

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

Assembly Hall, Z. J. Loussac Library
3600 Denali Street, Anchorage, Alaska

Minutes for Regular Meeting of July 22, 2003

1. CALL TO ORDER

The Assembly Meeting was called to order by Chair Traini at 5:00 p.m.

2. ROLL CALL A Quorum was achieved with Assemblymembers present.

PRESENT: Allan Tesche, Brian Whittle, Melinda Taylor, Fay Von Gemmingen, Dick Traini, Anna Fairclough, Doug Van Etten, Dan Kendall, Janice Shamberg, Dick Tremaine and Dan Sullivan.

ABSENT: None.

3. PLEDGE OF ALLEGANCE Mr. Dan Nix led the pledge.

4. MINUTES OF PREVIOUS MEETING None.

5. MAYOR'S REPORT

Mayor Begich announced a new appointment, Mary Jane Michael, as the new Director of the Community and Economic Development Division. Ms. Michael was formerly with the Anchorage Neighborhood Housing Services.

The Mayor announced the new flier on the Mountain View Revitalization and distributed pamphlets to Assemblymembers and guests present.

Mayor Begich announced they had six community picnics over the weekend, all privately funded, from Girdwood to Eagle River. He stated this allowed him to meet citizens of Anchorage and to hear some of the issues and concerns that were important to residents in Anchorage.

6. ASSEMBLY CHAIR'S REPORT

Chair Traini gave the floor to Assemblymember Ms. Von Gemmingen, Alaska Municipal League President, who reported on the Alaska Municipal League (AML) Annual Legislative Conference in Girdwood. She reported there were many smaller communities represented this year, following the 2003 financial cut backs. AML developed a policy statement of a list of priorities on a number of issues, including a statement in support of tapping the Permanent Fund to finance local and state governments. She stated that they discussed the AML position on state taxes. Chair Traini announced the 2003 AML Meeting would be held in November at Nome and he encouraged all Assemblymembers and the Mayor to attend.

7. COMMITTEE REPORTS None.

8. ADDENDUM TO AGENDA

Chair Traini read the Addendum items. He then called for additional Addendum items, and there being none he called for a motion to incorporate the Addendum items into the Regular Agenda.

Ms. Fairclough moved, to approve the inclusion of the Addendum items into
Ms. Taylor seconded, the Regular Agenda.
and this motion was passed,

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

NAYES: None.

Chair Traini called for a motion on the Consent Agenda.

Ms. Fairclough moved, to approve the Consent Agenda.
Mr. Tesche seconded,

Chair Traini called for Assemblymembers to request items be pulled and moved to the Regular Agenda for discussion.

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.A.1. Resolution No. AR 2003-235, a resolution of the Anchorage Municipal Assembly recognizing and

honoring **Art Simonian** for his long-term commitment to providing sports fields for the children of our community, Assemblymembers Taylor, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle.

Ms. Taylor requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.A.1)*

- 9.A.2. Resolution No. AR 2003-237, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Daniel L. Nix** for his 24 years of service with the Municipality of Anchorage, Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle.

Mr. Van Etten requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.A.2)*

9.B. RESOLUTIONS FOR ACTION - OTHER

- 9.B.1. Resolution No. AR 2003-231, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$89 from the Bureau of Justice, Office of Justice Programs, U.S. Department of Justice to the Federal Categorical Grants Fund (241) for the **Bullet Proof Vest Partnership program**, Anchorage Police Department.
- a. Assembly Memorandum No. AM 613-2003.

Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.B.1)*

- 9.B.2. Resolution No. AR 2003-232, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$11,000 from the interest accrued on the Local Law Enforcement Block Grant (241-45511G) to the Federal Categorical Grants Fund (241) for the purpose of funding **police programs and activities**, Anchorage Police Department.
- a. Assembly Memorandum No. AM 614-2003.
- 9.B.3. Resolution No. AR 2003-233, a resolution of the Municipality of Anchorage appropriating \$2,000 from the U.S. Food and Drug Administration into the Areawide General Fund (101) for anticipated program and travel expenses by the Supervisor of the Food Safety and Sanitation Section, Environmental Services Division, Health and Human Services Department, to attend the **Pacific Regional Retail Food Seminar** hosted by the U.S. Food and Drug Administration, Health and Human Services.
- a. Assembly Memorandum No. AM 615-2003.
- 9.B.4. Resolution No. AR 2003-230, a resolution of the Anchorage Municipal Assembly supporting acquisition of a **dual use vessel** to serve the Matanuska-Susitna Borough and the Municipality of Anchorage, Assemblymember Tesche.
- 9.B.5. Resolution No. AR 2003-236, a resolution of the Anchorage Municipal Assembly encouraging and supporting the **use of city land to help house disabled and elderly veterans** in Anchorage, Assemblymembers Taylor, and Traini, Mayor Begich, Tesche, Whittle, Van Etten and Tremaine.

Ms. Taylor requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.B.5)*

- 9.B.6. Resolution No. AR 2003-241, a resolution of the Municipality of Anchorage appropriating \$59,250 from the United States Environmental Protection Agency to the Federal Categorical Grants Fund (241) for development of a cumulative impact assessment method for Anchorage's **watersheds**, Planning Department. **(Addendum)**
- a. Assembly Memorandum No. AM 608-2003.
- 9.C. BID AWARDS**
- 9.C.1. Assembly Memorandum No. AM 596-2003, recommendation of award to Anchorage Roofing & Contracting for the new and old **Fairview Recreation Center roof replacement** for the Municipality of Anchorage, Maintenance & Operations Department (ITB 23-C038) (\$123,000), Purchasing.
- 9.C.2. Assembly Memorandum No. AM 597-2003, recommendation of award to Alaska Construction & Paving, Inc. for **Turpin Street Upgrade – DeBarr Road to Glenn Highway** for the Municipality of Anchorage, Project Management & Engineering Department (ITB 23-C056) (\$3,055,022.96), Purchasing.
- 9.C.3. Assembly Memorandum No. AM 622-2003, recommendation of award to QAP, Inc. for **2003 Merrill Field improvements** for the Municipality of Anchorage, Merrill Field (ITB 23-C057) (\$1,076,680), Purchasing. **(Addendum)**
- 9.C.4. Assembly Memorandum No. AM 623-2003, recommendation of award to K & N Electric Motors, Inc. for furnishing services to **rewind the Unit #2 generator** for the Municipality of Anchorage, Municipal Light & Power (ITB 23-B045) (\$209,167), Purchasing. **(Addendum)**
- 9.C.5. Assembly Memorandum No. AM 624-2003, recommendation of award to Annette's Trucking, Inc. for **Pine Street Improvements – Reka Drive to DeBarr Road** for the Municipality of Anchorage, Office of Planning, Development, & Public Works (ITB 23-C051) (\$2,622,505.50), Purchasing. **(Addendum)**
- 9.C.6. Assembly Memorandum No. AM 625-2003, recommendation of award to Sonshine Enterprises for **Abbott Loop Community Park grading & seeding** for the Municipality of Anchorage, Project Management & Engineering Department (ITB 23-C054) (\$825,334), Purchasing. **(Addendum)**

Me. Shamberg requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.C.6)*

- 9.C.7. Assembly Memorandum No. AM 626-2003, recommendation of award to Frontier Excavating, Inc. for **Eagle Street – 5th Avenue & E/F Street Alley Woodstave Upgrade** for the Municipality of Anchorage, Anchorage Water & Wastewater Utility (ITB 23-C055) (\$234,549.92), Purchasing. **(Addendum)**
- 9.C.8. Assembly Memorandum No. AM 627-2003, recommendation of award to Construction Unlimited, Inc. for **Girdwood Water Improvements Phase II-A Transmission Main and Girdwood School On-Site**

