

**MUNICIPALITY OF ANCHORAGE**  
**ANCHORAGE ASSEMBLY**

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

**Minutes for Regular Meeting of April 13, 2004**

**1. CALL TO ORDER**

The Assembly Meeting was called to order by Chair Traini at 5:00 p.m. in the Assembly Chambers, Loussac Library, Room 108, 3600 Denali Street, Anchorage, Alaska.

**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. Kendall led the pledge.

**4. MINUTES OF PREVIOUS MEETING**

**4.A. Special Assembly Meeting – June 3, 2003**

Mr. Tesche moved, to approve the Special Meeting Minutes  
Mr. Tremaine seconded, of June 3, 2003  
and this was passed unanimously,

**4.B. Special Meeting – June 30, 2003**

Mr. Tesche moved, to approve the Special Meeting Minutes  
Ms. Shamberg seconded, of June 30, 2003.  
and this was passed unanimously,

**4.C. Special Meeting – July 25, 2003**

Mr. Tesche moved, to approve the Special Meeting Minutes  
Ms. Shamberg seconded, of July 25, 2003.  
and this was passed unanimously,

**4.D. Regular Meeting – January 20, 2004 [Amended]**

Mr. Tesche moved, to approve the Regular Meeting Minutes of  
Ms. Fairclough seconded, January 20, 2004.  
and this was passed unanimously,

**4.E. Regular Meeting – February 17, 2004**

Mr. Tesche moved, to approve the Regular Meeting Minutes  
Ms. Shamberg seconded, of February 17, 2004.  
and this was passed unanimously,

**4.F. Special Meeting – February 17, 2004**

Mr. Tesche moved, to approve the Special Meeting Minutes of  
Ms. Shamberg seconded, February 17, 2004.  
and this was passed unanimously,

**5. MAYOR'S REPORT**

Mayor Begich announced the beginning the Foster Flower Program. He stated the Administration had already received much interest from local businesses, including the Starbucks Coffee Company.

The Mayor stated that the Long Range Transportation Plan was conducting an open house that evening in the Assembly Chambers entry hallway. It was an opportunity for residents of Anchorage to see the proposed transportation projects and allowed for public input to the many changes that would occur.

Mayor Begich addressed recent articles published in the *Alaska Star*, an Eagle River newspaper, to clarify for the record a reoccurring misconception. He emphasized there was no effort by his Administration to "take over" the Chugiak Volunteer Fire Service Area, as was being reported. He and his Administration felt the Chugiak Fire Service Area was doing an excellent job. He added there had been no candidates apply for the vacancy of the Chugiak Fire Service Area in the recent Municipal April Election. The Municipal Clerk properly ruled that with no applicants the vacancy could not appear on the ballot. He stated the Administration would work with Assemblymember Fairclough and the new incoming Assemblymember, to appoint a new member to that board.

**6. ASSEMBLY CHAIR'S REPORT** None.

**7. COMMITTEE REPORTS**

Mr. Tremaine stated that he was heading to Juneau the next day, as a Board Member of the Alaska Municipal League representing Anchorage.

Chair Traini stated that he had recently heard of proposed legislation that would amend the Municipal Charter, changing the sales tax requirement.

Mr. Tesche requested that Mr. Tremaine remind legislators that at the recent election, Anchorage voters urged the Alaska Legislature to adopt in open session, a long range, comprehensive fiscal plan for the State of Alaska. He added it was important for state representatives to understand Anchorage voters passed that proposition by a two-thirds vote.

Mr. Tremaine stated that he would convey all requested information to the legislators. He felt it was important for them to understand that Alaska Conference of Mayors had sent the same, clear message that they had the strongest desire for the Legislature to adopt a plan that would secure fiscal stability for the State of Alaska.

**8. ADDENDUM TO AGENDA**

Chair Traini read the Addendum items. He added two items, F.17 and F.18. 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 the  
Ms. Taylor seconded, Regular Agenda.  
and this motion was passed,

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

NAYES: None.

Question was called on the Consent Agenda.

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

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

**9. CONSENT AGENDA**

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

9.A.1. Resolution No. AR 2004-70, a resolution of the Anchorage Municipal Assembly applauding and supporting the **National Association of Letter Carriers (NALC)** 12<sup>th</sup> Annual National Food Drive on May 8, 2004, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle.

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

9.A.2. Resolution No. AR 2004-98, a resolution of the Anchorage Municipal Assembly honoring and remembering former Representative **James C. Parsons**, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle. (**Addendum**)

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

9.A.3. Resolution No. AR 2004-99, a resolution of the Anchorage Municipal Assembly honoring and remembering **Floyd Kaleak**, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle. (**Addendum**)

Ms. Von Gemmingen requested this item be pulled for discussion on the Regular Agenda. (*See item 10.A.3*)

**9.B. RESOLUTIONS FOR ACTION - OTHER**

9.B.1. Resolution No. AR 2004-73, a resolution of the Anchorage Municipal Assembly urging the Alaska House of Representatives to uphold the April 2003 decision of the Anchorage voters to amend the Home Rule Charter and set requirements for **runoff elections** in the Office of Mayor, Assemblymembers Tesche, Traini, and Tremaine, Van Etten, Taylor, Von Gemmingen, Shamberg and Whittle. (*Postponed from 3-26-04 Special Meeting*)

Ms. Taylor, Mr. Van Etten, Ms. Von Gemmingen, Ms. Shamberg and Mr. Whittle requested to be added as co-sponsors to this resolution. Mr. Sullivan requested this item be pulled for review on the Regular Agenda. (See item 10.B.1)

- 9.B.2. Resolution No. AR 2004-74, a resolution of the Anchorage Municipal Assembly requesting the Administration establish a subaccount within Fund 261 to be described as **Contributions to Future Veterans' Home**, Assembly Chair Traini.
  - a. Assembly Memorandum No. AM 286-2004.
- 9.B.3. Resolution No. AR 2004-75, a resolution of the Anchorage Municipal Assembly requesting the Administration establish a subaccount within Fund 261 to be described as **Contributions to General Government Operations**, Assembly Chair Traini.
  - a. Assembly Memorandum No. AM 286-2004.

Chair Traini requested this item be pulled for review on the Regular Agenda. (See item 10.B.3)

- 9.B.4. Resolution No. AR 2004-76, a resolution of the Anchorage Municipal Assembly requesting the Administration establish a subaccount within Fund 261 to be described as **Contributions to Trails Watch Program**, Assembly Chair Traini.
  - a. Assembly Memorandum No. AM 286-2004.
- 9.B.5. Resolution No. AR 2004-77, a resolution of the Municipality of Anchorage appropriating \$5,000 as a grant from the Alaska Regional Hospital Auxiliary to the Miscellaneous Grants Fund (261) for the Anchorage Police Department to provide for the purchase of additional **defibrillators**, Anchorage Police Department.
  - a. Assembly Memorandum No. AM 307-2004.
- 9.B.6. Resolution No. AR 2004-78, a resolution of the Municipality of Anchorage accepting when tendered the sum of \$17,726 from the State of Alaska, Department of Transportation & Public Facilities; and appropriating said grant, \$37,821 as a contribution from the 2004 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151), to the State Categorical Grants Fund (231) Anchorage Police Department, for the **Highway Safety Officer Training Program**, Anchorage Police Department.
  - a. Assembly Memorandum No. AM 308-2004.
- 9.B.7. Resolution No. AR 2004-79, a resolution of the Municipality of Anchorage providing for the appropriation of a grant totaling \$34,842 from the State of Alaska, Department of Education to the State Categorical Grants Fund (231), Office of Economic and Community Development for the **Net Lender Reimbursement Program**, Office of Economic & Community Development/Library.
  - a. Assembly Memorandum No. AM 309-2004.
- 9.B.8. Resolution No. AR 2004-80, a resolution establishing delinquent dates for the first and second half of **annual real property tax payments** for Tax Year 2004, Finance.
  - a. Assembly Memorandum No. AM 310-2004.
- 9.B.9. Resolution No. AR 2004-81, a resolution of the Municipality of Anchorage appropriating \$30,230 as a supplemental grant to the State Categorical Grants Fund (231), from the Alaska Department of Health and Social Services to the Department of Health and Human Services for the provision of **public health preparedness and response for bioterrorism**, Health and Human Services.
  - a. Assembly Memorandum No. AM 311-2004.
- 9.B.10. Resolution No. AR 2004-84, a resolution of the Anchorage Municipal Assembly authorizing the Administration to proceed with preparation of the **West Anchorage District and Sand Lake District Plans** consistent with the purposes and goals of the *Anchorage 2020 Comprehensive Plan*, Assemblymembers Von Gemmingen, Sullivan and Tesche.

Ms. Von Gemmingen requested this item be pulled for discussion on the Regular Agenda. (See item 10.B.10)

- 9.B.11. Resolution No. AR 2004-85, a resolution of the Anchorage Municipal Assembly supporting Senate Bill 269 relating to access by a parent or guardian to the **public library records** of a minor child, Assemblymembers Sullivan and Kendall.

