5. Information Memorandum No. AIM 22-2003, **Service High 10 MG Reservoir** – Alaska Mechanical, Inc. (PO 996291), Report of construction contract change orders (\$3,538,312.21), Water and Wastewater Utility.
6. Information Memorandum No. AIM 23-2003, **Bar Violations/Quarterly Report** – 4<sup>th</sup> Quarter 2002 (American Legion Post #1-840 W. Fireweed Lane, Brown Jug #162-11221 Old Glenn Hwy., Brown Jug #21,-3727 Spenard Rd.; Buckaroo Club-2811 Spenard Rd.; Chili's Bar and Grill-1811 Abbott Rd.; Fred Meyer #656-2300 Abbott Rd.; Fred Meyer-Diamond #71-2000 W. Dimond Blvd.; Humpy's Great Alaskan Ale House-610 W. 6<sup>th</sup> Ave.; In and Out Liquor-3601 Arctic Blvd.; Mom and Pops Grocery and Liquor-601 W. 36<sup>th</sup> Ave.; Oaken Keg #1807-11409 Business Blvd.; Oaken Keg #1812-4000 W. Dimond Blvd.; Party Time Plaza Liquor-5520 Lake Otis Pkwy.; Pioneer Club-739 W. 4<sup>th</sup> Ave.; Tesoro 2 Go #003-6740 Lake Otis Pkwy., Tesoro 2 Go #15-1211 E. Huffman Rd.; Value Liquor #1-601 W. Dimond Blvd.; Whaler Bar and Grill-171 Muldoon Rd.; Woodshed-535 W. 3<sup>rd</sup> Ave.), Anchorage Police Department.

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

## F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

1. Ordinance No. AO 2003-43, an ordinance amending Anchorage Municipal Code Section 3.30.127 *Length of Service* to provide **service recognition pay** in recognition of continuous service, Employee Relations. P.H. 3-18-03.
  - a. Assembly Memorandum No. AM 173-2003
2. Ordinance No. AO 2003-44, an ordinance amending Chapter 15.80 of the Anchorage Municipal Code to authorize **Department of Motor Vehicle registration renewal services** at the Environmental Services Counter, Department of Health and Human Services and assessment of a fee for the service, Health and Human Services. P.H. 3-18-03.
  - a. Assembly Memorandum No. AM 174-2003
3. Ordinance No. AO 2003-46, an ordinance authorizing **disposal of Lot 7, Block 2, Dowling Subdivision No. 4** in Anchorage, Alaska and reacquisition of a portion thereof at market value, Real Estate Services. P.H. 3-18-03.
  - a. Assembly Memorandum No. AM 176-2003
4. Ordinance No. AO 2003-47, an ordinance of the Anchorage Municipal Assembly amending the Anchorage Municipal Code Title 21 by enacting a new Section 21.45.035 – **Accessory Dwelling Units**, Assemblymember Van Etten. P.H. 5-13-03.
  - a. Assembly Memorandum No. AM 177-2003

Mr. Van Etten requested this item be considered on the Regular Agenda. See item 10F.

5. Resolution No. AR 2003-40, a resolution of the Municipality of Anchorage accepting when tendered the sum of \$120,000 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating said grant, and \$16,510 as a contribution from the 2003 Anchorage Police Service Operating Budget, Anchorage Metropolitan Police Service Area Fund (151), to the State Categorical Grants Fund (231) Anchorage Police Department, for the **Youth at Risk Driving Enforcement Program**, Anchorage Police Department. P.H. 3-4-03.
  - a. Assembly Memorandum No. AM 4-2003
6. Ordinance No. AO 2003-48, an ordinance of the Municipality Of Anchorage amending AO 2003-8 regarding **keg or container registration**, to correct references to Alaska Statute and to change the effective date, Assembly Chair Traini. P.H. 3-18-03. (**addendum**)
  - a. Assembly Memorandum No. AM 172-2003
7. Ordinance No. AO 2003-49, an ordinance submitting to the qualified voters of the **Anchorage Fire Service Area** a ballot proposition to annex the area described as Lots 1 through 8 Block 1, Lots 1 through 14 Block 2, Lots 1 through 15 Block 3, Lots 1 through 13 Block 4, and Tracts 1, 2, 3, 6 and 7 Powder Ridge Subdivision, Plat Number 98-80; Lots 1 and 2 Block 5, Lots 1 through 12 Block 6, Lots 1 through 6 Block 7, and Tracts 4A, 4B and 4C Powder Ridge Subdivision Phase 2, Plat Number 2002-77; Tracts A, B, and C Polaris North Subdivision, Plat Number 2001-123, to the Anchorage Fire Service Area, and submitting to the qualified voters of the Chugiak Fire Service Area a ballot proposition to de-annex Lots 1 through 8 Block 1, Lots 1 through 14 Block 2, Lots 1 through 15 Block 3, Lots 1 through 13 Block 4, and Tracts 1, 2, 3, 6 and 7 Powder Ridge Subdivision, Plat Number 98-80; Lots 1 and 2 Block 5, Lots 1 through 12 Block 6, Lots 1 through 6 Block 7, and Tracts 4A, 4B, and 4C Powder Ridge Subdivision Phase 2, Plat Number 2002-77; Tracts A, B, and C Polaris North Subdivision, Plat Number 2001-123, from the Chugiak Fire Service Area, Assemblymembers Fairclough, Taylor, Tesche, Tremaine, Von Gemmingen, and Whittle. **PUBLIC HEARING DATE TO BE DETERMINED. (addendum)**
  - a. Assembly Memorandum No. AM 194-2003

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

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

- 8. Ordinance No. AO 2003-50, an ordinance submitting to the qualified voters of the **Anchorage Fire Service Area** a ballot proposition to annex the area described as Lots 1 through 8 Block 1, Lots 1 through 14 Block 2, Lots 1 through 15 Block 3, Lots 1 through 13 Block 4, and Tracts 1, 2, 3, 6 and 7 Powder Ridge Subdivision, Plat Number 98-80; Lots 1 and 2 Block 5, Lots 1 through 12 Block 6, Lots 1 through 6 Block 7, and Tracts 4A, 4B and 4C Powder Ridge Subdivision Phase 2, Plat Number 2002-77; Tracts A, B, and C Polaris North Subdivision, Plat Number 2001-123; Tracts 1C and 1D Northgate Business Park, Plat Number 2002-45; Tracts 2A, 3A and 4 Northgate Business Park, Plat Number 84-503; and that portion of the Southwest Quarter of Section 36, T15N R2W Seward Meridian that lies north of the North Eagle River Access Road, west of the Old Glenn Highway, and east of the Glenn Highway, to the Anchorage Fire Service Area, and submitting to the qualified voters of the Chugiak Fire Service Area a ballot proposition to de-annex Lots 1 through 8 Block 1, Lots 1 through 14 Block 2, Lots 1 through 15 Block 3, Lots 1 through 13 Block 4, and Tracts 1, 2, 3, 6 and 7 Powder Ridge Subdivision, Plat Number 98-80; Lots 1 and 2 Block 5, Lots 1 through 12 Block 6, Lots 1 through 6 Block 7, and Tracts 4A, 4B and 4C Powder Ridge Subdivision, Plat Number 2001-123; Tracts 1C and 1D Northgate Business Park, Plat Number 2002-45; Tracts 2A, 3A and 4 Northgate Business Park, Plat Number 2002-45; Tracts 2A, 3A and 4 Northgate Business Park, Plat Number 84-503; and that portion of the Southwest Quarter of Section 36, T15N R2W Seward Meridian that lies north of the North Eagle River Access Road, west of the Old Glenn Highway, and east of the Glenn Highway, from the Chugiak Fire Service Area. **PUBLIC HEARING DATE TO BE DETERMINED.**  
(addendum)
  - a. Assembly Memorandum No. AM 195-2003