- 1 **Water Service** for the Municipality of Anchorage, Anchorage Water & Wastewater Utility (ITB 23-
2 C053) (\$1,080,341), Purchasing. **(Addendum)**
- 3 9.C.9. Assembly Memorandum No. AM 632-2003, recommendation of award to CYS Management Services
4 for **Loussac Library carpet replacement** for the Municipality of Anchorage, Maintenance and
5 Operations Department (ITB 23-C044) (\$167,400), Purchasing. **(Addendum)**
- 6
- 7 **9.D. NEW BUSINESS**
- 8 9.D.1. Assembly Memorandum No. AM 604-2003, **Veterans Affairs Commission** appointments (Rick
9 Davigde, C.W. Floyd), Mayor's Office.
- 10 9.D.2. Assembly Memorandum No. AM 605-2003, recommendation of award to Professional & Technical
11 Services, Inc. to provide professional engineering services for the **Potter Valley Road Surface**
12 **Upgrade** for the Municipality of Anchorage, Project Management & Engineering (RFP 23-P009 Project
13 B) (\$238,762), Purchasing.
- 14 9.D.3. Assembly Memorandum No. AM 607-2003, recommendation of award to Hattenburg Dilley & Linnell
15 Engineering Consultants to provide professional engineering services for the **3rd Avenue Surface**
16 **Rehabilitation** Project for the Municipality of Anchorage, Project Management & Engineering (RFP
17 23-P009 Project C) (\$230,000), Purchasing.
- 18 9.D.4. Assembly Memorandum No. AM 606-2003, change order No. 1 to Contract 22SWS149 with Statewide
19 Fire Protection for furnishing **inspection, testing, and maintenance of fire detection, alarm and**
20 **suppression systems** to the Municipality of Anchorage, Solid Waste Services (\$21,458.30),
21 Purchasing.
- 22 9.D.5. Assembly Memorandum No. AM 628-2003, approval of cooperative grant agreement between
23 Chugach Electric Association (CEA) and Municipality of Anchorage allowing for reimbursement not to
24 exceed \$100,000 to fund **danger tree removal** to assist MOA residents with wildfire defensible space
25 preparation, Anchorage Fire Department. **(Addendum)**
- 26 9.D.6. Assembly Memorandum No. AM 629-2003, proprietary purchase with Waronzof Associates, Inc. to
27 prepare a financial analysis and feasibility study for the **Creekside Town Center Project** for the
28 Municipality of Anchorage, Heritage Land Bank (\$125,000), Purchasing. **(Addendum)**
- 29 9.D.7. Assembly Memorandum No. AM 633-2003, contract amendment No. 2 to Contract 21MLP223 with
30 Damco Paving Corporation to provide **asphalt and concrete patching services** to the Municipality of
31 Anchorage, Municipal Light & Power (\$225,000), Purchasing. **(Addendum)**
- 32 9.D.8. Assembly Memorandum No. AM 634-2003, recommendation of award to Lounsbury & Associates, Inc.
33 to provide professional engineering services for the **Mt. View Drive Reconstruction and**
34 **Landscaping Project** for the Municipality of Anchorage, Project Management & Engineering (RFP 23-
35 P009 Project A) (\$350,000), Purchasing. **(Addendum)**
- 36 9.D.9. Assembly Memorandum No. AM 635-2003, proprietary purchase with Jewel Jones & Associates to
37 provide **professional management and lobbying services** for the Municipality of Anchorage,
38 Mayor's Office (\$30,000), Purchasing. **(Addendum)**
- 39
- 40 **9.E. INFORMATION AND REPORTS**
- 41 9.E.1. Information Memorandum No. AIM 69-2003, **contracts awarded between \$50,000 and \$100,000**
42 **through formal competitive processes** for the month of June 2003, Purchasing.
- 43 9.E.2. Information Memorandum No. AIM 70-2003, **Sole Source Procurement Report** for the month of June
44 2003, Purchasing.
- 45 9.E.3. Information Memorandum No. AIM 71-2003, **2002 Comprehensive Annual Financial Report**,
46 Finance.
- 47 9.E.4. Information Memorandum No. AIM 72-2003, Assembly Information Request 2003-34 concerning
48 **Planning and Zoning Commission Case 2003-030** and the two separate postponements requested
49 by the petitioner prior to the scheduled hearings, Planning Department. **(Addendum)**
- 50 9.E.5. Information Memorandum No. AIM 74-2003, creating Citizens Advisory Committee for **Abbott Loop**
51 **Community Park Project**, Mayor's Office. **(Addendum)**
- 52

53 Mr. Tesche requested this item be pulled for review on the Regular Agenda. *(See item 10.E.5)*

- 54
- 55 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**
- 56 9.F.1. Ordinance No. AO 2003-110, an ordinance creating **NC Monastery Water Special Assessment**
57 **District 1386**, and determining to proceed with the proposed improvements therein, Anchorage Water
58 and Wastewater Utility. *(Public Hearing set 8-19-03)*
- 59 a. Assembly Memorandum No. AM 588-2003.
- 60 9.F.2. Ordinance No. AO 2003-111, an ordinance creating **NC Monastery Lateral Sanitary Sewer Special**
61 **Assessment District 1387**, and determining to proceed with the proposed improvements therein,
62 Anchorage Water and Wastewater Utility. *(Public Hearing set 8-19-03)*
- 63 a. Assembly Memorandum No. AM 589-2003.
- 64 9.F.3. Ordinance No. AO 2003-116, an ordinance of the Anchorage Municipal Assembly authorizing the long
65 term lease between the Municipality of Anchorage as lessor and Pacific Alaskan Airways, LLC as
66 lessee of **Lot 6, Block 3, Merrill Field Replat**, located between Runway 6-24 and Merrill Field Drive,
67 Merrill Field Airport. *(Public Hearing set 8-12-03)*
- 68 a. Assembly Memorandum No. AM 616-2003.
- 69

70 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See Agenda item 10.F.3)*

- 71
- 72 9.F.4. Resolution No. AR 2003-225, a resolution of the Municipality of Anchorage appropriating \$296,714
73 from the U.S. Department of Housing and Urban Development to the Federal Categorical Grants Fund
74 (241), \$150,000 from Alaska Housing and Finance Corporation to State Categorical Grants Fund
75 (231), for the purpose of providing a one year renewal of the **LINK Homeless Assistance Project**
76 and a contract with **Abused Women's Aid in Crisis, Inc.**, Health and Human Services. *(Public*
77 *Hearing set 8-12-03)*
- 78 a. Assembly Memorandum No. AM 617-2003.

- 1 9.F.5. Resolution No. AR 2003-226, a resolution authorizing the Municipality of Anchorage, Public
2 Transportation Department to file a Federal Transit Administration Section 5303 Metropolitan Planning
3 Program grant, enter into a Transfer of Responsibilities Agreement in the amount of \$201,774 with the
4 Department of Transportation and Public Facilities, State of Alaska, and to appropriate these funds
5 along with \$50,444 for required local matching funds from the Public Transportation Department's
6 2003 Operating Budget to the State Categorical Grants Fund (231) for financing of the **Transit**
7 **Planning Program**, Public Transportation Department. (*Public Hearing set 8-12-03*)
8 a. Assembly Memorandum No. AM 618-2003.
- 9 9.F.6. Resolution No. AR 2003-234, a resolution of the Municipality of Anchorage appropriating \$2,409,120
10 to the Public Transportation CIP Fund (485) from the Federal Highway Administration through the
11 Alaska Department of Transportation and Public Facilities to provide funding for purchase of
12 **automated operating systems**. This purchase will aid in congestion management and air quality
13 mitigation through increased efficiencies in the delivery of public transportation service within the
14 Municipality of Anchorage, Public Transportation Department. (*Public Hearing set 8-12-03*)
15 a. Assembly Memorandum No. AM 619-2003.

16
17 Mr. Whittle requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.F.6*)

- 18
19 9.F.7. Resolution No. AR 2003-242, a resolution of the Municipality of Anchorage appropriating the sum of
20 \$270,195 from the U.S. Environmental Protection Agency and \$323,000 as a cash match from the
21 2003 Department of Health and Human Services Operating Budget to the Federal Categorical Grants
22 Fund (241), Department of Health and Human Services for **air quality monitoring, enforcement and**
23 **planning activities**, Health and Human Services. (*Public Hearing set 8-12-03*) (**Addendum**)
24 a. Assembly Memorandum No. AM 612-2003.
- 25 9.F.8. Resolution No. AR 2003-243, a resolution appropriating \$269,080 from the State of Alaska
26 Department of Transportation and Public Facilities to the Miscellaneous Capital Project/Pass-Thru
27 Capital Improvement Program Fund to the Project Management & Engineering Department for the
28 construction of the **Tudor Road-Muldoon Road Curve Sound Barrier Wall**, Project Management &
29 Engineering. (*Public Hearing set 8-12-03*) (**Addendum**)
30 a. Assembly Memorandum No. AM 630-2003.
- 31 9.F.9. Resolution No. AR 2003-244, a resolution of the Municipality of Anchorage appropriating 2003 State of
32 Alaska grant from Alaska Housing Finance Corporation, Grant #MGP-03-HLB-1, for \$250,000 for the
33 **Creekside Town Center Project**, Heritage Land Bank. (*Public Hearing set 8-12-03*) (**Addendum**)
34 a. Assembly Memorandum No. AM 631-2003.