Mr. Tesche requested this item be pulled for review on the Regular Agenda. (See item 10.B.11)

- 9.B.12. Resolution No. AR 2004-90, a resolution of the Municipality of Anchorage appropriating \$17,690 in various community donations to the Miscellaneous Operational Grants Fund (261) for the **Trail Watch Program**, Municipal Manager's Office. (**Addendum**)
  - a. Assembly Memorandum No. AM 326-2004.
- 9.B.13. Resolution No. AR 2004-91, a resolution of the Anchorage Municipal Assembly supporting and urging passage of House Bill No. 431, "An Act relating to the **Municipal Dividend Program**; and approving for an effective date," Assemblymembers Von Gemmingen, Shamberg, Taylor, Tesche, Traini, Tremaine, Van Etten and Whittle. (**Addendum**)

Mr. Kendall requested this item be pulled for review on the Regular Agenda. (See item 10.B.13)

- 9.C. **BID AWARDS** None.
- 9.C.1. Assembly Memorandum No. AM 288-2004, recommendation of award to Consolidated Contracting & Engineering for the **Dimond High School Pool Facility Mechanical and Electrical Renovation** for the Municipality of Anchorage, Maintenance & Operations Department (ITB 24-C005) (\$115,555), Purchasing.
- 9.C.2. Assembly Memorandum No. AM 320-2004, recommendation of award to A& G Enterprises Ltd. for furnishing **street sweeping services** to the Municipality of Anchorage, Maintenance & Operations Department, Facility & Fleet Management Department (ITB 24-B008) (\$131,823.59), Purchasing. (**Addendum**)
- 9.D. **NEW BUSINESS**

- 1 9.D.1. Assembly Memorandum No. AM 263-2004, Sunset of Boards and Commissions: **Airport Aviation**  
2 **Advisory Commission & Board of Building Regulation Examiners and Appeals**, Municipal Clerk.  
3 9.D.2. Assembly Memorandum No. AM 289-2004, **Board of Building Regulation Examiners and Appeals**  
4 *(Building Board)* appointment (Scott Bohne), Mayor's Office.  
5 9.D.3. Assembly Memorandum No. AM 290-2004, **Women's Commission** appointment (Stacie Papineau),  
6 Mayor's Office.  
7 9.D.4. Assembly Memorandum No. AM 291-2004, proprietary purchase of **computer software maintenance**  
8 from Sirsi Corporation for the Municipality of Anchorage, Department of Economic & Community  
9 Development/Library Division (\$52,944), Purchasing.  
10 9.D.5. Assembly Memorandum No. AM 292-2004, extension of initial term and amendments to **SMG of**  
11 **Alaska, Inc.** existing contract for professional services for operation and management of the Sullivan  
12 Arena, Department of Economic & Community Development.  
13 9.D.6. Assembly Memorandum No. AM 293-2004, proprietary services contract with Virginia McMichael to  
14 provide **administrative assistance** to the Chugiak Fire and Rescue, Inc. for the Municipality of  
15 Anchorage, Anchorage Fire Department (\$31,800), Purchasing.  
16 9.D.7. Assembly Memorandum No. AM 294-2004, proprietary purchase with Medtronic Physio-Control  
17 Corporation for providing **Lifepak 12 Biphasic Defibrillator/ Monitors** and related accessories to the  
18 Municipality of Anchorage, Anchorage Fire Department (\$66,100), Purchasing.  
19 9.D.8. Assembly Memorandum No. AM 295-2004, approval of Contract Amendment No. 5 to Purchase Order  
20 No. 230776, **ambulance fee collections** contract with Fosselman & Weiland, CPA's (dba, Medical  
21 Support Services) for the Municipality of Anchorage (\$70,000), Anchorage Fire Department.  
22 9.D.9. Assembly Memorandum No. AM 296-2004, proprietary purchase of **computer software maintenance**  
23 from ESRI, Inc. for the Municipality of Anchorage, Anchorage Water & Wastewater Utility and the  
24 Information Technology Department (\$33,374.25), Purchasing.  
25 9.D.10. Assembly Memorandum No. AM 297-2004, proprietary purchase of **computer software maintenance**  
26 **support** from BMC Software for the Municipality of Anchorage, Information Technology Department  
27 (ITD) (\$52,647), Purchasing.  
28 9.D.11. Assembly Memorandum No. AM 298-2004, proprietary purchase of **computer software license**  
29 **renewal and hardware maintenance services** from IBM for the Municipality of Anchorage,  
30 Information Technology Department (\$652,416.48), Purchasing.  
31 9.D.12. Assembly Memorandum No. AM 299-2004, Change Order No. 2 to Vendor Contract 23MLP005 with  
32 Joe L. Hayes Legislative Consultants for providing professional **lobbying services** for the Municipality  
33 of Anchorage, Municipal Light & Power (\$25,000), Purchasing.  
34 9.D.13. Assembly Memorandum No. AM 301-2004, Contract Amendment No. 1 to professional services  
35 contract with DOWL Engineers for the **40<sup>th</sup> Avenue Extension Project**, Eureka Drive to B Street,  
36 Project No. 96-15 (\$42,900), Project Management & Engineering.  
37 9.D.14. Assembly Memorandum No. AM 302-2004, Contract Amendment No. 1 to the professional services  
38 contract with Trawver Land Services for **right of way land acquisition services** (\$100,000), Project  
39 Management & Engineering,  
40 9.D.15. Assembly Memorandum No. AM 303-2004, Amendment No. 2 to professional engineering services  
41 contract with USKH, Inc., **9th Avenue Pavement Rehabilitation and Signal Upgrade**, L Street to  
42 Ingra Street, Project No. 01-01(\$357,939), Project Management & Engineering.  
43 9.D.16. Assembly Memorandum No. AM 304-2004, Amendment No. 1 to professional services contract with  
44 DOWL Engineers for **Kloop Station Water Quality and Facility Improvements**, Project No. 99-20  
45 (\$412,828), Project Management & Engineering.  
46 9.D.17. Assembly Memorandum No. AM 305-2004, an agreement to reimburse Tesoro Refining and Marking  
47 Company for 50% of costs to relocate a **fuel line** within the existing road embankment that crosses  
48 Ship Creek, Project No. 02-01 (\$450,000), Project Management & Engineering.  
49

50 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.D.17)*  
51

- 52 9.D.18. Assembly Memorandum No. AM 306-2004, revised final assessment roll for **Special Assessment**  
53 **District 3P99** which provided alley paving improvements on the I Street/K Street Alley between 15<sup>th</sup>  
54 Avenue and 16<sup>th</sup> Avenue, Project Management & Engineering.  
55 9.D.19. Assembly Memorandum No. AM 321-2004, recommendation to award contracts for providing  
56 professional engineering services for two (2) Street And Drainage Projects: A) CRW Engineering  
57 Group LLC for the **35<sup>th</sup> Avenue/McRae Street Upgrade Project**, and B) PTS, Inc. for the **Bayshore**  
58 **Drive Surface Upgrade Project** for the Municipality of Anchorage, Project Management &  
59 Engineering (RFP 23-P048) (\$1,603,444), Purchasing. **(Addendum)**  
60 9.D.20. Assembly Memorandum No. AM 322-2004, Change Order No.1 to Vendor Contract 23AFD166 with  
61 KME Fire Apparatus c/o Oregon Fire Equipment Company, Ltd. for furnishing **emergency fire**  
62 **response apparatus** to the Municipality of Anchorage, Anchorage Fire Department (\$369,957),  
63 Purchasing. **(Addendum)**  
64 9.D.21. Assembly Memorandum No. AM 323-2004, Contract Amendment No. 4 to Purchase Order 231576  
65 with Paratransit Services Inc. for providing a coordinated transportation system "**AnchorRIDES**" for  
66 the Municipality of Anchorage, Public Transportation Department (\$296,750), Purchasing.  
67 **(Addendum)**  
68 9.D.22. Assembly Memorandum No. AM 324-2004, Change Order No. 1 to Purchase Order 230297 with Avail  
69 Technologies, Inc. for providing **advanced operation system integration services** for the  
70 Municipality of Anchorage, Public Transportation Department (\$2,509,351), Purchasing. **(Addendum)**  
71 9.D.23. Assembly Memorandum No. AM 325-2004, Amendment No. 3 to Purchase Order 0000216060 for the  
72 professional engineering services contract with Montgomery Watson Harza (MWH) Americas, Inc. for  
73 the **Utility-Wide SCADA (Supervisory Control and Data Acquisition) and Communications Base**  
74 **Design Project** for the Municipality of Anchorage, Anchorage Water & Wastewater Utility  
75 (\$2,681,173). **(Addendum)**  
76  
77 **9.E. INFORMATION AND REPORTS**  
78 9.E.1. Information Memorandum No. AIM 30-2004, Internal Audit Report 2004-4 – **Premiera Blue Cross**  
79 **Blue Shield of Alaska Contract Administration, Employee Relations Department, Internal Audit.**

- 1 9.E.2. Information Memorandum No. AIM 31-2004, **Government Finance Officers Association Certificate**  
2 **of Achievement Award**, Finance.  
3

4 Ms. Von Gemmingen and Mr. Tremaine requested this item be pulled for discussion on the Regular Agenda. (See  
5 *item 10.E.2*)  
6

- 7 9.E.3. Information Memorandum No. AIM 32-2004, **Monthly Financial Reports** – February 2004, Finance.  
8 9.E.4. Information Memorandum No. AIM 34-2004, 2004 grants to **non-profit parks and recreation**  
9 **services providers** (Anchorage Parks and Recreation Service Area \$88,500; Eagle River-Chugiak  
10 Park and Recreational Service Area \$40,500; Girdwood Service Area \$29,700), Economic &  
11 Community Development.  
12 9.E.5. Information Memorandum No. AIM 35-2004, **B-5 and B-6 Sewer Trunk Upgrade Phase 1** (Schedule  
13 A) and **C-5-7 Sewer Trunk Upgrade Phase 1** (Schedule B) - Tam Construction, Inc. (P.O. 236003),  
14 report of contract change orders (\$160,756.63), Anchorage Water & Wastewater Utility.  
15