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

- 9. Ordinance No. AO 2003-51, an ordinance of the Anchorage Municipal Assembly adding an exception to AMC 16.90.010 – **Smoking in Municipal Structures** – to authorize the sale of tobacco products in municipal structures owned by the Anchorage Parking Authority that are leased to private individuals or entity for the term of their lease and one five-year renewal thereafter, Assemblymember Tesche. **PUBLIC HEARING DATE TO BE DETERMINED.**  
(addendum)

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

- 10. Ordinance No. AO 2003-53, an ordinance amending Anchorage Municipal Code Chapter 10.55 to modify the definitions, permit requirements and age restrictions for **teen nightclubs**, Assembly Chair Traini. **(LAID ON THE TABLE)**

Ms. Fairclough, Mr. Tesche and Ms. Von Gemmingen joined in introducing AO 2003-53. The public hearing was scheduled for March 18, 2003.

Mr. Tesche requested a work session on AO 2003-53.

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

Mayor Wuerch noted that Lieutenant Stephen J. Smith was at the meeting and should be recognized. Mr. Kendall read the previously approved resolution recognizing and honoring Lieutenant Stephen J. Smith for his 17 years of service with the Anchorage Police Department, into the record.

Mayor Wuerch acknowledged and thanked those appointed to boards and commissions.

**10. REGULAR AGENDA:**

A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS:

- 10A1. Resolution No. AR 2003-42, a resolution of the Anchorage Municipal Assembly recognizing March 2-8, 2003 as **Black Church Week of Prayer** for the healing of AIDS, Assemblymembers Taylor, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen, and Whittle. **(addendum)**

Ms. Taylor requested that this item be postponed until Mr. Hal Brown arrived at the meeting.

(Clerk’s Note: This item addressed later in the meeting. See after item 10E2.)

B. RESOLUTIONS FOR ACTION - OTHER: None

C. BID AWARDS: None

D. NEW BUSINESS:

- 1. Assembly Memorandum No. AM 171-2003, Superior Court Remand of **Northeast Turnagain Special Assessments** for Findings by the Assembly, Assembly Counsel.

1 Mr. Kendall moved, to approve AM 171-2003.  
 2 seconded by Ms. Von Gemmingen,  
 3

4 In response to Mr. Kendall, Mr. Tesche said AM 171-2003 should have been drafted as an informational memorandum only.  
 5 The Assembly would review the findings at the March 4, 2003 Assembly meeting.  
 6

7 Mr. Kendall moved, to postpone AM 171-2003 to March 4, 2003.  
 8 seconded by Mr. Tesche,  
 9 and it passed without objection,  
 10

- 11 2. Assembly Memorandum No. AM 163-2003, 2003-2004 Liquor License Renewals: Yamaya  
 12 Restaurant (#3728), Kobe Teppayaki House (#2958), Ding How (#4123), Tiffany's Café  
 13 (#3392), Panda Express (#3711), Aladdin's Fine Mediterranean & American Cuisine  
 14 (#2520), O'Brady's Burgers & Brew (#1989), New China Restaurant (#1347), Little Italy  
 15 Restaurant (#2254), Ichiban Restaurant (#2113), Golden Pond Restaurant (#93-2845), -  
 16 Restaurant/Eating Place; Pancho's Villa Restaurant (#74), Club Paris (#99-258), The Great  
 17 Alaskan Bush Co. (#1839), Rumrunner's Old Towne Bar & Grill (#4157), Fletcher's (#2290),  
 18 Don Jose's Mexican Restaurant (#3311), Quarterdeck (#932), Simon & Seaforts Saloon &  
 19 Grill (#1050), Whale's Tail (#1224), Crow's Nest (#290), PJ's (#826), Black Angus Steak  
 20 House #2 (#531), Asia Garden (#83), Applebee's II (#4173), Mr. Whitekey's Fly By Night  
 21 Club (#2097), Long Branch Saloon (#670), Hong Kong Restaurant (#525), Holiday Inn/  
 22 Conversations (#89-0519), Gwennie's Old Alaska Restaurant (#1478), George's Homestead  
 23 (#321), Ginza Restaurant (#3607), Soraya's Club (#4182), Spenard Paradise Inn (#1139) -  
 24 Beverage Dispensary; Diamond Jim's (#2926) George's Homestead Grocery & Liquor (#322),  
 25 Eagle River Liquor (#1011) - Package Store; Eagle River Elks Lodge (#2682), American  
 26 Legion Post #33 (#2476), Kulis Air National Guard NCO Club (#603) - Club; Glacier  
 27 Brewhouse (#3985) - Brewpub (Airport Heights, Bayshore/Klatt, Chugiak/Birchwood, Spenard,  
 28 Taku/Campbell, Downtown, Sand Lake, Turnagain, Campbell Park, Northeast, Fairview, Eagle  
 29 River, Abbott Loop, & Rogers Park Community Councils), Clerk's Office.  
 30

31 Mr. Whittle moved, to approve AM 163-2003.  
 32 seconded by Mr. Tesche,  
 33

34 Mr. Whittle referenced the Anchorage Police Department report that listed where people who had been pulled over for DWIs  
 35 had been drinking. Rumrunners and the Bush Company appeared on the list a number of times. He requested that a letter be  
 36 written to Rumrunners and the Bush Company to find out what steps they were taking to mitigate the problem.  
 37

38 Ms. Von Gemmingen moved, to bifurcate Rumrunners Old Towne Bar & Grill  
 39 seconded by Mr. Tremaine, and the Great Alaska Bush Company from AM 163-2003.  
 40

41 Ms. Von Gemmingen requested that Rumrunners Old Town Bar & Grill and the Great Alaska Bush Company attend the next  
 42 Assembly meeting to address the issue.  
 43

44 Question was called on the motion to bifurcate AM 163-2003 and it passed without objection.  
 45

46 Mr. Tesche moved, to approve AM 163-2003 as bifurcated.  
 47 seconded by Mr. Tremaine,  
 48 and it passed without objection,  
 49

- 50 10D3. Assembly Memorandum No. AM 164-2003, Williams Express, Inc. (#1317), NO PREMISE –  
 51 Transfer of Location for a Package Store Liquor License (Northeast Community Council), Clerk's  
 52 Office.  
 53

54 Mr. Tremaine moved, to postpone AM 164-2003 until items 13A, AR 2003-7  
 55 seconded by Ms. Taylor, and 13B, AR 2003-8.  
 56

57 Mr. Van Etten did not feel AM 164-2003 needed to be postponed. It was his understanding that approval was an automatic  
 58 protest and action at a later time either left the protest in place or effectively removed it by subsequent action.  
 59

60 Mr. Sullivan moved, to substitute the motion to approve AM 164-2003.  
 61 seconded by Mr. Van Etten,  
 62

63 Mr. Tremaine felt it made sense to postpone AM 164-2003 and discuss the issues at the same time.  
 64

65 Mr. Sullivan withdrew his motion. Mr. Van Etten withdrew his second of the motion.  
 66

67 (Clerk's Note: This item addressed later in the meeting. See after item 13A2.)  
 68

69 E. INFORMATION AND REPORTS:  
 70

- 71 1. Information Memorandum No. AIM 18-2003, Internal Audit Report 2003-1 – Municipal  
 72 Procurement Card Program, Purchasing Department, Internal Audit.  
 73

74 Ms. Shamberg moved, to accept AIM 18-2003.  
 75 seconded by Mr. Tremaine,  
 76

77 In response to Ms. Shamberg, an unidentified speaker said that the Municipal Procurement Card Program saved the city  
 78 hundreds of thousands of dollars and allowed them to reduce four positions in accounts payable and two in purchasing.