35
36 Ms. Fairclough moved, to approve the amended Consent Agenda.
37 Mr. Tesche seconded,
38 and this motion was passed,
39

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

43
44 Chair Traini announced the unanimous approval of the amended Consent Agenda, with the exception of the pulled
45 items, and proceeded into discussion of those items.

46 47 END OF CONSENT AGENDA

48 49 10. REGULAR AGENDA

50 10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

- 51 10.A.1. Resolution No. AR 2003-235, a resolution of the Anchorage Municipal Assembly recognizing and
52 honoring **Art Simonian** for his long-term commitment to providing sports fields for the children of our
53 community, Assemblymembers Taylor, Fairclough, Kendall, Shamberg, Sullivan, Tesche, Traini,
54 Tremaine, Van Etten, Von Gemmingen and Whittle.
55

56
57 Chair Traini read this resolution title and called for a motion.

58
59 Ms. Taylor moved. to approve AR 2003-235.
60 Mr. Tesche seconded,
61 and this motion was passed,
62

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

66
67 Ms. Taylor presented the resolution to Mr. Art Simonian's daughter, Meg. Mr. Whittle read the proclamation, honoring
68 Mr. Simonian for his long-term commitment for his contributions of sports fields in the community. With Mr. Simonian's
69 love and compassion for the wellbeing of children in our city, he had dedicated numerous ball fields and field
70 maintenance to the activities of Little League and Soccer. Ms. Simonian accepted the award on her father's behalf
71 and stated he was enormously honored with the acknowledgement of his contributions.
72

- 73 10.A.2. Resolution No. AR 2003-237, a resolution of the Anchorage Municipal Assembly recognizing and
74 honoring **Daniel L. Nix** for his 24 years of service with the Municipality of Anchorage,
75 Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van
76 Etten, Von Gemmingen and Whittle.
77

78 Chair Traini read this resolution and called for a motion.

Mr. Van Etten moved, to approve AR 2003-237.
Mr. Tesche seconded,
and this motion was passed,

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

Chair Traini invited Mr. Nix to come forward, and Mr. Van Etten read the resolution while Mr. Tesche presented the honorarium. Mr. Nix was honored for his 24 years of service with the MOA, as a certified police instructor, member of the homicide response team, the crisis intervention response team, a sniper team leader and a member of STAR, among many other services.

10.B. RESOLUTIONS FOR ACTION - OTHER

10.B.1. Resolution No. AR 2003-231, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$89 from the Bureau of Justice, Office of Justice Programs, U.S. Department of Justice to the Federal Categorical Grants Fund (241) for the **Bullet Proof Vest Partnership program**, Anchorage Police Department.
a. Assembly Memorandum No. AM 613-2003.

Chair Traini read this resolution title and called for a motion.

Mr. Tremaine moved, to approve AR 2003-231.
Ms. Fairclough seconded,
and this motion was passed,

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

Mr. Tremaine question the \$89 total amount of this resolution, and commented there was more time and money spent on the paperwork and approval than the appropriation itself. He wondered if the Assembly was interested in establishing a regulation, setting a minimum dollar amount for an appropriation.

10.B.5. Resolution No. AR 2003-236, a resolution of the Anchorage Municipal Assembly encouraging and supporting the **use of city land to help house disabled and elderly veterans** in Anchorage, Assemblymembers Taylor, and Traini, Mayor Begich, Tesche, Whittle, Van Etten and Tremaine.

Chair Traini read this resolution title and called for a motion from Ms. Taylor.

Ms. Taylor moved, to approve AR 2003-236.
Mr. Tesche seconded,

Mr. Tesche, Mr. Whittle, Mr. Tremaine, Mayor Begich and Mr. Van Etten joined Ms. Taylor and Chair Traini in sponsoring this resolution.

Ms. Taylor moved, to approve AR 2003-236, as amended.
Mr. Tesche seconded,
and this motion was passed,

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

Ms. Taylor thanked the Mayor for his support of this resolution. To Ms. Taylor's question, Mayor Begich responded that he and his Administration had made a pledge to review their inventory over the next two to three months. Ms. Taylor urged Assemblymembers to become co-sponsors, and then send this resolution to the State Capital.

10.C. BID AWARDS

10.C.6. Assembly Memorandum No. AM 625-2003, recommendation of award to Sonshine Enterprises for **Abbott Loop Community Park grading & seeding** for the Municipality of Anchorage, Project Management & Engineering Department (ITB 23-C054) (\$825,334), Purchasing. (**Addendum**)

Chair Traini read this memorandum title and called for a motion.

Ms. Shamberg moved, to approve AM 615-2003.
Mr. Tremaine seconded,

Mayor Begich stated that the first phase of this project cost \$1.57 million dollars. Phase Two was being funded predominately by private sector and larger foundations, such as the Rasmuson Fund. He stated that the project had to change from the plan of a ball field, to the development of a community park. He stated they were still involved with raising money to cover this project.

Mr. John Rada, of the Parks and Recreation Division, summarized the history of this project, involving Abbott Loop Community Park and including about \$300,000 already committed. He stated they would continue to fund raise and advertise, to solicit the additional funds and volunteers needed to complete this project.

Mr. Tremaine stated it was his hope that they would use the money appropriated from bonds for this project and find additional contributions to complete the project without having to tap into other municipal funds.

Ms. Shamberg moved, to approve AM 615-2003.
Mr. Tremaine seconded,
and this motion was passed,

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

10.E. INFORMATION AND REPORTS

10.E.5. Information Memorandum No. AIM 74-2003, creating Citizens Advisory Committee for **Abbott Loop Community Park Project**, Mayor's Office. **(Addendum)**

Chair Traini read this informational memorandum title and called for a motion.

Mr. Tesche moved, to accept AIM 74-2004.
Mr. Van Etten seconded,

Mr. Tesche stated this was an opportunity to create the best neighborhood park in Anchorage, which would be an addition to our community and would last for many years. He moved to amend this AIM, to change on Line 11, by adding the words "confirmed by the Assembly," after the word "Mayor" and he urged a YES-vote.

Mr. Kendall opposed the amendment and questioned if it was intended to include Little League. Mayor Begich responded that Little League would be involved. The Mayor suggested that Assemblymembers submit names of recommended candidates for the Board. He was hopeful that the board would be organized and ready to discuss the project by (August) the 13th.

Mr. Tesche moved, to amend AIM 74-2004, on Line 11, *by adding* the words
Mr. Van Etten seconded, "confirmed by the Assembly," following the word, "Mayor."
and this motion was passed,

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

Mr. Tesche moved, to accept AIM 74-2004, as amended.
Chair Traini seconded,
and this motion was passed,

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

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.3. Ordinance No. AO 2003-116, an ordinance of the Anchorage Municipal Assembly authorizing the long term lease between the Municipality of Anchorage as lessor and Pacific Alaskan Airways, LLC as lessee of **Lot 6, Block 3, Merrill Field Replat**, located between Runway 6-24 and Merrill Field Drive, Merrill Field Airport. *(Public Hearing set for 8-12-03)*
b. Assembly Memorandum No. AM 616-2003.

Chair Traini read this ordinance title and called for a motion.

Mr. Tremaine moved, to introduce AO 2003-116.
Mr. Tesche seconded,
Ms. Taylor was the concurring third,

Mr. Tremaine explained that this ordinance involved Merrill Field, a self-contained enterprise. Mr. Tremaine understood there had not been an increase of lease rates since 1990 and there had been no increase of tie-down rates since 1984. The rate calculated out to be at 15 cents per square foot per year or \$6600 an acre per year, and urged the body to examine if it might be time to adjust the rates to become competitive with other aircraft fields in the area.

Chair Traini announced the introduction of AO 2003-116, and set Public Hearing for August 8, 2003.

10.F.6. Resolution No. AR 2003-234, a resolution of the Municipality of Anchorage appropriating \$2,409,120 to the Public Transportation CIP Fund (485) from the Federal Highway Administration through the Alaska Department of Transportation and Public Facilities to provide funding for purchase of **automated operating systems**. This purchase will aid in congestion management and air quality mitigation through increased efficiencies in the delivery of public transportation service within the Municipality of Anchorage, Public Transportation Department. *(Public Hearing set for 8-12-03)*
a. Assembly Memorandum No. AM 619-2003.