16 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 17 9.F.1. Ordinance No. AO 2004-77, an ordinance authorizing the Municipality of Anchorage to extinguish all  
18 **unpaid tax, penalty, interest, and administrative debt** on, and authorize sale of properties at  
19 market value (Parcel ID Nos. 017-073-73, 020-422-13, 050-792-14, 051-55-25), Real Estate Services.  
20 a. Assembly Memorandum No. AM 314-2004. (*Public Hearing set for. 5-11-04*)  
21 9.F.2. Ordinance No. AO 2004-78, an ordinance amending Anchorage Municipal Code Section 25.60 to  
22 replace the reference to the Planning Department and Public Works with Health and Human Services  
23 and to clarify the **cemetery decoration policy**, specify a timeline for removal of decorations from  
24 graves, to clarify when boxes and fences may be placed on graves, and to authorize placement of  
25 traditional wooden religious symbols in Anchorage Memorial Cemetery, Health and Human Services.  
26 a. Assembly Memorandum No. AM 315-2004. (*Public Hearing set for. 5-11-04*)  
27 9.F.3. Ordinance No. AO 2004-79, an ordinance amending the zoning map and providing for the rezoning of  
28 **Gladys Wood Park Subdivision, Tract 1**, from R-1 (Single Family Residential) and R-2M (Multiple  
29 Family Residential) to PLI-p (Public Lands and Institutions-Park), generally located north of Strawberry  
30 Road and west of Cranberry Street (Sand Lake Community Council) (Planning and Zoning  
31 Commission Case 2004-001), Planning Department.  
32 a. Assembly Memorandum No. AM 316-2004. (*Public Hearing set for. 5-18-04*)  
33 9.F.4. Resolution No. AR 2004-82, a resolution of the Municipality of Anchorage appropriating \$110,792 from  
34 the Anchorage Museum Foundation and \$7,080 as a contribution from the CY04 Museum Operating  
35 Budget, Areawide General Fund (101) for administrative fees to Miscellaneous Operational Grants  
36 Fund 261 to fund the **Exhibits Registrar** for the Anchorage Museum of History and Art (\$117,872),  
37 Office of Economic & Community Development. (*Public Hearing set for. 4-20-04*)  
38 a. Assembly Memorandum No. AM 312-2004.  
39 9.F.5. Resolution No. AR 2004-83, a resolution of the Anchorage Municipal Assembly appropriating \$79,600  
40 from the Areawide General Fund (101) Real Estate Services Department's 2004 Operating Budget to  
41 the Areawide Capital Fund (401) for **City Hall capital maintenance and improvements**, and  
42 appropriating \$75,000 from the Areawide General Fund (101) Real Estate Services Department's  
43 2004 Operating Budget to the Areawide General Fund (101) Real Estate Services Department's 2004  
44 Operating Budget to the Areawide General Fund (401) for City Hall tenant improvements, Office of  
45 Economic & Community Development. (*Public Hearing set for. 4-20-04*)  
46 a. Assembly Memorandum No. AM 313-2004.  
47 9.F.6. Ordinance No. AO 2004-75, an ordinance of the Municipality of Anchorage, Alaska, providing for the  
48 issuance of **Wastewater Revenue and Refunding Bonds** of the Municipality in the aggregate  
49 amount of not to exceed \$35,000,000 for the purpose of providing part of the funds to refund certain  
50 outstanding wastewater revenue bonds of the Municipality and to provide for certain improvements to  
51 the wastewater utility and to pay costs of issuance; fixing certain covenants and protective provisions  
52 safeguarding the payment of the principal of and interest on said bonds; providing for the date, form,  
53 terms, maturities and manner of sale of the bonds; delegating to the Chief Fiscal Officer the approval  
54 of final maturity amounts and interest rates on said bonds; authorizing an official statement;  
55 authorizing the appointment of an escrow agent and the execution of an escrow agreement;  
56 authorizing the sale of such bonds; amending Ordinance No. 99-119(S); and repealing Ordinance No.  
57 2003-104, Finance. (~~*Public Hearing set for. 5-11-04*~~) (*Public Hearing set for. 4-20-04*)  
58 a. Assembly Memorandum No. AM 287-2004. (**Addendum**)  
59

60 The Administration requested the Public Hearing date be rescheduled for April 20, 2004.  
61

- 62 9.F.7. Ordinance No. AO 2004-76, an ordinance of the Municipality of Anchorage, Alaska, providing for the  
63 issuance of **Subordinate Lien Water Revenue and Refunding Bonds** of the Municipality in the  
64 aggregate amount of not to exceed \$45,000,000 for the purpose of providing part of the funds to  
65 refund certain outstanding senior lien water revenue bonds of the Municipality and to provide for  
66 certain improvements to the water utility and to pay costs of issuance; fixing certain covenants and  
67 protective provisions safeguarding the payment of the principal of and interest on said bonds;  
68 providing for the date, form, terms, maturities and manner of sale of the bonds; delegating to the Chief  
69 Fiscal Officer the approval of final maturity amounts and interest rates on said bonds; authorizing an  
70 official statement; authorizing the appointment of an escrow agent and the execution of an escrow  
71 agreement; authorizing the sale of such bonds; amending Ordinance No. 98-71 and Ordinance No.  
72 99-118(S); and repealing Ordinance No. 2003-103, Finance. (~~*Public Hearing set for. 5-11-04*~~) (*Public*  
73 *Hearing set for. 4-20-04*)  
74 a. Assembly Memorandum No. AM 287-2004. (**Addendum**)  
75

76 The Administration requested the Public Hearing date be rescheduled for April 20, 2004.  
77

- 1 9.F.8. Resolution No. AR 2004-92, a resolution approving and ratifying a two year extension of the collective  
2 bargaining agreement between the Municipality of Anchorage and the **General Teamsters Local**  
3 **Union 959**, Employee Relations. (*Public Hearing set for. 4-20-04*)  
4 a. Assembly Memorandum No. AM 327-2004. (**Addendum**)  
5

6 Ms. Taylor requested to abstain from voting on this item, due to a conflict of interest.  
7

- 8 9.F.9. Resolution No. AR 2004-93, a resolution approving and ratifying a two and one-half year extension of  
9 the collective bargaining agreement between the Municipality of Anchorage and the **International**  
10 **Union of Operating Engineers, Local 302**, Employee Relations. (*Public Hearing set for. 4-20-04*)  
11 a. Assembly Memorandum No. AM 328-2004. (**Addendum**)  
12

13 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (*See item 10.F.9*)

14 Ms. Taylor requested to abstain from voting on this item, due to a conflict of interest.  
15

- 16 9.F.10. Resolution No. AR 2004-94, a resolution approving and ratifying a five and one-half year collective  
17 bargaining agreement between the Municipality of Anchorage and **Anchorage Police Department**  
18 **Employees Association**, Employee Relations. (*Public Hearing set for. 4-20-04*)  
19 a. Assembly Memorandum No. AM 329-2004. (**Addendum**)  
20

21 Ms. Taylor requested to abstain from voting on this item, due to a conflict of interest.  
22

- 23 9.F.11. Ordinance No. AO 2004-80, an ordinance amending Anchorage Municipal Code Chapter 26.70 "**Solid**  
24 **Waste Collection**" including rates, Solid Waste Services, Solid Waste Services. (*Public Hearing set*  
25 *for. 5-11-04*) (*Public Hearing set for. 4-20-04*)  
26 a. Assembly Memorandum No. AM 330-2004. (**Addendum**)  
27

28 The Administration requested the Public Hearing date be rescheduled for April 20, 2004.  
29

- 30  
31 9.F.12. Ordinance No. AO 2004-81, an ordinance setting the rate of **tax levy and levying taxes** for the  
32 Municipality of Anchorage Areawide General Purposes including municipal schools and all service  
33 areas of the Municipality for the Municipal Tax Year 2004 and approving the total amount of municipal  
34 property tax for Fiscal Year 2004, Office of Management & Budget. (*Public Hearing set for. 5-11-04*)  
35 (*Public Hearing set for. 4-20-04*)  
36 a. Assembly Memorandum No. AM 331-2004. (**Addendum**)  
37

38 The Administration requested the Public Hearing date be rescheduled for April 20, 2004.  
39

- 40 9.F.13. Resolution No. AR 2004-95, a resolution of the Municipality of Anchorage providing for a **revision of**  
41 **the 2004 General Government Operating Budget**, Office of Management & Budget. (*Public Hearing*  
42 *set for. 5-11-04*) (*Public Hearing set for. 4-20-04*)  
43 a. Assembly Memorandum No. AM 332-2004. (**Addendum**)  
44

45 The Administration requested the Public Hearing date be rescheduled for April 20, 2004.  
46

- 47 9.F.14. Ordinance No. AO 2004-82, an ordinance of the Anchorage Municipal Assembly authorizing the lease  
48 of the **South Transit Shed Building** at the Port of Anchorage to the United States Coast Guard, Port  
49 of Anchorage. (*Public Hearing set for. 5-11-04*) (*Public Hearing set for. 4-20-04*) (**Addendum**)  
50 a. Assembly Memorandum No. AM 335-2004.  
51

52 The Administration requested the Public Hearing date be rescheduled for April 20, 2004.  
53

- 54 9.F.15. Resolution No. AR 2004-96, a resolution of the Municipality of Anchorage appropriating \$1,480,668 as  
55 a grant from the State of Alaska Division of Homeland Security and Emergency Management and  
56 contributing: \$3,444 from Areawide General Operating Fund/Office of Emergency Management (101);  
57 \$1,963 from Areawide General Operating Fund/Department of Health and Human Services (101);  
58 \$42,058 from Anchorage Fire Service Area 2004 Operating Fund (131); and \$31,985 from Anchorage  
59 Metropolitan Police Service Area to the State Categorical Grants Fund (231) for the purchase of  
60 **terrorism response and prevention equipment and support of CBRNE exercise activities** by the  
61 Office of the Municipal Manager and the Emergency Operations Center.  
62 a. Assembly Memorandum No. AM 333-2004. (*Public Hearing set for. 4-20-04*) (**Addendum**)  
63 9.F.16. Resolution No. AR 2004-97, a resolution of the Municipality of Anchorage appropriating \$285,211 as a  
64 grant from the State of Alaska Division of Homeland Security and contributions of \$663 from Areawide  
65 General Operating Fund/Office of Emergency Management (101); \$378 from Areawide General  
66 Operating Fund/Department of Health and Human Services (101); \$8,094 from Anchorage Fire  
67 Service Area 2004 Operating Fund (131); and \$6,155 from Anchorage Metropolitan Police Service  
68 Area Operating Fund (151) to State Categorical Grants Fund (231) for the purchase of **terrorism**  
69 **response and prevention equipment and the expenses related to Homeland Security training** by  
70 the Office of the Municipal Manager and the Emergency Operations Center.  
71 a. Assembly Memorandum No. AM 334-2004. (*Public Hearing set for. 4-20-04*) (**Addendum**)  
72

73 Mr. Whittle requested this item be pulled for review on the Regular Agenda. (*See item 10.F.16*)  
74

- 75 9.F.17. Resolution No. AR 2004-108, a resolution amending Title 21 of the Anchorage Municipal Code of  
76 Regulations to add a new Chapter 21.90, regulations governing **Multiple Dwelling Unit Residential**  
77 **Development** on a Single Lot of Tract within the Municipality, Project Management &  
78 Engineering/Development Services/Traffic/Fire Department. (**Laid on the Table**) (*Public Hearing set*  
79 *for 5-11-04*)

9.F.18. Resolution No. AR 2004-88, a resolution of the Municipality of Anchorage providing for a revision of the **Anchorage School District Budget** for FY 2004-2005; Anchorage School District. ***(Laid on the Table)*** *(Public Hearing set for 4-20-04)*

Chair Traini called for a motion to approve the remainder of Consent Agenda, with the exception of those items pulled for discussion.

Mr. Tremaine moved, to approve the amended Consent Agenda, with Ms. Taylor  
Mr. Tesche seconded, abstaining from voting on 9.F.8 (AR 2004-92), 9.F.9 (AR  
and this motion was passed, 2004-93) and 9.F.10 (2004-94), due to conflicts of interest.

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

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

## END OF CONSENT AGENDA

### 10. REGULAR AGENDA

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

10.A.1. Resolution No. AR 2004-70, a resolution of the Anchorage Municipal Assembly applauding and supporting the **National Association of Letter Carriers (NALC)** 12<sup>th</sup> Annual National Food Drive on May 8, 2004, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle.