1  
2 Question was called on the motion to accept AIM 18-2003 and it passed without objection.  
3

4 10E2. Information Memorandum No. AIM 23-2003, Bar Violations/Quarterly Report – 4<sup>th</sup> Quarter  
5 2002 (American Legion Post #1-840 W. Fireweed Lane, Brown Jug #162-11221 Old Glenn Hwy.,  
6 Brown Jug #21,-3727 Spenard Rd.; Buckaroo Club-2811 Spenard Rd.; Chili’s Bar and Grill-1811  
7 Abbott Rd.; Fred Meyer #656-2300 Abbott Rd.; Fred Meyer-Dimond #71-2000 W. Dimond Blvd.;  
8 Humpy’s Great Alaskan Ale House-610 W. 6<sup>th</sup> Ave.; In and Out Liquor-3601 Arctic Blvd.; Mom  
9 and Pops Grocery and Liquor-601 W. 36<sup>th</sup> Ave.; Oaken Keg #1807-11409 Business Blvd.; Oaken  
10 Keg #1812-4000 W. Dimond Blvd.; Party Time Plaza Liquor-5520 Lake Otis Pkwy.; Pioneer  
11 Club-739 W. 4<sup>th</sup> Ave.; Tesoro 2 Go #003-6740 Lake Otis Pkwy., Tesoro 2 Go #15-1211 E.  
12 Huffman Rd.; Value Liquor #1-601 W. Dimond Blvd.; Whaler Bar and Grill-171 Muldoon Rd.;  
13 Woodshed-535 W. 3<sup>rd</sup> Ave.), Anchorage Police Department.  
14

15 Mr. Whittle moved, to accept AIM 23-2003.  
16 seconded by Mr. Tesche,  
17

18 In response to Mr. Whittle, Chief of Police Walt Monegan said he would report back to the Assembly on the bar  
19 violations/quarterly report after he had a chance to review it.  
20

21 In response to Ms. Von Gemmingen, Chief Monegan said he would consider assigning officers to visit establishments with  
22 numerous violations to discuss the issue with the managers.  
23

24 Ms. Fairclough pointed out that half of the incidents were initiated by the bar managers calling for assistance. The right hand  
25 column indicated actual liquor violations.  
26

27 Mr. Whittle reviewed some of the items on the bar violations/quarterly report.  
28

29 In response to Mr. Whittle, Chief Monegan discussed the sting operation method of sending minors out to see if bars would  
30 sell alcohol to them, which required volunteer minors and overtime for police officers.  
31

32 Question was called on motion to accept AIM 23-2003 and it passed without objection.  
33

34 Chairman Traini directed the Assembly to take up item AR 2003-42.  
35

36 10A1. Resolution No. AR 2003-42, a resolution of the Anchorage Municipal Assembly recognizing  
37 March 2-8, 2003 as **Black Church Week of Prayer** for the healing of AIDS, Assemblymembers  
38 Taylor, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, Von  
39 Gemmingen, and Whittle. (**addendum**)  
40

41 Ms. Taylor moved, to approve AR 2003-42.  
42 seconded by Mr. Tesche,  
43

44 Mr. Whittle read the resolution.  
45

46 The Assembly then returned to the regular agenda.  
47

48 F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION:  
49

- 50 1. Ordinance No. AO 2003-47, an ordinance of the Anchorage Municipal Assembly amending the  
51 Anchorage Municipal Code Title 21 by enacting a new Section 21.45.035 – **Accessory Dwelling**  
52 **Units**, Assemblymember Van Etten. P.H. 5-13-03.  
53 a. Assembly Memorandum No. AM 177-2003  
54

55 Mr. Van Etten, Ms. Fairclough and Mr. Tremaine joined in introducing AO 2003-47. The public hearing was scheduled for  
56 May 13, 2003.  
57

58 Mr. Van Etten explained that AO 2003-47 would allow “mother-in-law” apartments to be built in residential zoning areas  
59 with single family houses. This type of ordinance had been passed throughout the country. This would not flood the market  
60 with excess rental properties, but would provide the opportunity for families to take care of other family members.  
61

62 In response to Mr. Tesche, Mr. Van Etten said Planning and Zoning would review AO 2003-47 on April 14, 2003.  
63

- 64 2. Ordinance No. AO 2003-49, an ordinance submitting to the qualified voters of the **Anchorage**  
65 **Fire Service Area** a ballot proposition to annex the area described as Lots 1 through 8 Block 1,  
66 Lots 1 through 14 Block 2, Lots 1 through 15 Block 3, Lots 1 through 13 Block 4, and Tracts 1, 2,  
67 3, 6 and 7 Powder Ridge Subdivision, Plat Number 98-80; Lots 1 and 2 Block 5, Lots 1 through  
68 12 Block 6, Lots 1 through 6 Block 7, and Tracts 4A, 4B and 4C Powder Ridge Subdivision Phase  
69 2, Plat Number 2002-77; Tracts A, B, and C Polaris North Subdivision, Plat Number 2001-123, to  
70 the Anchorage Fire Service Area, and submitting to the qualified voters of the Chugiak Fire  
71 Service Area a ballot proposition to de-annex Lots 1 through 8 Block 1, Lots 1 through 14 Block  
72 2, Lots 1 through 15 Block 3, Lots 1 through 13 Block 4, and Tracts 1, 2, 3, 6 and 7 Powder Ridge  
73 Subdivision, Plat Number 98-80; Lots 1 and 2 Block 5, Lots 1 through 12 Block 6, Lots 1 through  
74 6 Block 7, and Tracts 4A, 4B, and 4C Powder Ridge Subdivision Phase 2, Plat Number 2002-77;  
75 Tracts A, B, and C Polaris North Subdivision, Plat Number 2001-123, from the Chugiak Fire  
76 Service Area, Assemblymembers Fairclough, Taylor, Tesche, Tremaine, Von Gemmingen, and  
77 Whittle. **PUBLIC HEARING DATE TO BE DETERMINED.** (**addendum**)  
78 a. Assembly Memorandum No. AM 194-2003

1  
2 Ms. Fairclough, Ms. Taylor and Mr. Tremaine joined in introducing the amended version of AO 2003-49. The public hearing  
3 was scheduled for March 18, 2003.

4  
5 Mr. Kendall objected to the introduction of AO 2003-49, which he would explain during the public hearings.