Chair Traini read this resolution title and called for a motion.

Mr. Whittle moved, to introduce AR 2003-234.
Mr. Tesche seconded,

Ms. Taylor was the concurring third,

Mr. Whittle requested more information on this appropriation. He suggested that Director Wilson enlighten them during the scheduled workshop, prior to the set Public Hearing. Chair Traini announced the introduction of this resolution and set Public Hearing for August 12, 2003.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Ordinance No. AO 2003-75, an ordinance amending Anchorage Municipal Code Chapter 2.40 related to **Community Council Redistricting**; including lengthening the interval of periodic comprehensive review of community council boundaries; providing wider notice and greater opportunity to participate in public hearing review; adding descriptions and maps of recognized community council districts, and amending a number of council district boundaries to better reflect present day neighborhoods, as recommended by the *Community Council Redistricting Report And Recommendations*, dated December 9, 2002, Planning Department. (*Public Hearing was Closed 6-10-03; Action was Carried Over from 6-10-03 and 6-24-03; Postponed from 7-8-03*)

1. Assembly Memorandum No. AM 370-2003.

Chair Traini read the ordinance title and explained there was still a motion from Mr. Tesche and Ms. Taylor on the floor from the last meeting, and it had been postponed in order to wait for maps to show the redistricting lines. Mr. Tesche indicated he had amendments but first gave the floor to Mr. Tom Davis, of the Planning Department, for comment.

Mr. Davis stated the maps reflected the Assembly action of July 8, 2003. The purple boundary lines reflected the changes that had been approved by the Assembly. He requested there be a technical amendment to the text, on Page 5, Line 10, deleting a phrase that referred to an exclusive facility, outside of the council districts. He stated the sentences no longer applied and needed to be deleted.

Mr. Tesche moved, to amend AO 2003-75 *by deleting the sentence* on Page 5,
Ms. Taylor seconded, Line 10, referring to the facility placement.
and this motion was approved,

Mr. Tesche stated that the Fairview Community Council and the pastors from the church had requested that Central Lutheran Church stay within Fairview Community Council. They had requested the boundary be placed on 14th Avenue, instead of 13th Avenue.

Mr. Tesche moved, to amend AO 2003-75 (*floor amendment No. 1*), to change
Mr. Sullivan seconded, the boundary lines to 14th Avenue, to include Central
and this motion was approved, Lutheran Church.

Mr. Tesche stated his second amendment was a proposed change to restore the western boundary back to its original placement of L Street, including the community of Bootleggers Cove. The residents of this area had requested their return to the South Addition Community Council.

Mr. Tesche moved, to amend AO 2003-75 (*floor amendment No. 2*), to change
Mr. Sullivan seconded, the boundary line back to the original place of L Street, to
and this motion was approved, include Bootleggers Cove.

Chair Traini stated the main motion, as amended, was on the floor and called for a vote.

Mr. Tesche moved, to approve AO 2003-75, as amended.
Mr. Sullivan seconded,
and this motion was passed,

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

NAYES: None.

ABSENT: (*Van Etten, temporarily out of room*)

Chair Traini announced the approval of this ordinance, reflecting the district boundary changes. He thanked Mr. Davis, Commissioner Coffey and the P&Z Board for their dedication and for doing an excellent job in getting these boundary changes completed.

To Mayor Begich, Mr. Tesche recommended that he consider Mr. Stewart Hall for an appointment to a board or commission, because of his hard work and professionalism.

11.B. Ordinance No. AO 2003-100, an ordinance of the Anchorage Municipal Assembly continuing or reestablishing **Housing and Neighborhood Development Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Assembly Chair Traini.

1. Assembly Memorandum No. AM 525-2003. (*Postponed from 7-15-03*)

Chair Traini read this ordinance title and explained that the Assembly had postponed this item from the last meeting to allow time to collect and review information on this commission. He stated there was already a motion on the floor from Mr. Tesche and Mr. Whittle. He called for a vote.

Mr. Tesche moved, to approve AO 2003-100.
Mr. Whittle seconded,
and this motion was passed,

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

1 NAYES: None.
2 ABSENT: (Van Etten and Kendall, temporarily out of room)

- 3
4 11.C. Assembly Memorandum No. AM 533-2003, change order No. 2 to purchase order 221322 for
5 providing **towing and vehicle disposal services** on an "as required" basis for the Municipality of
6 Anchorage, Community Development Division (\$208,750), Purchasing. (*Carried Over from 6-24-03;*
7 *Postponed from 7-8-03) (Special Meeting)*
8

9 Chair Traini read this memorandum title and explained this item had been postponed from July 8th. Assistant
10 Municipal Manager Michael Abbott requested that this contract amendment be withdrawn. Chair Traini explained
11 there was already a motion on the floor from Ms. von Gemmingen and Mr. Sullivan, and he called for a vote.

12
13 Ms. von Gemmingen moved, *to postpone indefinitely AM 533-2003.*
14 Mr. Sullivan seconded,
15 and this motion was passed,
16

17 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Kendall, Shamberg,
18 Tremaine and Sullivan.
19 NAYES: None.
20

21 To Mr. Sullivan's question, Mr. Abbott responded that the towing would continue, as per the original contract. He
22 explained the proposed contract amendment would have radically changed the scope of the work, with the towing fee
23 per vehicle rising from \$115.00 to \$340.00. He stated the Administration was still reviewing this issue.
24

- 25 11.D. Resolution No. AR 2003-219, a resolution of the Anchorage Municipal Assembly revising the 2003
26 General Government Operating Budget by appropriating \$46,560 from Areawide General Fund (101)
27 Balance to the Health and Human Services Department to be used as a grant to **Standing Together**
28 **Against Rape, Inc. (STAR)**, Assemblymember Traini. (*Approved 6-24-03; Notice of Reconsideration*
29 *was given by Mr. Tesche 6-24-03; Reconsidered and Postponed from 7-15-03)*
30 1. Assembly Memorandum No. AM 575-2003.
31

32 Chair Traini read this resolution title and explained this item had been approved and notice of reconsideration had
33 been given by Mr. Tesche on June 24, 2003, and it had been postponed to allow the Administration time to submit an
34 evaluation report.
35

36 Mr. Tesche moved, *to approve AR 2003-219.*
37 Mr. Tremaine seconded,
38

39 Mr. Tesche stated he was troubled by this issue because he knew that STAR worked very hard to fight violence
40 against women and families in this city. STAR had always received money through the State of Alaska and the MOA.
41 Now that the State of Alaska was cutting appropriations to this social service, the Municipality needed to decide how to
42 continue financing of this service. He urged the Municipality to support this group and the work that they did in the
43 community, and to demand the State government develop a fiscal plan to continue to support critically needed services
44 like STAR.
45

46 Mr. Tremaine stated that sexual violence and abuse were an epidemic in Anchorage. Statistically, as the economy
47 declined, those numbers increase. He stated that STAR was needed now more than ever and he urged the
48 Administration to seek additional funds, including Federal funds, to continue this service in our community. He stated
49 with the budget crisis with the Municipality of Anchorage, he felt badly that he would have to cast a NO-vote.
50

51 Ms. Fairclough requested to abstain from voting on this issue because of her professional association with STAR.
52 She said that in the first four months of 2003 the numbers of incidents of sexual abuse of children had surpassed the
53 total numbers for 2002, all of which STAR had responded to. She added those numbers were only for children's
54 sexual abuse and did not include adult sexual abuse or many other types of violence. To Mr. Whittle, Ms. Fairclough
55 responded that STAR had already lost four people and \$350,000 from their \$1 million dollar 2002 budget.
56

57 Mr. Tesche moved, *to approve AR 2003-219.*
58 Mr. Tremaine seconded,
59 and this motion was passed,
60

61 AYES: Whittle, Taylor, Traini, Kendall, Shamberg and Sullivan.
62 NAYES: Tesche, Von Gemmingen, Van Etten and Tremaine.
63 ABSTAIN: Fairclough, with a possible conflict of interest.
64

65 12. APPEARANCE REQUESTS

- 66 12.A. **Ted & Françoise Gianoutsos**, regarding "Stand-Alone Veterans' Homes" & "PFD Gift Assignment
67 Philanthropy."
68