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

Mr. Sullivan moved, to approve AR 2004-70.  
Ms. Fairclough seconded,  
and this motion was passed,

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

Sullivan read the resolution of recognition and Chair Traini presented the award to a group of individuals participating with the 2004 Food Drive. The representatives included Robert D. Ward, Jr., John R. Graves, Jim Raymond, Chick Armstrong, Heidi Erdhardt, Al Bernard, Anna Bell Stevens, Sue Brogan, Susannah Morgan and Jill Hall. Mr. Graves, the Alaskan NALC Coordinator, accepted the award on the participants' behalf and thanked the Assembly and the Administration for the recognition. He explained that Anchorage, Eagle River, Wasilla, Palmer, Kenai, Soldotna and Homer were communities involved with this food drive and he thanked the Assembly and the Administration on behalf of all Alaskan, NALC members.

10.A.2. Resolution No. AR 2004-98, a resolution of the Anchorage Municipal Assembly honoring and remembering former Representative **James C. Parsons**, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle. ***(Addendum)***

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

Mr. Whittle moved, to approve AR 2004-98.  
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.

Mr. Whittle read the resolution, honoring and remembering former Representative James C. Parson for his dedication to public service to Anchorage and the State of Alaska. Mr. Whittle added that Mr. Parsons was a true gentleman and was involved and active with issues and events in our community. Chair Traini stated that "Jim" was very well know and well liked, and his passing brought a sadness to this town.

10.A.3. Resolution No. AR 2004-99, a resolution of the Anchorage Municipal Assembly honoring and remembering **Floyd Kaleak**, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle. ***(Addendum)***

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

Ms. Von Gemmingen moved, to approve AR 2004-99.  
Mr. Tesche seconded,  
and this motion was passed,

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

Ms. Von Gemmingen read this proclamation, honoring and remembering Mr. Floyd Kaleak for his cheerful attitude and beaming smile. She stated that he was once voted the third most cheerful person of the city. Mr. Kaleak's friends and caretakers present included Jennifer Sapp, Phil Allison, Jennifer Moore, Jesse Smith, Chuck Lester and Angela Pointer.

Ms. Von Gemmingen, Ms. Fairclough and Chair Traini remembered events of Floyd's life and all agreed that he was a very special man and was an asset to our town.

**10.B. RESOLUTIONS FOR ACTION - OTHER**

10.B.1. Resolution No. AR 2004-73, a resolution of the Anchorage Municipal Assembly urging the Alaska House of Representatives to uphold the April 2003 decision of the Anchorage voters to amend the Home Rule Charter and set requirements for **runoff elections** in the Office of Mayor, Assemblymembers Tesche, Traini, Tremaine, Van Etten, Taylor, Von Gemmingen, Shamberg and Whittle. (*Postponed from 3-26-04 Special Meeting*)

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

Mr. Sullivan moved, to approve AR 2004-73.  
Mr. Tesche seconded,  
and this motion was passed,

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

NAYES: Kendall and Sullivan.

Mr. Sullivan pulled this item to be registered as a NO-vote. Mr. Kendall joined him in casting a NO-vote.

10.B.3. Resolution No. AR 2004-75, a resolution of the Anchorage Municipal Assembly requesting the Administration establish a subaccount within Fund 261 to be described as **Contributions to General Government Operations**, Assembly Chair Traini.  
a. Assembly Memorandum No. AM 286-2004.

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

Mr. Tesche moved, to approve AR 2004-75.  
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.

Chair Traini stated this resolution was a result of a donation of money being given by Mr. Al Choy to the Municipality of Anchorage. He explained that the MOA had not had an account for donations of this kind. Mr. Choy stated that the business and private sectors of the community could come together and assist with the budget gap and the recent fiscal situation in the MOA. Mr. Choy urged the Administration to advertise to the community to get more donations. Mr. Choy stated that he had made a few calls and he presented the following additional donations to the Municipality: \$250 from Pam Wand and James Millhouse at Hair Play by Colors; \$250 from Michael and Christian Choy at Dynamic Properties; \$1000.00 from Abraham Gallo; and \$1000.00 from John and Carol Liberger. Chair Traini accepted the donations.

10.B.10 Resolution No. AR 2004-84, a resolution of the Anchorage Municipal Assembly authorizing the Administration to proceed with preparation of the **West Anchorage District and Sand Lake District Plans** consistent with the purposes and goals of the *Anchorage 2020 Comprehensive Plan*, Assemblymembers Von Gemmingen, Sullivan and Tesche.

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

Ms. Von Gemmingen moved, to approve AR 2004-84.  
Mr. Tesche seconded,  
and this motion was passed unanimously,

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

NAYES: None.

Ms. Von Gemmingen stated that she pulled this item to show her support of the Districting Plan for West Anchorage and Sand Lake. She said they were very important to the development of the community and urged the body to support the plans that would include areas for walking and recreation.

Mr. Tesche also supported this resolution and urged the body to support it. He thought this section of town needed a district plan.

Sullivan supported the plan because he thought the growth of the Ted Steven's Airport had made West Anchorage a rapidly growing area, both residentially and with businesses.

10.B.11 Resolution No. AR 2004-85, a resolution of the Anchorage Municipal Assembly supporting Senate Bill 269 relating to access by a parent or guardian to the **public library records** of a minor child, Assemblymembers Sullivan and Kendall.

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

Mr. Tesche moved, to refer AR 2004-85 to the Library Board.  
Ms. Taylor seconded,

Mr. Tesche thought it would be a wise idea to refer this issue to the Library Board for their consideration. He stated that he would feel more comfortable hearing from the Board on this delicate issue concerning children's rights.

Mr. Sullivan stated that this State Senate Bill 269 had been around for over two months, and asked if there were any Library Board members present to communicate their review.

SUE SHARIFF, Vice Chair of the Library Association, testified that the State Library Board felt there were still issues that needed to be addressed at the state and local levels. She stated this was a sensitive issue because librarians worked very hard to make sure that children and parents used the library together and they did not want to be viewed as interfering between the parent-child relationship. Ms. Shariff urged the Assembly to refer this matter to the Library Advisory Commission for consideration. To Mr. Sullivan's question, Ms. Shariff responded that the Library Association had made recommendations on how to improve this legislation. Ms. Shariff responded that the current law did not address the matter of confidentiality privileges or overdue books, and the Library Association wished to address it.

To Mr. Kendall, Ms. Shariff responded that their main concerns included the parents supervision of reading materials, and the issue of recording personal information on children. The Library Association's stand was to allow residents over the age of sixteen to get library cards without parental approval.

Mr. Tesche stated this was a complicated issue and again urged the approval of referring this issue to the Library Advisory Board.

Sullivan read the sponsor's statement and remarked on the similarities of it with the State Senate Bill 269. Mr. Sullivan stated that while he fully supported the Library Association, he felt that action on this resolution could be taken by the Assembly that evening.

Chair Traini called for a vote, and reminded Assemblymembers a YES-vote would refer this issue to the Library Board. If this motion failed, he would direct another motion to approve.

Mr. Tesche moved, to refer AR 2004-85 to the Library Board.  
Ms. Taylor seconded,  
and this motion was passed,

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

To Mr. Sullivan's question, Mr. Art Weeks, Municipal Librarian, stated that the Library Advisory Board would meet on April 21, 2004, and this issue could be taken up at that meeting. To Chair Traini, he responded that he would make the recommendation that they have a summary of the Board's review before the Assembly meeting on April 27, 2004.

10.B.13. Resolution No. AR 2004-91, a resolution of the Anchorage Municipal Assembly supporting and urging passage of House Bill No. 431, "An Act relating to the **Municipal Dividend Program**; and approving for an effective date," Assemblymembers Von Gemmingen, Shamberg, Taylor, Tesche, Traini, Tremaine, Van Etten and Whittle. **(Addendum)**

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

Mr. Kendall moved, to approve AR 2004-91.  
Mr. Tremaine seconded,

Mr. Kendall stated that the Assembly had supported placing this issue on the recent ballot, and the MOA voters had approved that the State of Alaska should adopt a fiscal plan. He asked how this resolution was associated with this promotion of a state fiscal plan. Ms. Von Gemmingen responded that Representative Carl Moses had introduced this House Bill No. 431, which had Public Hearing last week. She stated that the possible appropriations would be close to the amounts the MOA had received in the past. She stated it was important for the tax payers in the MOA to understand that they were paying higher taxes because of all the state appropriation cuts.

Mr. Kendall commented that the state's obligations were first to the State of Alaska operations. He stated that they had already sent a vote of no-confidence to the state capital and had urged them to solve the state fiscal crisis. He did not view this resolution as helping to solve the fiscal crisis. He stated that he would not be supporting this resolution.

Ms. Von Gemmingen stated that money for a Municipal Dividend Program would go a long ways towards balancing the MOA budget and the Municipality needed the revenue sharing.

Mr. Sullivan believed that the appropriations, which might be coming out of the Permanent Fund Earnings, should first go towards solving the fiscal concerns of the state. He reminded the body that Alaska cities relied on state appropriations for things like correctional institutes and court systems. He stated that this may begin a transfer of state-provided services to the local levels.

Mr. Tremaine stated this resolution supported House Bill 431, which supported appropriations to cities across the state, many of which were on the verge of bankruptcy due to lack of state funding. Being the largest city in the state, the problems in the smaller cities would eventually be felt in Anchorage. He felt that anything the Assembly could do to help save Alaskan cities would be helping Anchorage. He stated he would support this resolution. He stated that if it was approved by the Assembly he would present it at the Capital.

Mr. Kendall moved, to approve AR 2004-91.  
Mr. Tremaine seconded,  
and this motion was passed,

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

Chair Traini announced the approval of this resolution and recommended that Mr. Tremaine to address this issue in Juneau.

**10.C. BID AWARDS** None were pulled for review on the Regular Agenda.

**10.D. NEW BUSINESS**

10.D.17 Assembly Memorandum No. AM 305-2004, an agreement to reimburse Tesoro Refining and Marking Company for 50% of costs to relocate a **fuel line** within the existing road embankment that crosses Ship Creek, Project No. 02-01 (\$450,000), Project Management & Engineering.

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

Mr. Tremaine moved, to approve AM 305-2004.  
Mr. Whittle seconded,

To Mr. Tremaine, Municipal Attorney, Mr. Boness, stated there was an agreement between Tesoro and the MOA, but there had been negotiations on who would pay for the costs of moving the line. The matter was ultimately resolved, with the expenses being equally divided.