6  
7 3. Ordinance No. AO 2003-50, an ordinance submitting to the qualified voters of the **Anchorage**  
8 **Fire Service Area** a ballot proposition to annex the area described as Lots 1 through 8 Block 1,  
9 Lots 1 through 14 Block 2, Lots 1 through 15 Block 3, Lots 1 through 13 Block 4, and Tracts 1, 2,  
10 3, 6 and 7 Powder Ridge Subdivision, Plat Number 98-80; Lots 1 and 2 Block 5, Lots 1 through  
11 12 Block 6, Lots 1 through 6 Block 7, and Tracts 4A, 4B and 4C Powder Ridge Subdivision Phase  
12 2, Plat Number 2002-77; Tracts A, B, and C Polaris North Subdivision, Plat Number 2001-123;  
13 Tracts 1C and 1D Northgate Business Park, Plat Number 2002-45;; Tracts 2A, 3A and 4 Northgate  
14 Business Park, Plat Number 84-503; and that portion of the Southwest Quarter of Section 36,  
15 T15N R2W Seward Meridian that lies north of the North Eagle River Access Road, west of the  
16 Old Glenn Highway, and east of the Glenn Highway, to the Anchorage Fire Service Area, and  
17 submitting to the qualified voters of the Chugiak Fire Service Area a ballot proposition to de-  
18 annex Lots 1 through 8 Block 1, Lots 1 through 14 Block 2, Lots 1 through 15 Block 3, Lots 1  
19 through 13 Block 4, and Tracts 1, 2, 3, 6 and 7 Powder Ridge Subdivision, Plat Number 98-80;  
20 Lots 1 and 2 Block 5, Lots 1 through 12 Block 6, Lots 1 through 6 Block 7, and Tracts 4A, 4B and  
21 4C Powder Ridge Subdivision, Plat Number 2001-123; Tracts 1C and 1D Northgate Business  
22 Park, Plat Number 2002-45; Tracts 2A, 3A and 4 Northgate Business Park, Plat Number 2002-45;  
23 Tracts 2A, 3A and 4 Northgate Business Park, Plat Number 84-503; and that portion of the  
24 Southwest Quarter of Section 36, T15N R2W Seward Meridian that lies north of the North Eagle  
25 River Access Road, west of the Old Glenn Highway, and east of the Glenn Highway, from the  
26 Chugiak Fire Service Area. **PUBLIC HEARING DATE TO BE DETERMINED.**  
27 **(addendum)**

28 a. Assembly Memorandum No. AM 195-2003

29  
30 Ms. Fairclough, Ms. Taylor and Mr. Tremaine joined in introducing AO 2003-50. The public hearing was scheduled for  
31 March 18, 2003.

32  
33 Mr. Kendall objected to the introduction of AO 2003-50, which he would explain during the public hearings.

34  
35 4. Ordinance No. AO 2003-51, an ordinance of the Anchorage Municipal Assembly adding an  
36 exception to AMC 16.90.010 – **Smoking in Municipal Structures** – to authorize the sale of  
37 tobacco products in municipal structures owned by the Anchorage Parking Authority that are  
38 leased to private individuals or entity for the term of their lease and one five-year renewal  
39 thereafter, Assemblymember Tesche. **PUBLIC HEARING DATE TO BE DETERMINED.**  
40 **(addendum)**

41  
42 Mr. Tesche explained why AO 2003-51 was being introduced.

43  
44 Mr. Tesche, Ms. Fairclough and Ms. Taylor joined in introducing AO 2003-51. The public hearing was scheduled for March  
45 18, 2003.

46  
47 Mr. Tesche pointed out some grammatical errors in AO 2003-51. The ordinance should read “to authorize the sale of tobacco  
48 products in municipal structures owned by the Anchorage Parking Authority that are leased to a private individual or entity  
49 for the term of their lease and one five-year renewal thereafter.”

50  
51 Ms. Fairclough moved, for immediate reconsideration of the introduction of  
52 seconded by Mr. Tesche, AO 2003-49.

53  
54 Ms. Fairclough urged a no vote.

55  
56 Question was called on the motion for immediate reconsideration of the introduction of AO 2003-49 and it failed.

57  
58 AYES: None

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

60  
61 (Clerk’s Note: Mr. Kendall was out of the room at the time of the vote.)

62  
63 Ms. Fairclough moved, for immediate reconsideration for the introduction of  
64 seconded by Mr. Tesche, AO 2003-50.

65  
66 Ms. Fairclough urged a no vote.

67  
68 Question was called on the motion for immediate reconsideration for the introduction of AO 2003-50 and it failed.

69  
70 AYES: None

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

72  
73 (Clerk’s Note: Mr. Kendall was out of the room at the time of the vote.)

74  
75 Chairman Traini ruled that the Assembly would take up item 12, Appearance Requests.

## 12. APPEARANCE REQUESTS:

A. **Jim Broyles**, regarding update on bike path to be installed on west side of Turpin Road.

JIM BROYLES reported that the City said they had nothing to report on the update of the bike path. He spoke to the neighbors on Turpin Road and they were unanimously opposed to the bike path.

In response to Mr. Whittle, Mr. Broyles said he talked to as many people in the area as possible and received 22 signatures.

In response to Ms. Taylor, Municipal Engineer Howard Holtan discussed the placement of the proposed bike path. A meeting would be scheduled to discuss the issue with Mr. Broyles, Assemblymembers and Mr. Holtan.

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

A. Assembly Memorandum No. AM 158-2003, Zoning Board of Examiners & Appeals reappointment (Bernd Guetschow), Mayor's Office.  
(POSTPONED FROM 2-11-03)

Chairman Traini gave the history of AM 158-2003 and noted no motions were pending.

Mr. Tesche moved, to approve AM 158-2003.  
seconded by Ms. Shamberg,

Mr. Tesche recommended approval of AM 158-2003.

Question was called on the motion to approve AM 158-2003 and it passed.

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

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

B. Resolution No. AR 2002-390, a resolution of the Anchorage Municipal Assembly requiring Anchorage Water and Wastewater Utility to engage the services of a professional consultant to review the appropriateness of the **water usage tariff fees and hydrant maintenance costs** charged to the Anchorage Fire Department and to report to the Assembly, Assemblymember Tesche.  
1. Information Memorandum No. AIM 13-2003, review of fire protection charges from Anchorage Water & Wastewater Utility to the Anchorage Fire Department, Water and Wastewater Utility.  
(POSTPONED FROM 12-17-02, 1-7-03, AND 1-28-03)

Chairman Traini gave the history of AR 2003-390 and noted no motions were pending.

Mr. Tesche moved, to postpone AR 2002-390 until March 18, 2003.  
seconded by Ms. Fairclough,

Mr. Tesche said the general manager of the water utility advised him that a new rate study would be underway this year. He planned to rework the resolution to reflect the new study, which would be ready to present at the March 18, 2003 meeting.

Question was called on the motion to postpone AR 2002-390 until March 18, 2003 and it passed without objection.

C. 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.  
(CARRIED OVER FROM 12-17-02, 1-7-03, AND 1-28-03)

Chairman Traini gave the history of AO 2002-178 and noted no motions were pending.

Mr. Tremaine moved, to postpone AO 2002-178 until after the public hearings  
seconded by Ms. Fairclough, on item 14E, AR 2003-37.

Mr. Van Etten pointed out that a two-hour work session was scheduled in April with Dr. Greg Protassel to provide basic training on performance measures.

Question was called on the motion to postpone AO 2002-178 until after the public hearings and it passed without objection.

(Clerk's Note: This item continued later in the meeting. See after item 14E.)