69 TED and FRANCOISE GIANOUTSOS spoke of their support of stand-alone Veterans' Homes and the Permanent
70 Fund Dividend gift assignment philanthropy to help with that effort. Mr. Gianoutsos stated that the most important
71 issue political leadership. He and his wife were discouraged with the lack of support promised by the Alaskan
72 Governor and Legislature. Ms. Gianoutsos stated she had much optimism that the current Assembly and
73 Administration would support their efforts. To Ms. Shamberg's question, Mr. Gianoutsos responded that currently vets
74 were housed in pioneer homes across the state, when possible. There were from 400-1000 veterans still in need of
75 housing and they were proposing to build three homes to accommodate approximately 600-800 veterans. Mr.
76 Tremaine stated that the current mayor of Wasilla was supported this effort and looked at it as a boom to their
77 economy. Chair Traini voiced his support for getting facilities to accommodate our veterans in the state.
78

12.B. **Andrée McLeod**, regarding zoning. *(Addendum)*

ANDREE McLEOD testified regarding zoning of property near Providence Hospital and 40th Avenue off Lake Otis Drive. She detailed the history of this parcel, with a rezone of this parcel from Public Lands and Institutions to Commercial in process. She had recently seen a sign advertising commercial lease space and she questioned if action had been taken. To Mr. Tremaine, the Mayor responded that commercial leases weren't normally in PLI, but with a pending rezone, the owner would often advertise "build to suit." Mr. Van Etten stated that under the Municipality 2020 Plan, PLI designated lands would support housing for the elderly, convents and monasteries and educational institutions including colleges and universities. Chair Traini asked the Administration to research this issue and report back on the status of the rezoning.

13. CONTINUED PUBLIC HEARINGS

- 13.A. Ordinance No. AO 2003-106, an ordinance amending Anchorage Municipal Code Chapter 9.28 to increase the **administrative fee for civil impound and forfeiture matters**, Legal Department & Chairman Traini. *(Continued from 7-15-03)*
1. Assembly Memorandum No. AM 598-2003.

Chair Traini read this ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and called for a motion.

Mr. Van Etten moved, to approve AO 2003-106.
Mr. Tesche seconded,
and this motion was approved,

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

- 13.B. 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. *(Continued to September 9, 2003)*
1. Assembly Memorandum No. AM 177-2003.

Mr. Van Etten requested this item be combined with 14.H and that Public Hearing be continued until September 9th. He stated that these ordinances were different versions of the accessory dwelling unit ordinance that he had introduced.

Mr. Van Etten moved, and Ms. Fairclough seconded to combine Public hearing on these two ordinances. With no objections from the body, Chair Traini announced that Agenda items 13.B and 14.H would be combined and he opened combined Public Hearing for these ordinances.

(Clerk's Note: Refer to 14.H for combined Public Hearing, Discussion and Action of this ordinance.)

- 13.C. Resolution No. AR 2003-168, a resolution of the Anchorage Municipal Assembly ratifying Executive Order 2003-004, an executive order changing the name of Crowberry Loop, from Bugle Place West, to **Hollyberry Circle**, Municipal Clerk. *(Continued from 7-15-03)*
1. Assembly Memorandum No. AM 554-2003.

Chair Traini read this ordinance title and opened Public Hearing.

DEANNA McCREARY, a resident of this cul-de-sac, testified in regard to the name change of their street. She and her neighbors opposed the recent name change proposal from the Administration on July 3, 2003. To Mr. Van Etten's question, Ms. McCreary responded that the Administration had contacted them, stating the name was to be changed to Tatiana, and if they did not like that name, to submit their own name suggestions. The neighbors had decided that Hollyberry was a better choice. She had recently heard that they could petition the name changed and she was submitting a petition to change it to back to the original Crowberry Loop instead of the proposed Hollyberry Circle. Assistant Municipal Manager, Mr. Abbott responded that this street was selected for a name change because there was another street named Crowberry Loop, and for emergency response reasons, one of those streets needed to change names. He stated that their street was selected because fewer property owners were to be affected with a name change. He added that according to code, the definition of a "loop" was required to literally be a loop.

Ms. Fairclough urged a YES-vote.

Mr. Van Etten stated he understood the critical issue of same or similar location names when involving emergency response, and stated he would cast a YES-vote for this name change.

With no additional testimony, Chair Traini closed Public Hearing and called for a motion.

Mr. Van Etten moved, to approve AR 2003-168.
Mr. Tesche seconded,
and this motion was approved,

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

14. NEW PUBLIC HEARINGS

- 14.A. Assembly Memorandum No. AM 586-2003, recommendation of award to Alaska Communications Systems to provide an **upgraded 911 System** for the Municipality of Anchorage, Mayor's Office (RFP 22-P049) (\$1,662,048), Purchasing.

Chair Traini read this memorandum title and opened Public Hearing. There being no one to testify, he closed Public Hearing and called for a motion.

Mr. Tesche moved, to approve AM 586-2003.
Ms. Von Gemmingen seconded,

Ms. Fairclough stated that the 911 committee had addressed the changes and upgrades that were needed. If the changes were not made, there would be disastrous effects with emergency response for 911 calls to some of the addresses. Ms. Fairclough urged a YES-vote on this memorandum.

Mr. Tremaine questioned the price of this upgrade, at \$1.6 million. Mark Mew responded for the Anchorage Fire Department that the budget for this project would change every year. He stated that of this quoted figure, \$6,000 per month, was paid to Alaska Communications System. He stated that the system technology needed to be upgraded. To Mr. Tremaine's question, Mr. Mew responded that the total figure included the cell phone system.

Mr. Tesche moved, to approve AM 586-2003.
Ms. Von Gemmingen seconded,
and this motion was passed.

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

- 14.B. Ordinance No. AO 2003-108(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 17 by adding a new Section 17.10.090 to allow for **off-leash dog park spaces**, Assemblymembers Traini, Tremaine, Van Etten, Tesche and Von Gemmingen.
1. Ordinance No. AO 2003-108, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 17 by adding a new Section 17.10.090 to allow for off-leash dog park spaces, Assemblymembers Traini, Tremaine, Van Etten, and Von Gemmingen and Tesche.
 2. Assembly Memorandum No. AM 620-2003.
 3. Information Memorandum No. AIM 73-2003, AO 2003-108(S); Revised Summary of Economic Effects, Assembly Chair Traini. **(Addendum)**

Chair Traini announced there was a sign-up sheet for Public Hearing on this ordinance. He requested that the Administration report on this issue and invited Mike Walsh, Chair of the Animal Control Board to report on the process. Chair Traini read the ordinance titles and opened Public Hearing.

MIKE WALSH, Chair of the Animal Control Advisory Board, gave a history of Title 17, which had originally authorized dog parks. The Joint Advisory Boards of Animal Control and Parks and Recreation had proposed, from a selection of 26 possible sites, six sites dogs to run off-leash. He proposed consideration of a test period, for allowance of additional changes. To Mr. Sullivan's questions, Mr. Walsh stated that with the research he had done comparing off-leash dog parks across the nation, he found no cases of lawsuits. He stated that other parks used signage to regulate and enforce areas and restrictions. He stated that the selection of sites included areas away from residential areas, ball parks and schools. To Mr. Whittle, Mr. Walsh responded that while their boards were aware of the designated areas for dogs in the proposed sites, they had not included boundary maps with their reports. He stated they found there was much demand for off-leash dog areas in the city. Mr. Van Etten thought it was critical to begin the projects with base-line environmental studies of these areas, to be able to monitor future concerns. To Mr. Kendall's question, Mr. Walsh stated that his nationwide study indicated that off-leash animals were most commonly regulated by signage and not by permitting or fences. To Ms. Shamberg, Mr. Walsh stated they had not completed an environmental impact study on the effect of a dog park on each of the areas, including dog waste runoff into the water systems and lakes in the designated areas. He also responded that they had not discussed repercussions if irresponsible owners did not abide by the regulations, and added that was one of the reasons they had requested a test period for all these dog parks.

BUD RICE, past president of the North American Skijoring Association, and current Chair of the Trail Committee, spoke in favor of the proposed off-leash dog parks, but recommended greater restrictions, such as areas which supported groomed trails, including Connors Bog Park, the Far North Bicentennial Park and the North Gas Line Park. He stated their groups were divided, with many members in opposition, due to environmental and waterfowl nesting considerations. He suggested conducting environmental studies on the lakes that support nesting waterfowl, and consider restrictions in those areas to both animals and people. He recommended loose animals have bells on their collars in wooded areas. He recommended keeping loose animals off groomed trails during the winter. He personally approved of the restrictions, defined by signage. He urged the Assembly to think about appropriate consequences for violators, including cases of animals destroying nests.