Mr. Tremaine read from Line 18 that PM&E requested the Municipality enter into an agreement to reimburse them. He was concerned because his understanding was that the agreement had not yet been signed. He stated that an argument remained that Tesoro could keep their line where it currently was located and for that reason he would not be supporting this memorandum. To Mr. Tremaine, Municipal Engineer, Mr. Howard Holton, stated that the agreement was a preexisting agreement and reimbursement would require another agreement. He stated that the Tesoro line was in the way of the proposed reconstruction and the MOA had planned to move ahead with the relocation on the culvert. He added there were time limitations, with ADF&G shutting down the culvert project when fish migration began in Ship Creek, which would halt reconstruction until October. He stated that the road over the culvert was the only road access to Ship Creek Point. Chair Traini called for a vote.

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

**10.E. INFORMATION AND REPORTS**

10.E.2. Information Memorandum No. AIM 31-2004, **Government Finance Officers Association Certificate of Achievement Award**, Finance.

A motion was cast by Mr. Tesche, seconded by von Gemmingen and was approved unanimously, to change the order of the day, to take up this item. Ms. Von Gemmingen and Mr. Tremaine had requested this item be pulled for discussion. Ms. Von Gemmingen proposed a motion to accept AIM 31-2004.

Ms. Von Gemmingen moved, to accept AIM 31-2004.  
Mr. Tesche seconded,  
and this motion was passed,

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

Ms. Von Gemmingen read this recognition to this group of employees, for receiving The Certificate of Achievement Award for Excellence in Financial Reporting, awarded by the National Government Finance Officers Association. She explained that this award was the highest recognition in the government accounting and financial reporting fields and was a significant accomplishment for the Municipality. She offered thanks to Rick Miller and the Controller Division staff for their accomplishments. Mayor Begich presented the award to the employees present, which included Mr. Brian Miller, Guy Bailly, Glenda Gibson and Gary Egan.

Ms. Fairclough acknowledged the previous administration had done a good job for this team to succeed and deserved to be included with this recognition. Ms. Fairclough stated that Ms. Von Gemmingen had also contributed tremendously with her financial knowledge and skills to assist the Assembly during her years as an Assemblymember.

**10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

Chair Traini stated that the Administration had requested the following items be pulled, so the scheduled Public Hearings for each item could be changed to April 20, 2004. Chair Traini called for a motion.

Mr. Tesche moved, to change the Public Hearing dates to April 20, 2004 for  
Mr. Tremaine seconded, the following items: 9.F.6 AO 2994-75; 9.F.7 AO 2004-76;  
and this motion passed unanimously, 9.F.11 AO 2004-80; 9.F.12 AO 2004-81; 9.F.13 AR 2004-95  
and; 9.F.14 AO 2004-82.

- 10.F.9. Resolution No. AR 2004-93, a resolution approving and ratifying a two and one-half year extension of the collective bargaining agreement between the Municipality of Anchorage and the **International Union of Operating Engineers, Local 302**, Employee Relations. (*Public Hearing set for. 4-20-04*)
- a. Assembly Memorandum No. AM 328-2004. (**Addendum**)

Chair Traini read this resolution title. Ms. Taylor requested to abstain from participating with this issue to avoid the appearance of a conflict of interest. Chair Traini called for a motion from Ms. Fairclough.

Ms. Fairclough moved, to introduce AR 2004-93.  
Mr. Tremaine seconded,  
Mr. Tesche was the concurring third,

Ms. Fairclough stated she would have questions on this labor contract. Because Mr. Jeff Ackerman had left the Operating Engineers, and there had been questions from a group of individuals who work at Solid Waste Services, she wanted to check to make certain those issues in question had been addressed. Deputy Municipal Manager, Michael Abbott responded those were issues of compensation and retirement had not been addressed.

Chair Traini requested for the Administration to research that information so there would not be any questions when this issue came before the Assembly for discussion. Mr. Sullivan requested that information be collected on pertinent information on the PERS requirements for those employees who might move to the 302 Union benefits.

- 10.F.16 Resolution No. AR 2004-97, a resolution of the Municipality of Anchorage appropriating \$285,211 as a grant from the State of Alaska Division of Homeland Security and contributions of \$663 from Areawide General Operating Fund/Office of Emergency Management (101); \$378 from Areawide General Operating Fund/Department of Health and Human Services (101); \$8,094 from Anchorage Fire Service Area 2004 Operating Fund (131); and \$6,155 from Anchorage Metropolitan Police Service Area Operating Fund (151) to State Categorical Grants Fund (231) for the purchase of **terrorism response and prevention equipment and the expenses related to Homeland Security training** by the Office of the Municipal Manager and the Emergency Operations Center.
- a. Assembly Memorandum No. AM 334-2004. (*Public Hearing set for. 4-20-04*) (**Addendum**)

Chair Traini read the resolution title and called for a motion from Mr. Whittle.

Mr. Whittle moved, to introduce AR 2004-97.  
Mr. Tremaine seconded,  
Mr. Tesche was the concurring third,

Mr. Whittle commented that items 9.F.15 and 9.F.16 (AR 2004-96 and AR 2004-97) came about after lobbying by the National League of Cities, with the participation of the MOA. He stated they were pleased with the success and that Anchorage would be receiving federal appropriations because of the lobbying efforts.

Chair Traini, a member of the NLC Board of Directors, added that this was the number one priority of the National League of Cities because the cities were the first responders to a terrorism crisis. He set the Public Hearing date for April 20, 2004.

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

- 11.A. Assembly Memorandum No. AM 262-2004, **Urban Design Commission** appointments (Patricia Joyner, Joann Mitchell, Scott Sandlin), Mayor's Office.  
(*Postponed from 3-16-04*)

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

Mr. Tremaine moved, to approve AM 262-2004.  
Mr. Sullivan seconded,  
and this motion was passed,

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

NAYES: None.

- 11.B. **NOTICE OF RECONSIDERATION: Assembly Memorandum No. AM 264-2004, **El Rancho Grande** #4182 – Transfer of Location for a Beverage Dispensary Liquor License (Downtown Community Council), Clerk's Office.** (*Clerk's Note: Approved on 4-08-4, Special Meeting; Notice of Reconsideration was given by Mr. Tesche on 4-08-04*) (**Addendum**)

Chair Traini explained this memorandum had been approved by the Assembly on April 8, 2004 and notice of reconsideration had been given by Mr. Tesche on April 8, 2004.

Mr. Tesche proposed a motion to reconsider and recommended a YES-vote.

Mr. Tesche moved, to reconsider AM 264-2004.  
Mr. Sullivan 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 stated that he had been informed by the Municipal Clerk, Ms. Barbara Gruenstein, that El Rancho Grande taxes had been paid. To Ms. Fairclough's question, Mr. Tesche responded his intention for reconsideration was to request an additional condition. Chair Traini called for a motion to approve.

Mr. Tesche moved, to approve AM 264-2004.  
Mr. Tremaine seconded,

Mr. Tesche passed out copies of a letter from the Liquor Chair of the Downtown Community Council, with a recommendation of approval for an ethnic-specific restaurant. They recommended specific consideration for a Latin theme, allowing music and dancing limited to Saturday nights. Mr. Tesche proposed an amendment to the license transfer renewal that the premises be used as a fulltime restaurant with ethnic theme.

Mr. Tesche moved, to amend AM 264-2004, *by adding* a conditional use  
Mr. Tremaine seconded, requirement that "the premises be used as a fulltime  
and this was approved unanimously, restaurant with ethnic-specific (Latin) music and dancing  
limited to Saturday nights."

Mr. John Pattee, the Liquor Chair of the Downtown Community Council, summarized their discussion of this liquor license transfer. He stated that the Council felt there was a high concentration of nightclub activity at that location, and felt that a Latin restaurant there would be welcomed. He added that if this license was for a fulltime nightclub they would not recommend the license transfer. Mr. Pattee explained that the owner had attended and participated in the meeting and was agreeable to all recommended conditions. The new owner, Francisco Barajas Mesia and his attorney stated they understood and agreed with the changes and conditions.

To Mr. Sullivan's question, Mr. Barajas Mesia's attorney responded the license involved a full-beverage dispensary, originally associated with a night club, and now would be associated with a restaurant. The attorney stated the new owner was pleased with the changes and had no intention of operating a night club.

Ms. Fairclough declared a possible conflict of interest with the Downtown Association Alcohol Bar Sales, concerning fundraisers and her position with STAR. She was meeting with the Downtown Association the next day and would be involved with a luncheon in the near future with this group of people. Chair Traini ruled that Ms. Fairclough did not have a conflict of interest and directed her to participate with the issue.

Mr. Tesche moved, to approve AM 264-2004, as amended.  
Mr. Tremaine seconded,  
and this motion was approved,

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

11.C. **NOTICE OF RECONSIDERATION:** Assembly Memorandum No. AM 267-2004, 2004/2005 Liquor License Renewal: **Panhandle Bar #825** (Beverage Dispensary), Clerk's Office.  
(Clerk's Note: Approved on 4-08-4, Special Meeting; Notice of Reconsideration was given by Mr. Sullivan on 4-08-04) (**Addendum**)

Chair Traini read this memorandum title and explained this was approved by the Assembly on April 8, 2004 and notice of reconsideration was given by Mr. Sullivan on April 8, 2004. The question before the body was "shall the Assembly reconsider" and he called for a motion from Mr. Sullivan.

Mr. Sullivan moved, to reconsider AM 267-2004.  
Mr. Whittle seconded,  
and this was approved unanimously,

Chair Traini stated this memorandum would be reconsidered and called for a motion.

Mr. Sullivan moved, to approve AM 267-2004.  
Mr. Tremaine seconded,

Mr. Sullivan stated that when the Assembly had recently approved a series of liquor license renewals, they had hoped to discuss this item with the owner or manager of the Panhandle Bar, and it had been overlooked.

Mr. Tesche advised the Assembly that he was currently working with the Cabaret Hotel and Restaurant Retailers Association (CHARR), to examine the renewal procedures for cases such as this one. For that reason, Mr. Tesche stated he would not be re-introducing the motion he proposed at the recent Assembly Meeting.

Mr. Sullivan read out loud some of the many police reports that the Panhandle Bar had received during the past year. To Mr. Sullivan, Mr. Russell Miller, the 35-year owner of the bar, responded that he had not been aware of the number of police incidents and was aware of only two incidents. He stated his bar was renowned for its employee rules and security. Mr. Sullivan stated he was most concerned with the police incidents that had occurred inside the establishment.