D. Resolution No. AR 2002-401, a resolution of the Municipality of Anchorage appropriating the sum of \$375,000 from the Anchorage Fire Service Area (131) Fund Balance to the Anchorage Fire Department **2002 Anchorage Fire Service Area Operating Budget**, Anchorage Fire Department.  
1. Assembly Memorandum No. AM 1064-2002  
(CARRIED OVER FROM 1-7-03; POSTPONED FROM 1-7-03; CARRIED OVER FROM 1-28-03)

Chairman Traini gave the history of AR 2002-401 and noted no motions were pending.

Mr. Tremaine moved, to postpone AR 2002-401 indefinitely.  
seconded by Mr. Tesche,  
and it passed without objection,

- 1 E. Resolution No. AR 2002-406, a resolution of the Municipality of Anchorage appropriating \$148,000 from
- 2 the Anchorage Metropolitan Police Service Area Fund Balance (151) to the **Anchorage Police**
- 3 **Department’s 2002 Operating Budget**, Anchorage Police Department.
- 4 1. Assembly Memorandum No. AM 1069-2002
- 5 (CARRIED OVER FROM 1-7-03 AND 1-28-03)

7 Chairman Traini gave the history of AR 2002-406 and noted no motions were pending.

9 Mr. Tremaine moved, to postpone AR 2002-46 indefinitely.  
10 seconded by Ms. Von Gemmingen,  
11 and it passed without objection,

13 Scout Troop 129 introduced themselves to the Anchorage Assembly. They were working on their citizenship in the  
14 community merit badges.

16 **12. APPEARANCE REQUESTS:**

18 (Clerk’s Note: This item addressed earlier in the meeting. See after item 10F4.)

20 **13. CONTINUED PUBLIC HEARINGS:**

22 Mr. Tesche moved, to combine 13A, AR 2003-7, and 13B, 2003-8.  
23 seconded by Mr. Van Etten,  
24 and it passed without objection,

- 26 A. Resolution No. AR 2003-7, a resolution of the Anchorage Municipal Assembly approving a conditional use
- 27 for an alcoholic beverages conditional use in the B-3 District for Williams Express, a Package Store per
- 28 AMC 21.40.180.D.8., located on Tract A3, Waldec Subdivision; generally located on the northeast corner
- 29 of Boniface Parkway and DeBarr Road (**Williams Express**) (Case 2003-009), Planning Department.

- 30 1. Assembly Memorandum No. AM 14-2003
- 31 2. Information Memorandum No. AIM 24-2003, Williams Express – 5501 DeBarr Rd.; Williams
- 32 Express – 1501 Abbott Rd., Municipal Clerk. (**addendum**)

33 (CONTINUED FROM 1-14-03)

- 34 B. Resolution No. AR 2003-8, a resolution of the Anchorage Municipal Assembly approving a conditional use
- 35 for an alcoholic beverages conditional use in the B-3 District for Williams Express, a Package Store per
- 36 AMC 21.40.180.D.8., located on Lot 1, Nacla Subdivision; generally located on the northeast corner of
- 37 Dimond Boulevard and New Seward Highway (**Williams Express**) (Case 2003-010), Planning
- 38 Department.

- 39 1. Assembly Memorandum No. AM 15-2003
- 40 2. Information Memorandum No. AIM 24-2003 (**addendum**)
- 41 (CONTINUED FROM 1-14-03)

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

45 MR. COFFEY, attorney for Williams Express, reviewed the terms and conditions of the resolution. Williams Express placed  
46 petitions in their stores, which showed that a majority of the customers supported the ordinance.

48 In response to Ms. Fairclough, Mr. Coffey said the names of customers supporting and opposing the resolution were  
49 collected in the store and not throughout the neighborhood.

51 In response to Mr. Kendall, Mr. Coffey said Williams Express had four operating licenses and no violations. They did not  
52 allow panhandlers on their property and occasionally had to ask people to leave the premises.

54 In response to Mr. Tesche, Mr. Coffey discussed the nearest locations to purchase liquor products. He felt that conditions  
55 imposed on any liquor license should be imposed equally on all liquor licenses.

57 In response to Mr. Tremaine, Mr. Coffey discussed the offer by William Express to surrender one of the liquor licenses if the  
58 other was approved. If the liquor licenses could not be placed, they might suggest that the city should purchase them.

60 In response to Mr. Van Etten, Mr. Coffey said the last operating locations of the liquor licenses were Fairview and the  
61 Seward Highway. If the licenses could not be activated in the next year, they could become invalid.

63 In response to Mr. Tesche, Mr. Coffey pointed out that it was becoming increasingly difficult to get approval for relocating  
64 liquor licenses anywhere within Anchorage.

66 KATY DANIELS and MICHAEL O’BRIEN, representing Youth in Action, testified against the resolution.

68 DON SCHULTZ testified against the resolution.

70 NATHAN JOHNSON, legislative aide to Senator Gretchen Guess, testified against the resolution.

72 Chairman Traini requested that Mr. Johnson ask the legislators to introduce and support legislation to make the Anchorage  
73 Assembly the final authority on liquor license grantings and renewals.

75 JASON ARMSTRONG testified against the resolution.

77 SAM O’CONNOR testified against the resolution.

1 ROY McCOY, chairman of the Northeast Community Council, testified against the resolution.  
2  
3 In response to Ms. Taylor, Mr. McCoy described what he envisioned for the new town center. He felt Anchorage was over  
4 saturated with liquor licenses, which contributed to the disease of alcoholism.  
5  
6 In response to Mr. Sullivan, Mr. McCoy said the Northeast Community Council supported the liquor license of Applebee's,  
7 because of the conditions placed on the license and willingness of Applebee's to work with the community.  
8  
9 In response to Chairman Traini, Mr. McCoy said the community council supported the idea of not allowing gas stations to  
10 have package liquor stores, but there was no official position at this time.  
11  
12 In response to Ms. Von Gemmingen, Mr. McCoy discussed the differences between buying liquor at gas stations and buying  
13 gas at grocery/liquor stores. At the grocery/liquor stores, the person paid for the gas and the liquor at different locations,  
14 which eliminated the convenience factor that might tempt them to drink and drive.  
15  
16 SHEILA HOWE testified against the resolution.  
17  
18 TOM HARTWICK testified against the resolution.  
19  
20 KATHLEEN PLUNKETT testified against the resolution.  
21  
22 In response to Mr. Tesche, Ms. Plunkett said she had lived in the area for 35 years. There were several liquor stores within a  
23 quarter mile radius.  
24  
25 SANDY CLARK testified against the resolution.  
26  
27 RICK RHEINHARDT testified against the resolution.  
28  
29 ROBERT SMITH testified against the resolution.  
30  
31 STEVE HOLTSINGER testified against the resolution.  
32  
33 AL TAMAGNI, chairman of the Abbott Loop Community Council, testified against the resolution.  
34  
35 AINSLEY PHILLIPS testified against the resolution.  
36  
37 TIM SULLIVAN testified against the resolution.  
38  
39 MR. DAVIS, Williams Express, addressed some of the comments made in the public testimony. Williams Express had one  
40 of the best records when it came to not selling tobacco to minors. The market dynamics, including grocery stores selling  
41 gasoline, forced them to look for other ways to maintain their income, including selling alcohol products. He discussed the  
42 number of packaging stores selling alcohol in the Anchorage area.  
43  
44 In response to Ms. Shamberg, Mr. Davis said liquor sales represented less than five percent of their inside sales, excluding  
45 gasoline.  
46  
47 In response to Mr. Van Etten, Mr. Davis said a liquor license could be inactive for three years before it became invalid. They  
48 had been unsuccessful in locating other locations for the liquor licenses.  
49  
50 CHERYL CLEMENTSON testified against the resolution.  
51  
52 In response to Mr. Tesche, Ms. Clementson discussed the issue of Williams Express' claim that they could not place the  
53 liquor licenses elsewhere. She noted that they had given up their application for the Dimond location. She discussed the  
54 problems associated with over consumption of alcohol and the effects on communities where over availability was present.  
55  
56 In response to Mr. Tremaine, Ms. Clementson discussed the ratio of liquor licenses per population. She referenced studies  
57 that had been done on alcohol and related problems. She did not feel there was a need for liquor licenses in either location  
58 and noted that the communities did not support them.  
59  
60 In response to Mr. Kendall, Ms. Clementson discussed the fact that the liquor licenses would become invalid if they were not  
61 placed, but felt that Williams Express' bad business decision was not the responsibility of the local governing body or the  
62 community.  
63  
64 ERNEST MADSON, director of Williams Express, testified in support of the resolution.  
65  
66 In response to Mr. Van Etten, Mr. Madson said Williams Express was purchased in 1997 from Mapco, which ran the stores  
67 since 1987. He noted that the liquor licenses could only be placed in areas designated by the 2020 Comprehensive Plan. The  
68 liquor licenses were purchased in 1999 and could be sold. The Alaska assets of Williams Express were currently for sale,  
69 which included refining, terminals and retail stores.  
70  
71 In response to Mr. Tremaine, Mr. Madson said companies were leaving Alaska due to the lack of competition. He discussed  
72 how the package stores could make money even though there was one liquor license per 600 people.  
73  
74 Chairman Traini asked if anyone else wished to speak. There was no one, and he closed the public hearing.  
75  
76 Mr. Sullivan moved, to approve AR 2003-7.  
77 seconded by Mr. Van Etten,  
78