KIMBERLY WELLS, Secretary of the North American Skijoring, testified in support of the dog parks, but suggested to add more restrictions around their racing trails. Ms. Wells explained that a skijoring team or racer could be injured by a loose dog. She stated that in the summer the issue was not a concern.

NELLIE SMITH, testified in favor of the off-leash dog areas, but she stressed the importance of restrictions. Ms. Smith stated that dogs were a concern if the owner was not in full control of the pet.

KAYLA EPSTEIN testified in support of the dog parks, but asked for more restrictions to protect the lakes.

1 DEIDRE HALL shared photographs of happy dogs and dog owners in city parks, including dog-to-dog interaction and
2 dog interaction with non-dog owners, representing the degree of control dog owners had over their pets.

3
4 EARL AUSMAN testified in support of dog parks. A resident of University Park and a dog owner, he used the park
5 every day with his dog. He had witnessed loose dogs, which presented threats to him and his small dog. He urged
6 the Assembly to consider fencing and other restrictions to control loose dogs.

7
8 VIVIAN MENDENHALL, a 35-year wildlife biologist, and Conservation Chair of the Audubon Society, testified in
9 support of dog parks, but urged the Assembly to include restricted areas, such as the Connors Bog Park, because of its
10 environmental importance sustaining 44 bird species. She stated that an active dog could disturb a nesting bird from
11 over 200 yards away. She also urged other areas be closed to off-leash dog areas during the most critical times of
12 bird nesting.

13
14 JEAN TAM, homeowner adjacent to Connors Bog for the past fifteen years, testified in favor of leashed animals in the
15 parks. She was the Manager for the Connors Bog Loon-Can project, an education-based group which taught schools
16 and groups about loons and how to protect them.

17
18 MARYELLEN OMAN, President of Anchorage Audubon Society, testified against loose dogs and other human
19 activities in any of the areas which support wildlife populations, in particular the wetlands and loons. She suggested a
20 review of Little Campbell Lake or East Chester Lagoon for off-leash dog parks.

21
22 STAN SINER, a biologist and dog owner and active park user, testified in support of the concept of off-leash areas
23 for dogs in Anchorage. While he remained very protective of nesting birds in the area, he urged consideration of
24 controlled, responsible dog parks.

25
26 TAYLOR BROWN, a dog owner, involved with animal rights and also an environmental conservationist, testified. She
27 stated that she loved to walk with her active black lab and it was healthy for him. She stated that in order to share the
28 environment with dogs, restrictions need to be enforced. To Mr. Van Etten's question, Ms. Brown stated that signage
29 would help educate the people, which was the key for success.

30
31 ROBIN BASIL, dog trainer for the past ten years, testified in support of the off-leash dog parks. She stated statistics of
32 vicious dog attack with small children were much higher at home, and thought that dog attacks would be rare at any
33 park. To Mr. Van Etten, Ms. Basil responded that dog training was 95% for educating humans and 5% was for training
34 dogs.

35
36 VALARIE JOHNSTON, member of ALASKATS Cat Club and owner of Champion Mainecoon Cats, supported the dog
37 park concept for Anchorage.

38
39 KATHY GLEASON, an Anchorage Audubon Board Member, reiterated the concerns of dogs allowed in Connors Bog
40 Park, and urged the Assembly to omit this park from consideration because it was a heavily used wildlife-nesting area.

41
42 A gentleman (*who failed to introduce himself*) testified in support of off-leash dog parks, suggesting there be private
43 sponsors to help pay for the maintenance and costs. He had been involved with a study of park maintenance and a
44 survey of merchants who were interested in being involved and thought the costs would be minimal.

45
46 MAURICE GOFF testified in support of off-leash dog parks, and stated that the concern of Connors Bog was not the
47 issue. He thought the current situation, with controlled dogs allowed to run, with moose and loons and the people, all
48 worked well together now.

49
50 CAROL ELDRIDGE testified on behalf of the Alaska Kennel Club and the Purebred Dog Fancy of Anchorage,
51 speaking in support of dog parks for various reasons, including the wildlife, the environment, convenience and health.
52 She had witnessed people handling the concerns admirably, and dogs were generally obedient and well behaved.

53
54 TIM NEILL, President of the University Area Community Council, testified in opposition to off-leash dogs in the
55 University Park. He explained that the trails were heavily used with a variety of activities. Their group had discussed
56 the dog park issue and urged the Assembly to consider other areas in Anchorage for the dog parks. Their group
57 recommended looking at land around the Ted Stevens Airport, areas of the Far North Bicentennial Park and areas off
58 Basher Road. To Ms. Shamberg, Mr. Neill responded that currently loose dogs were a problem at the ball park in the
59 University Area, and he had witnessed 20-30 loose dogs at one time.

60
61 KATHLEEN PLUNKETT, resident of the Russian Jack Springs Area, speaking on her own behalf, testified that there
62 were many areas in Russian Jack Springs Park that would be inappropriate for off-leash dogs. She explained the
63 multiuse of the trails and the large numbers of children and adults who frequented the park. Ms. Plunkett stated there
64 were already problems with unsupervised, loose dogs in the park. She urged the Assembly to avoid allowing off-leash
65 dog parks in heavily used parks and suggested looking at the Campbell Park area. Ms. Von Gemmingen stated that
66 the map and the list of recommended dog parks listed the Russian Jack Springs Camper Park. Ms. Plunkett
67 acknowledged she had not received that list nor seen the map, and predicted that the proposal would work well with
68 their community council boundaries. To Mr. Whittle, Ms. Plunkett stated that she would work with the committee,
69 finalizing the Russian Jack Springs plan.

70
71 CAROL JENSEN testified in support of protecting the environment and human activities in parks. She stated there
72 were well-behaved animals, and thought that if the animals continued to be controlled well, activities and dogs would
73 be compatible.

74
75 With no further public testimony, Chair Traini closed Public Hearing and called for a motion.

76
77 Mr. Tesche moved, to approve AO 2003-108(S).
78 Ms. Fairclough seconded,

Mr. Tesche moved to change in the (S) Version, Line 34, to add the word "proposed," referencing the attached map.

Mr. Tesche moved, to amend AO 2003-108(S), *by adding* on Line 34,
Ms. Taylor seconded, to read: "...proposed off-leash dog park spaces."
and this motion was approved,

Mr. Tremaine stated the issue for their consideration was where to allow off-leash dog parks, with six parks for them to consider. He stated that he would be supporting the ordinance, and thought that additional rules and regulations would allow the protection of the wildlife and environment of these areas, including the Connors Bog Park.

Ms. Shamberg stated that she agreed that signage, specifically at the Connors Bog Park during the couple of months when the loons were nesting, would help resolve the issue. She did not think the dogs should be restricted for the entire year.

Mr. Sullivan was concerned of the possible expense and time involved with supplying signage for these parks. He urged the body to consider the addition of a Number 8, under Section B, on Line 45, to address permit requirements and fees for off-leash dogs. He had seen this permitting and required fee system work in other areas of the US.

Mr. Tesche opposed this approach, and thought that if the attempt to allow controlled dogs with restrictions in six parks in the city did not work, they could simply close the parks to these activities.

Mr. Van Etten stated that he would not support Mr. Sullivan's amendment for fees. He stated that the ordinance would sunset in the summer of 2004, and that would be enough time to see if the issue needed to be reevaluated.

To Ms. Taylor, Mayor Begich responded that they opposed the amendment for a number of reasons. He stated it would be difficult to monitor the permittees and activities in the parks.

Mr. Sullivan moved, to amend AO 2003-108(S), *by adding* on Line 45, No. 8
Ms. Fairclough seconded, to read: "An off-leash permit for each animal should be
obtained from Animal Control. Each permit would require a
\$50.00 fee and an indemnification clause, holding the
Municipality harmless for any actions the permittee or their
animals."
and this motion failed,

AYES: Fairclough and Sullivan.

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

Chair Traini called for a vote on the main motion, as amended.

Mr. Tesche moved, to approve AO 2003-108(S), as amended.
Ms. Fairclough seconded,

Mr. Tesche requested to be added as a co-sponsor of this ordinance. He trusted the public to try the designated dog parks over the next year, until this issue would be reviewed again.