To Mr. Tesche's question, APD Chief Monegan responded that he could have an incident-explanation for each police incident within the next couple of weeks. Mr. Tesche proposed to refer this matter to the Public Safety Committee and proposed a motion for approval of the license renewal, with a request for the APD to provide the disposition data, and have the case referred to the Public Safety Committee.

Mr. Tesche moved, to amend AM 267-2004, *by providing* the disposition data,  
Mr. Tremaine seconded, having *the case referred* to the Public Safety Committee.

and this was approved unanimously,

Mr. Tesche stated that in fairness to the applicant, that he be provided with a full packet of materials that had accompanied the memorandum. Mr. Miller acknowledged that he had received a copy of the paperwork. Chair Traini called for a vote on the main motion, as amended.

Mr. Sullivan moved, to approve AM 267-2004, 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.

11.D. Assembly Memorandum No. AM 266-2004, Musicians & Theatrical Association of Alaska d/b/a Theatrical Lounge #3443 – Club Liquor License Renewal (Taku/Campbell, Campbell Park & Abbott Loop Community Councils), Clerk's Office.  
(Postponed from Special meeting of 4-08-04) (**Addendum**)

Chair Traini called for a motion to extend the Assembly Meeting. Mr. Sullivan moved to take up the final item on the Agenda, AM 266-2004. Ms. Von Gemmingen requested to also extend to take up Assembly Comments. Mr. Sullivan's motion was amended and approved and his main motion was seconded and unanimously approved to extend the Assembly Meeting to finish Agenda items 11.D and 18.

Chair Traini stated the history of this memorandum included an approved motion from Mr. Sullivan to postpone action, seconded by Ms. Von Gemmingen, with a request of a personal appearance from the owner. Chair Traini stated there were no motions pending on the floor.

Mr. Sullivan moved, to approve AM 266-2004.  
Ms. Von Gemmingen seconded,

To Mr. Sullivan, Mr. Chuck Washington, President of the Theatrical Association, responded that they were not known as "Wolfies," that they had never had another name other than "Theatrical Lounge." He stated that their licenses were owned by musicians and Theatrical Association. Questions had arisen about the use of their license and he had agreed when the ABC Board pulled the license in November of 2002. He stated the establishment known as "Wolfies" had returned to the Building in December of 2003.

Mr. Sullivan stated that there had been some confusion of the association of the Theatrical Lounge and the establishment known as "Wolfies." Mr. Washington stated that Wolfies had previously been in the building, but the Theatrical Lounge was now in the building. To Mr. Sullivan, Mr. Washington responded that a club license was a three-year license in Alaska, and they qualified for a club license under the Musicians and Theatrical Association, which had over 150 members. He explained that the Theatrical Lounge was a non-profit that was currently associated with Kids Kitchen and other activities in the city. The club was opened not to the public, only to invited guests of current members.

Mr. Sullivan thanked Mr. Washington for his testimony and stated it was unfortunate that the Theatrical Lounge had gotten mistakenly associated with the other. Mr. Washington stated they were planning to change the sign, to remove "Wolfies."

To Chair Traini, Mr. Washington responded that the building was owned by a Mr. Dave Wolf and he leased the space from him.

Mr. Tremaine stated that the memorandum, as approved, would protest renewal of the liquor license until the premises were approved by the Anchorage Fire Department. He stated it appeared that because Mr. Washington leased space from Mr. Wolf, the building owner was responsible for the AFD approval of the premises. The Building Manager, Mr. Timothy Jefferies, representing Mr. Wolf, responded to Mr. Tremaine that the majority of the Fire Department improvements had been completed. The inspection had been the previous week and they were up to code. Mr. Tremaine stated that Mr. Washington's liquor license renewal would remain in protest until the building passed the AFD inspection. Mr. Jefferies stated he knew that a Mr. Montoya had previously been involved with the liquor license, and had been a previous renter of the building and was involved with the controversial activities.

Mr. Van Etten stated that the last page of information that Assemblymembers had received concerning the Theatrical Lounge, referred to the Wolfie's Management Company which had a ten-year contract with MTAA to operate the Theatrical Lounge and the liquor license #3443. Mr. Washington stated that was not true. He explained that Wolfies had attempted a hostile takeover of the liquor license and the Theatrical Lounge had succeeded in a court action to make all agreements null and void and they still had to negotiate a new agreement.

Mr. Sullivan moved, to approve AM 266-2004, *with protest* until the premises  
Mr. Tremaine seconded, had passed inspection by the AFD.  
and this motion was passed,

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

NAYES: None.

## 12. APPEARANCE REQUESTS

12.A. **Ted & Françoise Gianoutsos**, to present a 2004 gift assignment for the Anchorage Veterans' Home.

TED and FRANCOISE GIANOUTSOS reiterated the support needed for the military troops who served, both past and present, to protect our freedom in the United States. Mr. Gianoutsos felt that the least that could be done in their honor would be for Alaskans to assign their Alaska Permanent Fund Dividend Checks to support veteran homes and hospitals. He stated there was six hundred million dollars available from Alaskans for this cause. Chair Traini accepted a donation from Mr. and Ms. Gianoutsos, and stated their financial contribution would be added to a fund that had been created for this special cause. Mayor Begich thanked them for their continued support for the stand-alone veterans' facility.

- 12.B. **Deborah Luper**, representing Matanuska Electric Association, to present refund checks to the Municipality of Anchorage and Anchorage Water & Wastewater Utility.

DEBORAH LUPER, representing Matanuska Electric Association, presented to the Assembly the 2003 refunds from the cooperative. She read a letter from the General Manager of MEA which explained the cooperative's history and their efforts to reduce costs to consumers. She presented one check to AWWU for \$12,407.72 and one check to the Municipality for \$18,244.08. She said they had also presented a refund check to the ASD. Chair Traini accepted both checks from her, and Mayor Begich thanked Ms. Luper, the MEA Board and the staff. To the Mayor, Ms. Luper responded that she would check who at the Municipality could vote for election of MEA Board Members. To Mr. Sullivan's question, Ms. Luper responded the MEA cooperative represented electrical consumers in the Matanuska Valley, Eagle River and the district boundaries extended to Sutton, Talkeetna and Trapper's Creek.

- 12.C. **Michael Walsh**, regarding city ice rink time allocation policy.

MICHAEL WALSH and MONA McALLESE, co-founders of the South Anchorage Hockey Association, spoke of the ice allocation policy of the Municipality. Mr. Walsh explained the policy had been driven by a 1997 lawsuit, which created a settlement for the users of ice rinks. He explained their association had been established after that date, and they had not been included with the settlement for use of ice at Municipal ice arenas. He stated there were approximately 490 children who were unable to receive an allocation of use for city ice under the existing policy. He and members of the SAHA had tried to resolve this issue, and it appeared that they may have to sue the MOA to be able to be included with city ice allocations. He urged the Assembly and the Administration to address this issue to determine if there were alternatives of resolve, other than lawsuits. To Mr. Sullivan, Mr. Walsh explained that because they were not included in the city-supported users, they used private rinks, paying \$280.00 an hour, with a total cost in 2003 of \$280,000. Mr. Sullivan recommended that the Assembly and the Administration schedule a work session to discuss this ice allocation policy. Ms. Fairclough stated there was an advisory board that could speak to this issue. She added that there were long standing contracts and she was concerned that there would not be any ice time allocations available. The Mayor stated the Administration would address this issue and then meet with the Assembly with some possible solutions.

- 12.D. **Associated Builders & Contractors of Alaska, Inc.**, regarding the new convention center.

EDEN LARSON, President and CEO of Associated Builders & Contractors of Alaska, Inc., testified before the Assembly, urging them to support non-union workers when accepting bids on the proposed municipal civic and convention center. She explained that they were a reputable construction trade association representing 161 non-union member companies, primarily commercial contractors. She urged the Administration to accept open and competitive bidding and consider non-union project labor agreement when reviewing contracts and suggested they could save costs up to 12%. The Mayor stated that they had addressed this issue, with the bids due in May, and he had not set any restrictions of the bidding contracts. MOA Purchasing Officer, Mr. Bart Mauldin, stated that there might be State of Alaska considerations with Davis-Bacon wage requirements on some of the construction. Ms. Taylor and Mr. Whittle stated they each supported union-affiliated work, with Ms. Taylor recognizing that unions had provided benefits and decent, safe places to work. Mr. Whittle stated the union-affiliated Trans-Alaskan Pipeline was an example of a most professional, union-affiliated project and he felt those workers were the highest quality professionals.

**13. CONTINUED PUBLIC HEARINGS** None.

**14. NEW PUBLIC HEARINGS**

- 14.A. Ordinance No. AO 2004-73, an ordinance authorizing the sale of a municipal building and municipal land known as **Grandview Gardens Cultural Center**, located in Anchorage at 1325 Primrose Street, for less than fair market value, to the Organization for Northern Development, Inc., a 501 (C)(3) Non-Profit Corporation, pursuant to Anchorage Municipal Code Section 25.30.040 B, Assembly Chair Traini. **(To be submitted)**

Chair Traini read this ordinance title and opened Public Hearing.

JOANN ZEETO-BRAUSE, representing Alaska Community Share, supported of the sale of the municipal property and building to Northern Development. She explained that Alaska Community Share, a coalition of Alaskan organizations, supported the Arts and assisted in raising funds to improve lives and communities. She explained they promoted creating social change, cultural awareness, innovative Arts and literacy programs for at-risk youth and promoted the work of local disabled artists. She stated that many of their programs were recognized at a national level and that Out North had connections and networking for continued support for a secure and long-lasting future.

PAUL SWESTOFF opposed giving the building free to any group, whether liberal or conservative. He felt that this ordinance was a disservice to taxpayers. He felt the Municipality should receive a fair price for the property.

MICHAEL HOLSMAN, President of the Board for the Organization of Northern Development, testified in support giving the property to Northern Development. He was joined by Board Trustee Member, Cindy Drinkwater and their attorney, Walter Featherly. He felt they had been good stewards of the building and had made improvements, renovations and repairs while they had been there. They were consulting local architects for further property improvements. He felt they were reducing future financial costs to the city and they had a twenty-year guarantee that had been part of the original lease agreement with the Municipality. He stated they would accept the challenge of raising funds to repair the roof and furnace. Mr. Holsman felt their efforts helped to make Anchorage a better and more attractive place to live

1 and raise children. To Mr. Whittle, Mr. Holsman stated they would gratefully share the facility with other similar groups  
2 to help pay for building maintenance costs. He stated that they currently share the facility with the Alaska Moving  
3 Picture Preservation Association, which would be soon moving to the University of Alaska. To Mr. Sullivan, he  
4 responded that the building was 10,250 square feet and they would not be able to exist without the use of the building.