1 Ms. Fairclough said she would not support AR 2003-7, which was a land use issue that the community did not support.  
2 According to the Anchorage Police Department, there was a high incidence of domestic violence and child abuse in the area  
3 and it was the only designated Weed and Seed area in Alaska.  
4

5 Mr. Van Etten concurred with Ms. Fairclough. He thanked Ms. Clementson for pointing out that conditional use permits  
6 were land use decisions that were not driven by who the operator was, but where they would be located.  
7

8 Ms. Shamberg said she would vote against AR 2003-7 to support the community and its leadership who opposed it.  
9

10 Mr. Tesche pointed out that AR 2003-7 was a land use issue. He felt the testimony that there were 11 package stores in a two  
11 mile radius addressed the question of concentration and provided the Assembly with a basis for finding that there would be  
12 an over concentration of liquor licenses if this were approved. His decision was based on the exhibit offered by Ms.  
13 Clementson, the letter dated February 24, 2003 from the legislators and the testimony of the community. He discounted the  
14 petitions offered by Williams Express, because no one testified in support of the application except for the owners of  
15 Williams Express and their attorney.  
16

17 Ms. Taylor felt the Assembly should consider the cost to the community that liquor caused in terms of domestic violence and  
18 child abuse. This license would go at the gateway of the town center and would have a detrimental effect on the hopes and  
19 dreams of the people in that area. She urged a no vote on AR 2003-7.  
20

21 Mr. Kendall moved, to incorporate the conditions in Mr. Coffey's letter dated  
22 seconded by Ms. Fairclough, February 28, 2003 to page 2, line 22, of AR 2003-7.  
23

24 Mr. Kendall spoke in favor of the incorporation of the conditions into AR 2003-7.  
25

26 Ms. Taylor urged a no vote.  
27

28 Question was called on the motion to incorporate the conditions into AR 2003-7 and it passed.  
29

30 AYES: Von Gemmingen, Traini, Fairclough, Kendall, Tremaine, Sullivan

31 NAYES: Tesche, Whittle, Taylor, Van Etten, Shamberg  
32

33 Mr. Sullivan discussed how the Assembly evaluated land use issues. When liquor was purchased at a gas station it was often  
34 taken home before it was consumed. When approving liquor licenses for restaurants and bars, the Assembly did not take into  
35 consideration that the patrons were encouraged to drink before getting into their cars and driving home. He would not  
36 support AR 2003-7, because the area had been identified as a Weed and Seed area and Williams Express was for sale and  
37 would have a new owner that may not be as responsible as the current owner.  
38

39 Ms. Von Gemmingen urged a no vote on AR 2003-7.  
40

41 Mr. Tremaine noted that there had been testimony about the effect alcohol had on communities. He would be willing to  
42 propose a resolution to allocate \$60,000 for the sole source purchase of the two package liquor store licenses and request that  
43 the State Alcoholic Beverage Control Board not to issue any more retail liquor licenses in the Municipality of Anchorage.  
44

45 Chairman Traini spoke in opposition to AR 2003-7. He felt the Assembly needed to adopt the policy that they would not  
46 give liquor licenses to businesses whose primary interest was selling gas due to the problems with alcoholism and drunk  
47 driving.  
48

49 Question was called on the motion to approve AR 2003-7 as amended and it failed.  
50

51 AYES: Kendall, Tremaine

52 NAYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Shamberg, Sullivan  
53

54 Ms. Fairclough moved, for immediate reconsideration of AR 2003-7.  
55 seconded by Mr. Tremaine,  
56

57 Ms. Fairclough urged a no vote.  
58

59 Question was called on the motion for immediate reconsideration of AR 2003-7 and it failed.  
60

61 AYES: None

62 NAYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Kendall, Shamberg, Tremaine, Sullivan  
63

64 Mr. Sullivan moved, to approve AR 2003-8.  
65 seconded by Mr. Van Etten,  
66

67 Mr. Sullivan noted that most of the testimony had pertained to AR 2003-7, but he felt the area was over saturated with liquor  
68 licenses as well and would vote against AR 2003-8.  
69

70 Mr. Van Etten felt there were enough liquor licenses in the area and urged a no vote.  
71

72 Mr. Tesche urged a no vote on AR 2003-8 due to the over saturation of liquor licenses in the area.  
73

74 Chairman Traini urged a no vote on AR 2003-8, because of its proximity to the on and off ramps to the Seward Highway.  
75

1 Question was called on the motion to approve AR 2003-8 and it failed.

2  
3 AYES: Fairclough, Kendall, Tremaine

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

5  
6 Mr. Tremaine moved, for immediate reconsideration of AR 2003-8.  
7 seconded by Ms. Fairclough,

8  
9 Mr. Tremaine urged a no vote.

10  
11 Question was called on the motion for immediate reconsideration of AR 2003-8 and it failed.

12  
13 AYES: Fairclough

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

15  
16 The Assembly then returned to reconsider item 10D3, AM 164-2003.

17  
18 10D3. Assembly Memorandum No. AM 164-2003, Williams Express, Inc. (#1317), NO PREMISE –  
19 Transfer of Location for a Package Store Liquor License (Northeast Community Council), Clerk’s  
20 Office.

21  
22 Ms. Von Gemmingen moved, to postpone AM 164-2003 indefinitely.  
23 seconded by Mr. Tremaine,

24  
25 Mr. Tremaine urged a yes vote.

26  
27 Question was called on the motion to postpone AM 164-2003 indefinitely and it passed.

28  
29 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Shamberg, Tremaine, Sullivan

30 NAYES: Kendall

31  
32 (Clerk’s Note: Mr. Van Etten was out of the room at the time of the vote.)