To Ms. Fairclough, the Administration responded that there was already a section in the current regulations that allowed for dogs off-leash, for training purposes. The Administration would not be supporting this ordinance for several reasons, including the lack of opportunity to hear responses from community councils on this issue.

Mr. Van Etten felt the municipality had the capability to adopt a plan that would be workable and include everyone and their activities. He felt the boards and commissions dealing with dog parks could include the public and create a practical plan.

Mr. Whittle stated that while he was going to support the ordinance, he felt that prime environmental areas, like the Connors Bog Park, should be protected and needed to be monitored.

Mr. Sullivan stated he would be supporting this ordinance and hoped the boards and commissions would consider imposing consequences for owners of nuisance dogs.

Ms. Taylor requested the boards and commissions addressing dog parks keep the Assembly informed of their discussions and communications, and urged their special attention to areas with high densities of human activities.

Chair Traini stated that with the long deliberation, he was now going to support this ordinance, allowing dog parks, but warned pet owners to follow the rules to make this plan work.

and AO 2003-108(S), as amended, was passed,

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

NAYES: Fairclough.

14.C. Assembly Memorandum No. AM 593-2003, A-K Korral (#859) – Transfer of Ownership for a Beverage Dispensary Liquor License (Tudor Area, Campbell Park and University Community Councils), Clerk's Office.

With no objections from the body, Chair Traini combined Public Hearing on 14.C, AM 593-2003 and 14.D AM 594-2003, concerning the A-K Korral. Chair Traini read these memorandum titles and opened Public Hearing.

ATTORNEY DAN COFFEY, with the Law Offices of Dan Coffey, testified on behalf of A-K Korral owners, Curt and Dena Nading, who were out of town. He spoke to his memo to the Assembly, proposing four new conditions and explained the building had been purchased by a Dr. Robert Larson, who would be converting it to a medical facility. Dr. Larson was not interested in purchasing the liquor license and Curt and Dena Nading wanted to keep the liquor license. He stated, from his communications with the community councils in that area that the liquor license had been used inappropriately, either through catering, the teen night club or the leasing out of the premises, leading to disruptions in the neighborhood. He understood there were many complaints which had been turned in, and he stated it was difficult to determine which activity was causing the most problem. Mr. Coffey stated that since they could not determine which activity had caused the most damage, he and his clients were proposing the following three restrictions. Number 1) They proposed shutting down the teen night club, with that permit being surrendered immediately. Number 2) They proposed changing the hours to meet only the required minimum needed to sustain the license, which was operation of 30, 8-hour days in a calendar year. Number 3) They proposed the liquor license would operate with limited hours, and not be opened after 10:00 p.m. Mr. Coffey stated that because his clients were out of town, he was authorized to negotiate the operation and enter into an agreement. He stated he was open to negotiations with the Assembly regarding the liquor license because his client was very interested in retaining ownership of this investment. To Mr. Tesche's questions, Mr. Coffey responded that Anchorage was above statutory maximums, with more licenses issued than were justified, regarding population. Mr. Coffey stated there were currently 160 liquor licenses and the number should be 70, to be at appropriate levels for the current population.

Mr. Coffey stated the issue before the Assembly involved allowing the transfer of the license with or without protest. If they did not approve the transfer of ownership, there would have to be a finding to determine why they refused the transfer. If the Assembly saw the problem had come from the operation of this building, then the conditional use would appropriately be revoked, rather than the license. If the license was protested, the issue would be taken up by the Alcohol Beverage Control Board. The Assembly could protest this license for the reason that insufficient justification had been offered by the petitioner, to keep this license alive. To Mr. Tesche's question, he responded that just because the numbers of subscribed liquor licenses was over the limit for the population, it was not appropriate to deny this transfer of ownership in order to reduce the numbers of licenses for the city. To Mr. Van Etten, Mr. Coffey responded that an additional condition could be added to the permit, to address the noise and the issue of cleanliness. He responded that his client would be able to respond to the requests of the community and neighbors and be accountable. He offered an additional restriction of including, Number 4) The establishment would comply with the Municipal Code noise ordinances and, should there be non-compliance, would return to the Assembly for appropriate discussion of the action.

DONNA POLPA, manager of the apartments complex directly across the street from the AK-Korral, testified that for the past nine weeks the building had been used as a temporary night club. She stated she received constant complaints from her residents of the noise, including horns honking, engines gunning, screeching in the parking lot and in the street, loud laughter, screams and yelling, loud booming and vibrating music from the vehicles, vehicles racing through the apartment complex parking lot, fights and police responding to shootings. Ms. Polpa stated they were delighted the building would be a medical center, but was concerned with the time until then, and what they intended to do to control the current concerns. To Ms. Fairclough's question, Ms. Polpa responded that the building was used as a teen nightclub every other weekend, and otherwise it had been used for catering and parties.

LINDA SUTTLES, a resident within one-half block of the building, testified that for the past nine weeks she had lived in fear. She stated that she and her neighbors had lived with gun shots, fights, illegal drugs, harassment and vehicles being out-of-control. She was happy that the building was being sold and would be a medical center.

DONNA MOODY, a neighbor, testified that she and her family had been awakened by shootings, and were wondering why there were no police reports, since the police had responded to the scene on numerous occasions.

TIM NEILL, President of the University Community Council, testified that Mr. Nading had attended one of their meetings, proposing the building would be a teen center. That permit was turned down by the Municipality. Mr. Neill had found out there were still teens on the premises and disapproved of the sexually-oriented and other inappropriate activities, including terrorizing neighbors with vehicles, shootings, and loud music and voices.

With no additional public testimony, Chair Traini closed Public Hearing and called for a motion.

Ms. Von Gemmingen moved, to approve AM 593-2003.
Ms. Shamberg seconded,

To Ms. Fairclough, Police Chief Monegan indicated that the permit could be reviewed, to determine what multi-uses were issued for this license, including the catering permit.

Mr. Tesche concurred with Mr. Coffey's recommended amendments to clarify the memorandum and proposed a change of the wording of Number 3, by changing the word "The" for "A" and adding at the end of that sentence, "at this location." He stated his intention was to plug any potential loophole that would allow other licenses onto the premises.

Mr. Tesche moved, to amend AM 593-2003, *by changing* by changing No. 3 to
Mr. Sullivan seconded, read: ~~The~~ "A liquor license shall not be operated after
and it was approved unanimously, 10:00 p.m. at this location."

Mr. Tesche stated that he was concerned with Mr. Coffey's statistics of the ratio of number of licenses with the city population, and felt that was an issue that needed to be addressed in the future. He stated he would vote in favor of this amendment and would support the ordinance, because the building was being sold and would be a medical center, and would soon offer some revitalization to this neighborhood that had suffered the consequences of this liquor license.

To Mr. Tesche's questions, Mr. Coffey responded that legally the new owner of the building should be responsible for the activities on the property. Mr. Coffey added that the Assembly would probably protest it because there was \$1500.00 in taxes due, but made the assurance those back taxes would be paid at closing. He stated that he would make the requested changes to his amendments and would submit them to the Assembly Clerk, and then the ABC Board would approve the ownership transfer of the license to the AOK Korral, Inc., Curt and Dena Nading, shareholders. He stated the license was still owned by the A-K Korral (*AOK Korral*) owners and that the next day he would contact the new building owner, Mr. Larson, and tell him the current occupancy and activities of the building were not acceptable.

Ms. Fairclough moved to summarize the changes to the conditions as recommended by Mr. Coffey and Mr. Tesche, including renumbering, additional amendments and the addition of Mr. Coffey's authorization to represent the liquor license owner and sign the agreement on his behalf. Ms. Fairclough proposed an addition in regards to maintaining cleanliness at the site and no allowances for adult entertainment. Mr. Coffey agreed with the changes to his letter.

Ms. Fairclough moved,
Mr. Tremaine seconded,
and it was approved unanimously,

to amend AM 593-2003, *by summarizing the changes and by renumbering*, as follows: 1) The teen nightclub permit shall be surrendered immediately; 2) The liquor license will be operated for thirty days (30) eight (8) hour days between now and December 31, 2004; 3) A liquor license shall not be operated after 10:00 p.m. at this location; 4) The establishment will comply with the Municipal Code noise ordinances and should there be non-compliance will return to the Assembly for appropriate discussion of the action; 5) The establishment will clean up and maintain the site; and adding 6) No adult entertainment shall be allowed at this location; and 7) As counsel for the AOK, Incorporated, the undersigned is authorized to sign this memo and agreement, on the owners behalf.