5  
6 WALTER FEATHERLY responded to Chair Traini's question by saying he and the Council understood and agreed  
7 with the restrictions of the property transfer.

8  
9 CINDY DRINKWATER, a resident of Airport Heights and member of the Board of Northern Development, testified in  
10 support of the sale of the building to their organization. She stated that she and her husband enjoyed this community  
11 center close to their home, offering a variety of events and activities, and supported the artistic and cultural mission of  
12 the organization.

13  
14 JAY BRAUSE responded to Mr. Sullivan's question, stating the Municipality had contributed some maintenance to the  
15 building, including repairs to the glycol system and property upkeep, totaling about \$9000 last year. He stated the  
16 deferred maintenance was a growing concern, and they wished to take responsibility of the building, as tenants.

17  
18 TONY VETA testified in support of the sale of the building to the organization. He had witnessed groups of kids in  
19 Anchorage blossom from the organization and believed the Cultural Center had changed many lives in Anchorage and  
20 he used the example of a literacy-performance program with at risk youth in Mountain View at Clark Middle School.

21  
22 EILEEN SCHEUTTE, a resident of Airport Heights, testified in support of the sale of the property to Out North. She  
23 believed the organization was comprised of first class individuals who were doing an excellent job with what they were  
24 delivering to the community. She urged the community and the Assembly to ignore argument between the liberals and  
25 the conservatives.

26  
27 JOYCE MICHELSON, representing Crossroads Church, located directly across the street from Grandview Gardens,  
28 testified against the sale of the property to Out North. The Church had an agreement with Out North to share the  
29 parking facility and they were expanding their church to include more children activities, computer classes, art classes  
30 and classes of English as a second language and they needed more room to expand. To Mr. Sullivan, Ms. Michelson  
31 responded that their Council and the Pastor had recently heard of the possible sale of Grandview Gardens for \$1 and  
32 would be willing to negotiate a more substantial purchase price with the Municipality.

33  
34 CHET HARRIS, President of the Airport Heights Community Council, testified in support of Out North receiving  
35 Grandview Gardens. He stated that the residents of the Community Council had approved this action and felt it was a  
36 good thing for the entire city. Since Out North had leased the building and made repairs and improvements, property  
37 values had increased through out the neighborhood. Mr. Harris stated that Out North members regularly attended  
38 community council meetings, asking what they could do to further improve the community. Mr. Harris stated that  
39 members of the community council and neighbors of Grandview Gardens had come before the Assembly to show their  
40 support of Out North. He turned and asked those in support to please stand (*Clerk's Note: approximately 65-80*  
41 *people stood*). To Ms. Fairclough, Mr. Harris stated that he had not been aware that Crossroads had been interested in  
42 purchasing the property, but the church was not a regular attendee of their Community Council. He stated that the  
43 church would probably be a good neighbor and that parking would probably be an issue for them also.

44  
45 PAUL LAVERTY, a long-time supporter of Out North, and a Government Hill property owner, supported the MOA  
46 ordinance. He stated he had been involved with property improvements in the early 1990's, when Out North had taken  
47 over the vacated property and made it into what it is today. Ms. Fairclough stated that, from a non-profit stand point,  
48 there were grants available to purchase this property at \$500,000. She stated that she did have an issue of the one  
49 dollar versus the appraised value.

50  
51 SHIELA SHANKS, a volunteer of Out North, spoke in support of the ordinance. She responded to Ms. Fairclough,  
52 saying they had a variance to allow parking but they realized they needed more. They had spoken to Planning and  
53 Zoning about rezoning the property for increasing the parking lot and their recommendations for replatting into one  
54 piece. They were also in the process of purchasing a neighboring piece of property.

55  
56 A woman accompanying Ms. Shanks spoke of possible concerns with the furnace, needed repair or replacement of the  
57 roof, needed fire protection and additional maintenance, including the possibility of dealing with hazardous waste  
58 throughout the building. She thought that the idea of spending a mere dollar for the property was a misconception.  
59 Ms. Fairclough responded that she remembered a year ago when they had discussed giving the building away  
60 because of the maintenance expenses.

61  
62 CHELAN TRIFFLES a resident of Airport Heights testified in support of Out North and suggested combining the  
63 Mountain View Cultural Art Center with the planned Town Center planned by the MOA.

64  
65 JOHN MORCALL testified in support of this issue. Mr. Morcall stated that he was a conservative and supported the  
66 Arts and saw this sale as an advantage to the Assembly and the Administration because the unique artistic and  
67 cultural contributions of Out North were important to the city of Anchorage.

68  
69 PASTOR KAREN LAPENSIK, at Emmanuel Presbyterian Church, testified in support of the Grandview Gardens being  
70 given to Out North.

71  
72 BRENNEN CARPENTER, a special education teacher assistant, questioned the fairness of giving away the facility  
73 because there were many other worthy recipients in Anchorage. He felt this building should be sold for a fair and  
74 equitable price. Mr. Carpenter stated that he should be upset that his Assemblymembers, Ms. Taylor and Mr. Whittle,  
75 were not arguing on behalf of Nunaka Valley and Chester Creek to have their own education and arts facility give-  
76 aways, so he and his neighbors could walk to performing arts functions. Ms. Taylor took offense to his comment, that  
77 she had been raised on the East side and had been a strong voice representing education and the arts in Nunaka  
78 Valley and Chester Heights.

JANNELIA SAIEED testified in support of Grandview Gardens being given to Out North. She said the MOA would never get a market value of \$500,000 because the needed maintenance was extensive and would be expensive. She felt that Out North would be doing the MOA a favor by taking over responsibility of the building.

ALLEN ERICKSON had been involved in the Out North for the past seven years. He had gained valuable education and knowledge in the media arts, including the opportunity to use Out North's equipment to learn how to use a movie camera. He stated the staff was extremely supportive and had provided transportation for him when he was a young student. Now he was instructing motion picture classes, working with youth.

BARB CLARK, a teacher at West High, was aware of the tremendous good of Out North, and she stated it had been a model for her students. She praised their efforts in teaching the Arts and literature, their contributions and results on the youth and the community.

JOHN DICKINSON, a former President of the Airport Heights Community Council supported Out North being given Grand View Gardens. He stated he was Council President when the former library had vacated the building, and they were delighted with Jay Brause's proposal for an art consortium. He was happy to hear the residents of the community were in full support. He fully supported their proposal. He said this group had cleaned up the building, and were an asset to the neighborhood.

EMERY COUPLES wondered how the Assembly or the Begich Administration could possibly consider giving this property away for a dollar, when Anchorage was so broke. And if they supported the arts, why not support their own PAC that needs a brand new roof, at a price of \$500,000.

CAROL TAUTIN spoke in favor of Out North and the Municipality's support of this organization. She stated organizations like this one had a positive impact on youth and victims of violent crimes, allowing them to make choices in their lives that would make a difference in their lives and in the community. She viewed this organization and the worthwhile projects they accomplished as a tool for improvements in people's lives.

BILL BOYD, former President of Airport Heights Community Council, and a neighbor of the Out North, spoke in support of the ordinance. He stated the organization had made a positive impact in their community and they had been an active participant with the community council. Out North had discussed future improvements that could be made, such as the parking and traffic concerns.

MITCH BROWN opposed the sale of the building, when the MOA was in financial trouble. He stated the MOA could make the repairs and sell it. He supported arts, but could not support a give away. He agreed with the man who said to support the Arts would be to repair the PAC roof. He urged the Assembly and the Administration to do what was best for the financial situation of the MOA, and sell the building.

RON HOLMSTROM, involved with theater as a producer, stated there were not enough theaters in Anchorage and he supported Out North's activities.

GEORGE LUTERIO spoke in support of Out North. He did not view this issue as an economic decision. He knew this arts organization served the society. He did not view the parking as a concern and urged the Assembly to focus on the contributions of this organization to the community. He felt the location was acceptable and thought placement of these theater organizations needed to be spaced across the city.

ANDREW HALCRO, Board Member of Out North, testified in support of this organization. He fully supported their mission, understanding it provided services to individuals with special needs and to violent crime victims. It provided after school activities and had success dealing with children at risk. He stated that Out North deserved to have a permanent home and the stability to prosper. He felt the building was not worth the appraisal and thought it had no retail value, but had tremendous community value. Mr. Howcove stated the community needed to focus on the return of the investment associated with Out North, that the activities and programs that would continue to be offered would build this community. He stated that their location at DeBarr and Bragaw was strategic, located within walking distance of East High and Clark Middle School.

TAMARA ROTHMAN-MILLER, a teacher and a mother, supported Out North. She stated the sale was justified and studies had been conducted across the U.S, showing the effects of a thriving arts community had promoted positive growth and stability in a city. She stated that Out North was doing amazing work and needed community support.

TROY MAULDIN, resident of Midtown, opposed giving the away the building. He did support the arts, but he felt that Anchorage was in a financial crisis. He felt the city was in a criminal crisis, and listed statistics of the high sexual assaults recently reported in the paper, and argued that many of these cases were not investigated because the police department was under-funded. He felt the arts needed to take a back seat until the streets were safe.

WALT PARKER, a Board member of AMIPA and former co-tenant with Out North, supported the sale. He stated that the organization did all the building maintenance. He stated that there was no better use for the building and Out North deserved the support.

SEVID GHOTTIA testified in support of Out North. He had participated as a science and theater teacher with Out North and had developed an in-depth science program for this organization. He had also been involved with radio programming and had worked with youth. He viewed all of these activities as benefits to the city.

Chair Traini called for additional testimony, and there being none, he closed Public Hearing and called for a motion.

Mr. Tesche moved, to approve AO 2004-73.  
Mr. Van Etten seconded,

Mr. Tesche stated the use appeared to be appropriate; it provided public benefit and served many groups in the community, including the youth, with a variety of creative activities. He thought the organization had demonstrated it

1 did well in the community and this could be viewed as an investment and a resource. Mr. Tesche stated that in this  
2 instance this was an appropriate use of public resources and he would support the ordinance.

3  
4 To Ms. Fairclough's question, the Administration responded the legal agreement involved a five-year lease with Out  
5 North, currently in its second year, with the option to the tenant to lease it for an additional five-year term. To Mr.  
6 Mauldin, who had testified earlier, Ms. Fairclough commented that she was the executive director of Standing Together  
7 Against Rape and while she agreed that there were public safety issues that needed to be addressed of the current  
8 financial constraints within the city, she explained that the APD and the Alaska State Troopers responded to every  
9 sexual assault call and investigate those crimes at every possible opportunity.