33  
34 **14. NEW PUBLIC HEARINGS:**

35 A. Ordinance No. AO 2003-41, an ordinance amending Anchorage Municipal Code Section 3.30.157 **Injury**  
36 **Leave** to match recently approved bargaining agreements, Employee Relations.  
37 1. Assembly Memorandum No. AM 111-2003

38  
39 Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public  
40 hearing.

41  
42 Mr. Tesche moved, to approve AO 2003-41.  
43 seconded by Mr. Tremaine,

44  
45 Question was called on the motion to approve AO 2003-41 and it passed.

46  
47 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Kendall, Shamberg, Tremaine, Sullivan

48 NAYES: None

49  
50 B. Ordinance No. AO 2003-42, an ordinance of the Anchorage Municipal Assembly authorizing the long term  
51 lease between the Municipality of Anchorage as lessor and Aero-Metric, Inc., dba Aeromap U.S., as lessee  
52 of **Lot 7A, Block 2, Merrill Field Replat Addition No. 4**, located between Runway 6-24 and East 5<sup>th</sup>  
53 Avenue, Merrill Field Airport.  
54 1. Assembly Memorandum No. AM 133-2003

55  
56 Chairman Traini opened the public hearing and asked if anyone wished to speak. There was no one, and he closed the public  
57 hearing.

58  
59 Mr. Tesche moved, to approve AO 2003-42.  
60 seconded by Mr. Sullivan,

61  
62 In response to Mr. Tremaine, Dave Lund said the lease rates at Merrill Field had been 15 cents per square foot since 1990.  
63 The properties at the airport were restricted to aviation use only, which impacted their value.

64  
65 Question was called on the motion to approve AO 2003-42 and it passed.

66  
67 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Van Etten, Kendall, Shamberg, Tremaine, Sullivan

68 NAYES: None

69  
70 (Clerk’s Note: Ms. Fairclough was out of the room at the time of the vote.)

71  
72 C. Ordinance No. AO 2003-26, an ordinance amending Anchorage Municipal Code Section 21.15.123.A. to  
73 include **railroad right-of-way** and allowing railroad right-of-way acquisitions in the right-of-way  
74 acquisition plat procedures, Planning Department.  
75 1. Assembly Memorandum No. AM 55-2003

76  
77 Chairman Traini opened the public hearing and asked if anyone wished to speak.

78

1 CHRIS ANDERSON, program manager for Alaska Railroad, testified in support of the ordinance.

2  
3 In response to Ms. Fairclough, Ms. Anderson described how Alaska Railroad worked with the local community councils and  
4 the general public.

5  
6 In response to Mr. Tesche, Ms. Anderson said AO 2003-26 would be taking advantage to the changes to Title 21 with respect  
7 to the platting procedures. The Alaska Railroad recognized the city's planning and zoning powers over railroad property and  
8 would comply with the requirements of Title 21 in its reserves.

9  
10 In response to Ms. Shamberg, Ms. Anderson said the easements were 100 foot on either side of the centerline. As for trails  
11 running along the railroad tracks, Alaska Railroad did not like to see anything closer than 70 feet to the tracks, but would  
12 consider usage in the outer 30 feet. The 70-foot limitation was based on safety issues in the case of a derailment.

13  
14 (Clerk's Note: Mr. Sullivan left the meeting at 9:45 p.m.)

15  
16 Chairman Traini asked if anyone else wished to speak. There was no one, and he closed the public hearing.

17  
18 Mr. Tesche moved, to approve AO 2003-26.  
19 seconded by Mr. Tremaine,

20  
21 Mr. Tesche spoke in favor of AO 2003-26, which had been recommended by the Planning and Zoning Commission. He was  
22 pleased that Alaska Railroad recognized Anchorage's planning and zoning laws.

23  
24 In response to Ms. Fairclough, Planning Department Platting Supervisor Jerry Weaver said AO 2003-26 would allow the  
25 Alaska Railroad to acquire property for right-of-way purposes through an abbreviated process. The notice requirements were  
26 21 days prior to action and it was an administrative process with no public hearing. They worked with the Department of  
27 Transportation in developing AO 2003-26, because they realized the Alaska Railroad could not follow the state statutes and  
28 municipal codes for conventional subdivisions. There were appeal provisions that would take an issue into public hearing.

29  
30 In response to Mr. Van Etten, Mr. Weaver said there would still be a public process for street widening and resurfacing. This  
31 was a technical implementation of property acquisition that was a small part of the process.

32  
33 In response to Ms. Von Gemmingen, Ms. Anderson noted that Alaska Railroad had worked with the community councils and  
34 were very open about their plans. She compared the right-of-way acquisition plat process to building a road system. If the  
35 Department of Transportation had the ability to utilize the right-of-way acquisition plat process then the railroad system  
36 should be offered the same ability.

37  
38 Ms. Fairclough said she would vote no on AO 2003-26, because she wanted to make sure that the public process was  
39 exercised.

40  
41 In response to Chairman Traini, Municipal Light & Power General Manager Mike Scott said the Alaska Railroad had a  
42 capital improvement plan process that had extensive public hearings. The portion of the track that was being discussed had  
43 been through the public process for almost three years. The public would have an opportunity to testify if an appeal was  
44 filed.

45  
46 Deputy Municipal Attorney Dennis Wheeler said the state statute required preliminary plat approval before the cases could be  
47 processed for eminent domain. The eminent domain process would provide an opportunity for the landowners to challenge  
48 the authority of the railroad to exercise eminent domain and the amount of compensation at issue. The issue of compliance  
49 with local land use was currently before the Alaska Supreme Court and a decision has not yet been rendered.

50  
51 Ms. Von Gemmingen questioned whether the Alaska Railroad was a good corporate citizen because of the way the spur was  
52 put into the airport.

53  
54 Mr. Kendall pointed out that prior to the state and municipal legislation, the state process was to deal with individual  
55 landowners and completely leave the municipality out of the process. The legislation gave the municipality the right to help  
56 plat the property so appropriate conditions could be added. Alaska Railroad was asking to be included as part of the  
57 Department of Transportation in regards to road right-of-ways and the platting process. He felt this was a good process and  
58 Alaska Railroad should be welcomed onboard so Title 21 provisions could be applied to their actions.

59  
60 In response to Mr. Van Etten, Ms. Anderson said Alaska Railroad had to give public notice of right-of-way acquisitions.  
61 They also discussed their plans with the local community councils. There was a definite process followed when utilizing  
62 federal funds, which included environmental assessments and public processes. Almost every right-of-way acquisition used  
63 federal funds. Even if private funds were used for right-of-way acquisitions, Alaska Railroad would use the same process.

64  
65 In response to Chairman Traini, Mr. Wheeler said the railroad had the power of eminent domain by state statute. All public  
66 utilities had the power of eminent domain by statute, but it was more complicated when they wanted to use railroad right-of-  
67 ways. There have been permits issued by the railroad for underground utilities, which do not present safety hazards to their  
68 operations.

69  
70 Question was called on the motion to approve AO 2003-26 and it passed.

71  
72 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Van Etten, Kendall, Tremaine  
73 NAYES: Traini, Fairclough, Shamberg

74  
75  
76  
77  
78

D. Resolution No. AR 2003-17, a resolution of the Municipality of Anchorage, Alaska, confirming and levying assessments for the **water special improvements within Levy Upon Connection (LUC) Roll 02-W-2**, setting date of payment and providing for penalties and interest in the event of delinquency, Water and Wastewater Utility.