Ms. Fairclough stated that the liquor license ratio in Anchorage had always been a concern, and she did not think they could protest this license on other issues, but they could protest the license until the back taxes were paid. She proposed a final amendment, to attach both Assembly Memorandums and Mr. Coffey's letter, as amended.

Ms. Fairclough moved,
Mr. Tesche seconded,
and this was approved unanimously,

to *combine* both AM 593-2003 and AM 594-2003 and *attach Mr. Coffey's letter, as amended.*

To Mr. Van Etten, Mr. Coffey responded that the only addition he would add would be "no catering," but that Mr. Tesche's amendment covered that issue. He added that he thought there would be a conditional use review, and he was content with the protest of the license until the taxes were paid and that monitoring of the conditional uses would ensure acceptable activity in the community.

To Mr. Sullivan, Ms. Von Gemmingen and Chair Traini's questions, Police Chief Monegan responded that he would find out which establishment had been using the building, hosting parties and using catering permits for the past six months.

Chair Traini called for a vote on the main motion and explained the approval of the amended memorandum would include protest until taxes were paid.

Ms. Von Gemmingen moved,
Ms. Shamberg seconded,
and this motion was passed,

to approve AM 593-2003, as amended.

AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Tremaine and Sullivan.
NAYES: None.
ABSENT: (*Kendall and Shamberg, temporarily out of room*)

14.D. Assembly Memorandum No. AM 594-2003, A-K Korral (#2875) – Transfer of Ownership for a Beverage Dispensary (Duplicate) Liquor License (Tudor Area, Campbell Park and University Community Councils), Clerk's Office.

(*Clerk's Note: Public Hearing was combined with 14.C, AM 594-2003*)

Chair Traini called for a vote on the main motion and explained the amended memorandum would approve the license with protest until taxes were paid.

Ms. Von Gemmingen moved,
Mr. Van Etten seconded,
and this motion was passed,

to approve AM 593-2003, as amended.

AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Van Etten, Kendall, Tremaine and Sullivan.
NAYES: None.
ABSENT: (*Shamberg, temporarily out of room*)

14.E. Resolution No. AR 2003-224, a resolution of the Municipality of Anchorage accepting when tendered \$1,785,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$59,500 from the Alaska State Department of Transportation and Public Facilities grant; and appropriating said

grants and \$59,500 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement Fund for the 2003 **Merrill Field Taxiway Alpha Reconstruction and Security Improvements**, Merrill Field Airport.

1. Assembly Memorandum No. AM 621-2003.

Chair Traini read this resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and called for a motion.

Mr. Tesche moved, to approve AR 2003-224.
Ms. Von Gemmingen seconded,
and this motion was passed,

AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Shamborg, Kendall, Tremaine and Sullivan.

NAYES: None.

ABSENT: (*Van Etten, temporarily out of room*)

14.F. Resolution No. AR 2003-220, a resolution of the Anchorage Municipal Assembly approving a conditional use for an alcoholic beverages conditional use for a restaurant license in the B-2A District for **Café Savannah LLC**, per AMC 21.40.150 D.13, located at Block 70, Lot 2B, Original Anchorage Townsite; generally located at 508 West 6th Avenue, Anchorage (Case 2003-114), Planning Department.

1. Assembly Memorandum No. AM 587-2003.

Chair Traini read this resolution title and opened Public Hearing.

TAMARA ZICAR, co-owner of the Café Savannah, stated she was there to answer any questions the Assembly had.

To Mr. Tesche question, Ms. Zicar responded she had received questions concerning her café, and the neighbors seemed content, learning that her establishment was primarily a restaurant, and would be closing each day at 10:00 p.m. She stated the format included breakfast, lunch and dinner with the service of beer and wine. She stated they had no intention of becoming a bar. She stated their menu type was mostly continental, with a Southwest style.

With no further testimony, Chair Traini closed Public Hearing and called for a motion.

Mr. Tesche moved, to approve AR 2003-224.
Ms. Von Gemmingen seconded,
and this motion was passed,

AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Fairclough, Shamborg, Kendall, Tremaine and Sullivan.

NAYES: None.

ABSENT: (*Van Etten, temporarily out of room*)

14.G. Resolution No. AR 2003-216, a resolution confirming the assessment roll and levying special assessments for services on property specially benefited in the **Downtown Business Improvement District**, Special Assessment District 1SD97, setting the dates of assessment, and providing for assessment billing, payment due dates, application of payments, delinquency, penalties, interest and costs for delinquency and enforcement and appropriating the sum of \$21,263 in assessment revenues when tendered to Special Assessment Fund 271 for services benefiting the property owners in Special Assessment District 1SD97, Office of Management and Budget.

1. Assembly Memorandum No. AM 578-2003.

(*Clerk's Notes: This item was Carried Over to 8-12-03*)

14.H. Ordinance No. AO 2003-97, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Title 21 by enacting a new Section 21.45.035 – **Accessory Dwelling Units** (ADUs); amending other sections therein; amending Chapter 14.60; and amending Anchorage Municipal Code of Regulations Section 21.20.007; to permit and regulate ADUs, Assemblymember Tremaine. (*Public Hearing Continued to September 9, 2003*)

(*Clerk's Note: The following Meeting Minutes refer to combined Public Hearing, Discussion and Action of Agenda item 13.B with 14.H, concerning Accessory Dwelling Units*)

With no objections from the body, Chair Traini announced that Agenda items 13.B and 14.H would be combined, AO 2003-97 and AO 2003-47, concerning accessory dwelling units. He read both of these ordinance titles and opened combined Public Hearing. There being no one to testify, he closed Public Hearing and called for a motion.

Mr. Van Etten moved, to continue Public Hearing to September 9, 2003
Mr. Tesche seconded, on AO 2003-47 and AO 2003-97.
and this was unanimously approved,

14.I. Ordinance No. AO 2003-90, an ordinance of the Anchorage Municipal Assembly providing for the regulation of **site condominiums**, Assemblymember Fairclough. (*To be Submitted*)

Chair Traini announced that this ordinance, AO 2003-90 was not ready to be heard. He stated that this issue concerning site condominiums would come up in September.

Chair Traini announced that the issue concerning Business Improvement District, would be cancelled. He stated that the Administration would be sending letters out, rescheduling the introduction of this ordinance. He stated that the Assembly would then schedule Public Hearing.

(Clerk's Note: Continued to August 12, 2003)

14.J. Ordinance No. AO 2003-109, an ordinance of the Anchorage Assembly amending AMC 3.20 relating to the **Organization of the Executive Branch** and setting forth the duties and responsibilities of Executive Branch agencies, Assemblymember Tesche. (To be Submitted)

(Clerk's Note: Continued to August 12, 2003)

15. BOARD OF ADJUSTMENT/ASSEMBLY APPEALS None.

16. SPECIAL ORDERS None.

17. UNFINISHED AGENDA

Requested by Ms. Fairclough, Chair Traini read a letter from Mr. and Ms. Eskar Coffey, Mountain View residents of Tarwater Avenue, addressed to Police Chief Walt Monegan. The letter thanked the Chief and the Anchorage Police Department for the outstanding job in apprehending a suspect in Mountain View at 4:30 a.m. on July 22, 2003. The Coffeys stated that the officers who responded to the call were professional, courteous, and did a wonderful job apprehending the suspects, drugs and money. The letter thanked the ADP for protecting citizens from criminals.

18. AUDIENCE PARTICIPATION

Chair Traini welcomed a visiting Boy Scout Troop to the Assembly. They introduced themselves as Dan Audi, David Meyer, Alex Holm, Justin Holm and Tony Heath, all members of Troop Three, sponsored by LDS Church in Eagle River. To Chair Traini's question, they responded they were working towards their Citizenship of the Community Merit Badge.

19. ASSEMBLY COMMENTS None.

20. EXECUTIVE SESSIONS None.

21. ADJOURNMENT

Chair Traini called for a motion to adjourn the meeting.

Mr. Mr. Tremaine moved, to adjourn the Regular Assembly Meeting.
Ms. Taylor seconded,
and this motion was passed,

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

NAYES: None.

The Regular Assembly Meeting was adjourned at 11:10 p.m.

ATTEST:

DICK TRAINI, Assembly Chair

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: August 17, 2004
MC/BG