1. Assembly Memorandum No. AM 35-2003

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

BARBARA PASSINO testified against the resolution.

In response to Mr. Tremaine, Ms. Passino said she went through a mortgage company to purchase her home. Her paperwork indicated that the seller was responsible for half of the water assessment, which was \$1,967. There were disagreements as to whether the money had been held back and where the money was.

In response to Municipal Engineer Howard Holtan, Ms. Passino said she received a letter stating that they would be sent a bill, which would be delinquent if not paid by April 30, 2003.

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

Ms. Fairclough moved, to approve AR 2003-17.  
seconded by Ms. Von Gemmingen,

In response to Mr. Tremaine, Planning Supervisor of the Anchorage Water Wastewater Utility Don Kieffer (ph) said the title company had \$1,967 in escrow for Ms. Passino’s property, which would be turned over if the Assembly confirmed the levy action.

In response to Mr. Van Etten, Mr. Kieffer (ph) said the amount of money held in escrow varied depending on requirements of the title company or lender. If the closing documents said the seller was responsible for the assessment, the title company would go back to the seller for the additional cost.

In response to Ms. Von Gemmingen, Mr. Kieffer (ph) said \$1,967 was held in escrow and the principal amount owned was \$2,643. The balance would be paid on a 10-year schedule.

Ms. Fairclough moved, to amend AR 2003-17, lines 29 and 31, to change the date  
seconded by Mr. Tremaine, May 31, 2003 and line 21, to change the date to today’s date.  
and it passed without objection,

Ms. Fairclough moved, to amend AR 2003-17, assembly memorandum, line 20, to  
seconded by Mr. Tremaine, change Anchorage School District to Cultural and  
Recreational Services.  
and it passed without objection,

Catherine Donovan’s (who was not able to attend the meeting) letter was read into the record. The letter pointed out that other municipalities installed key boxes when mainlines were installed for the tap-in convenience of future users. Anchorage did not do this initially, which made the hook-up more difficult and expensive.

Question was called on the motion to approve AR 2003-17 as amended and it passed.

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

Mr. Tremaine asked the Assembly to return to item 14C, AO 2003-26.

Mr. Tremaine moved, for immediate reconsideration of AO 2003-26.  
seconded by Mr. Kendall,

Mr. Tremaine recommended a no vote.

Question was called on the motion for immediate reconsideration of AO 2003-26 and it failed.

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

E. Resolution No. AR 2003-37, a resolution appropriating \$298,074 of revenue from the State of Alaska Department of Transportation and Public Facilities to the State Categorical Grants Fund 231 to the Project Management and Engineering for **National Pollutant Discharge Elimination System (NPDES) permit services** provided in 2003, Project Management and Engineering.

1. Assembly Memorandum No. AM 109-2003

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

Mr. Kendall moved, to approve AR 2003-37.  
seconded by Mr. Van Etten,

1 Question was called on the motion to approve AR 2003-37 and it passed.

2

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

4 NAYES: None

5

6 The Assembly then returned to item 11C, AO 2002-178.

7

8 11C. Ordinance No. AO 2002-178, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
9 Municipal Code by adding a new Section 6.10.032, **Budget Performance Measures**, Assemblymembers  
10 Tesche, Fairclough, and Tremaine.

11 (CARRIED OVER FROM 12-17-02, 1-7-03, AND 1-28-03)

12

13 Mr. Tremaine moved, to approve AO 2003-178.

14 seconded by Mr. Van Etten,

15

16 In response to Mr. Tremaine, an unidentified speaker said the real question when considering budget performance measures  
17 was what valued outcomes would be delivered to the citizens and if the program was effective. An effective program would  
18 provide the framework for the discussion of continued funding for the program. Conversely, an ineffective program would  
19 provide the framework for evaluating the programs that were ineffective at delivering the desired results.

20

21 It was pointed out that they were in the formative stage of the budget performance measures. He explained how they should  
22 work and what they should accomplish.

23

24 Mr. Tremaine discussed the percentage of parkland per person. The population was increasing, but additional parkland was  
25 not being acquired at a matching rate. His decision would be partially based on this issue.

26

27 Mr. Tesche questioned what would happen if the Assembly discovered that they were not meeting the performance standards.  
28 He wondered what would happen when departments met or exceeded their performance standards and then were asked to  
29 take cuts along with those departments that had not met the performance standards.

30

31 In response to Mr. Tremaine, an unidentified speaker pointed out that there were no performance measures two and a half  
32 years ago. They were making tremendous strides in the process and everyone needed to work together.

33

34 Mr. Tremaine said there had been problems in the past working together on budget issues and he had no reason to believe it  
35 would be any different next year.

36

37 Mr. Tremaine moved, to postpone AO 2002-178 until March 4, 2003.

38 seconded by Ms. Fairclough,

39 and it passed without objection,

40

41 **15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS: None**

42

43 **16. SPECIAL ORDERS: None**

44

45 **17. UNFINISHED AGENDA: None**

46

47 **18. AUDIENCE PARTICIPATION: None**

48

49 **19. ASSEMBLY COMMENTS: None**

50

51 **20. EXECUTIVE SESSIONS: None**

52

53 **21. ADJOURNMENT: None**

54

1 Mr. Tesche moved, to adjourn the meeting.  
 2 seconded by Mr. Van Etten,  
 3 and it passed without objection,  
 4

5 The meeting adjourned at 11:30 p.m.  
 6  
 7  
 8  
 9  
 10  
 11

\_\_\_\_\_  
 12 Chairman  
 13  
 14

15 ATTEST:  
 16  
 17  
 18

\_\_\_\_\_  
 19 Acting Municipal Clerk  
 20 LINDA HEIM  
 21

22 Date Minutes Approved: July 15, 2003.  
 23

24 LH:KRON  
 25  
 26

INDEX

27 Anchorage Fire Department .....2, 3, 9  
 28 APPEALS: .....3  
 29 Appearance Requests .....8  
 30 Appropriations .....4, 9, 10, 15  
 31 Architectural/Engineering Services .....3  
 32 Ballot Propositions.....4, 5, 7, 8  
 33 Bar Violations Report .....4, 7  
 34 Board or Commission Appointments.....3  
 35 Code Changes .....4, 5, 7, 8, 9, 10, 13, 14, 16  
 36 Computer Purchases, Maintenance Or Licensing .....3  
 37 Conditional Use For Sales Of Alcoholic Beverages .....10  
 38 Eminent Domain .....14  
 39 Federation of Community Councils .....3  
 40 Fire Department .....9  
 41 Fur Rendezvous Winter Festival .....3  
 42 Internal Audit Report .....4, 6  
 43 Land Sale, Purchase, Lease, Conveyance Or Donation .....4, 5, 8, 11, 12, 13  
 44 Legal Services.....3  
 45 Levy Upon Connection (Luc) Roll .....15  
 46 Library Books And Materials .....3  
 47 Liquor Licenses .....2, 6, 10, 11, 12, 13  
 48 Merrill Field Airport .....13  
 49 National Pollutant Discharge Elimination System .....15  
 50 PeopleSoft Software System.....3  
 51 Planning And Zoning Commission .....3, 14  
 52 Platting Board .....3  
 53 Police Department.....1, 3, 4, 5, 6, 7, 10, 12  
 54 RECOGNITION: .....1, 5, 7  
 55 Sole Source Procurement Report .....4  
 56