10  
11 Ms. Fairclough fully supported Out North and its mission, for its involvement in promoting the Arts and all the good it  
12 had done in the community. She could not support giving the building to them free of charge for several reasons,  
13 including the city-wide views on the economical status of the municipality, the question of the location of the facility, the  
14 question of the appraisal and the question of not using an open-bidding process with this issue.

15  
16 Mr. Van Etten stated a possible conflict of interest because his wife, as a professional Artist, and had participated with  
17 projects for productions of Out North Theater. Chair Traini ruled that Mr. Van Etten did not have a conflict of interest.  
18 Mr. Van Etten continued, and he stated that he did not view this matter as an economic issue, but rather the  
19 contributions of the occupant of this building had done for the community. He felt community centers were important  
20 for reducing crime, teaching and guiding our children and benefited the community. He supported the well-run facility  
21 and thought it was adequately located to serve the community and the neighborhood. He had attended a  
22 neighborhood community council meeting where they had overwhelmingly supported the issue. He stated he would  
23 vote in favor of the motion.

24  
25 Mr. Sullivan stated that the commitment to this issue shown had been impressive. He was aware of the unstable  
26 history of the building and the significant maintenance and improvements that the Out North group had made to the  
27 building since they had been tenants. He felt this group had made improvements to the property and had provided  
28 valuable creative art-related activities in our community. But he found it difficult to support the \$500,000 give away  
29 when over the past year he had voted down expenses that the city could not afford, including the proposal to layoff  
30 firefighters if additional revenues were not secured. It was a very difficult decision to turn down a request like this from  
31 a worthy, contributing organization. He said he could not support this issue and viewed it as a responsible economic  
32 decision. He proposed that Out North continue to pay rent and continue to make property improvements.

33  
34 Ms. Shamberg, familiar with the facility, could not see many other uses for the building. She thought if the organization  
35 owned the building outright that they would continue to make valuable improvements. She stated that she was aware  
36 that ownership of the property would provide security to this organization and would increase Out North's success of  
37 securing grants and supportive financial assistance for future growth and development. Ms. Shamberg saw it as a  
38 community asset and would be supporting the motion.

39  
40 Mr. Kendall stated this group needed to be commended for taking an old building, making valuable improvements and  
41 providing the important community contributions. He stated that the Assembly was changing the process of dealing  
42 with municipal assets. He felt that Municipal Code required a more competitive process, that the process might  
43 include an open bidding process based on a marketable value. He stated the continuation of the lease would have to  
44 be approved by the voters of Anchorage.

45  
46 Mr. Whittle saw this organization and its contributions as an asset to his community. He stated that this building was in  
47 a high crime area, with the highest gun-related crimes in Anchorage and was the lone community-center-like public  
48 facility, in the area. He viewed it as an investment in the community and thought it was important to support it, so the  
49 organization would be able to continue to grow and offer more to the community and at-risk youth. He stated he would  
50 support it the issue.

51  
52 Chair Traini thanked the community councils for their unending support of this organization in their neighborhood, and  
53 said this was a good example of the rewards of their involvement. He called for a vote.

54  
55 Mr. Tesche moved, to approve AO 2004-73.  
56 Mr. Van Etten seconded,  
57 and this motion was passed,  
58

59 AYES: Tesche, Whittle, Taylor, Von Gemmingen, Traini, Van Etten, Shamberg and Tremaine.  
60 NAYES: Fairclough, Kendall and Sullivan.  
61

62 Ms. Taylor moved for immediate reconsideration and urged a NO-vote.

63  
64 Ms. Taylor moved, for *immediate reconsideration* of AO 2004-73.  
65 Mr. Van Etten seconded,  
66 and this motion failed,  
67

68 14.B. Resolution No. AR 2004-65, a resolution approving a three year extension of the collective bargaining  
69 agreement between the Municipality of Anchorage and the **International Brotherhood of Electrical**  
70 **Workers AFL/CIO Local No. 1547**, Employee Relations.  
71 1. Assembly Memorandum No. AM 260-2004.  
72

73 Chair Traini read this resolution title and announced that Ms. Taylor would not be participating with this issue, due to a  
74 conflict of interest. Ms. Fairclough stated that she may have a possible conflict of interest, through her association with  
75 STAR. Chair Traini ruled that Ms. Fairclough did not have a conflict of interest. Chair Traini opened Public Hearing.  
76 With no one to testify, he closed Public Hearing and called the question.  
77

Mr. Kendall wondered if Assemblymembers had been given copies of the original contract, to make a comparison. Mayor Begich listed the conditions of the contract from memory and urged the body to pass the contract, which had been due since December. Mr. Kendall proposed a motion to postpone and urged a YES-vote.

Mr. Kendall moved, to *postpone* AR 2004-65, until a data comparison  
Mr. Sullivan seconded, was made with the original contract.  
and this motion failed,

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

Chair Traini called for a motion for AR 2004-65.

Ms. Fairclough moved, to approve AR 2004-65.  
Mr. Tremaine seconded,

Mayor Begich recited language of the original contract agreement and cited the changes that were outlined in the current contract.

Mr. Tesche supported the agreement and stated that the IBEW and the Mayor should be congratulated for this arrangement that gave the MOA a greater degree of certainty in budgeting.

Mr. Sullivan voiced his concern with entering long-term contracts. He thought that if something happened to the price of oil and the economy went bad, property values would drop and the Municipality's revenues would decline. He thought it would be a disadvantage to be locked into long-term contracts. He pointed out that these labor contracts currently being considered included an increase of 10% over three years. He urged the body to consider negotiating the contracts on a shorter term basis.

To Ms. Von Gemmingen's question, Mayor Begich responded that the contract was a three-year extension to their existing contract, which would expire December 31, 2005.

Chair Traini called for a vote on AR 2004-65.

Ms. Fairclough moved, to approve AR 2004-65.  
Mr. Tremaine seconded,  
and this motion was passed,

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

Mr. Tesche moved for immediate reconsideration and recommended a NO-vote.

Mr. Tesche moved, for *immediate reconsideration* of AR 2004-65.  
Mr. Tremaine seconded,  
and this motion failed,

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

14.C. Resolution No. AR 2004-66, a resolution approving and ratifying a two-year extension of the collective bargaining agreement between the Municipality of Anchorage and the **International Association of Machinists & Aerospace Workers, Inc., Local Lodge No. 1690**, Employee Relations.  
1. Assembly Memorandum No. AM 261-2004.

Chair Traini read this resolution title and opened Public Hearing. There being no one to testify, he closed Public Hearing. Ms. Taylor stated she was on the Executive Board of the AFL/CIO and that to avoid the appearance of conflict she would not be voting on this issue.

To Chair Traini's question, Mayor Begich responded that this labor contract was scheduled to expire in 2005, and they had already had an approval of a budget increase for 2004, which they had yet not taken. To Mr. Kendall's question, the Mayor responded that it was necessary to renegotiate these contracts, to ensure stability to these workers, even though they were self supporting.

Chair Traini called for a motion.

Mr. Tesche moved, to approve AR 2004-66.  
Mr. Tremaine seconded,

Mr. Sullivan proposed amendments to the memorandum accompanying AR 2004-66.

Mr. Sullivan moved, to amend AM 261-2004, accompanying AR 2004-66,  
Ms. Fairclough seconded, by *adding* on Line 15, after the word "Government:" and in  
and this was approved unanimously, parenthesis, (\$728,000).

Mr. Sullivan moved, to amend AM 261-2004, accompanying AR 2004-66,  
Ms. Fairclough seconded, on Line 16, after "...the overall additional costs to SWS..."

and this was approved unanimously, *by inserting: "is \$48,000, less the projected savings of \$12, 965, for a total cost of \$35,112."*

Chair Traini called for a vote on AR 2004-66, as amended.

Mr. Tesche moved, to approve AR 2004-66, as amended.  
Mr. Tremaine seconded,  
and this motion was passed,

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

Mr. Tesche moved for immediate reconsideration and recommended a NO-vote.

Mr. Tesche moved, for *immediate reconsideration* of AR 2004-66, as amended.  
Mr. Tremaine seconded,  
and this motion failed,

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

Mayor Begich stated there would more labor contracts renegotiated in the next several weeks and urged the Assembly to establish policy direction of other elements that may be reviewed as possibly outdated. Chair Traini stated that a work session would be scheduled. To Mr. Sullivan's question, the Mayor responded that the contracts were already based on the budget with the figure of authorized personnel, minus the vacancy factor.

14.D Ordinance No. AO 2004-65, an ordinance of the Anchorage Municipal Assembly reaffirming selection of the former Kmart Building located in the Northway Mall Area as the site for the **Anchorage School District Administration and Training Facility** subject to voter approval of bonds to pay for construction of that facility, Assembly Chair Traini.

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

Ms. Fairclough moved, to *postpone indefinitely* AO 2004-65.  
Ms. Von Gemmingen,  
and this motion was passed unanimously,

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

14.E. Resolution No. AR 2004-60, a resolution of the Municipality of Anchorage appropriating \$750,000 from the MOA Trust Fund (730) for expert **financial management and support services** provided in Calendar Year 2004, Finance.  
1. Assembly Memorandum No. AM 248-2004.

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

Ms. Von Gemmingen moved, to approve AR 2004-60.  
Mr. Tesche seconded,  
and this motion was passed,

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

14.F. Resolution No. AR 2004-61, a resolution to approve the application to the U.S. Department of Housing and Urban Development for \$5,000,000 in **Section 108 loan guarantees**, including an initial loan of \$2,000,000 to Denali Family Services, Office of Economic & Community Development.  
1. Assembly Memorandum No. AM 249-2004.

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

Ms. Fairclough moved, to approve AR 2004-61.  
Mr. Tremaine seconded,  
and this motion was passed,

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

14.G. Ordinance No. AO 2004-70, an ordinance authorizing withdrawal of Lot 3, Girdwood Post Office Subdivision, containing 1.5 acres m/l, from the Heritage Land Bank, and authorizing sale of **Lot 3, Girdwood Post Office Subdivision**, for fair market value plus certain pre-development costs, to the

United States Postal Service (USPS) for construction of a new post office in Girdwood, Heritage Land Bank.

1. Assembly Memorandum No. AM 250-2004.

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

Mr. Tremaine moved, to approve AO 2004-70.  
Ms. Fairclough seconded,  
and this motion was passed,

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

NAYES: None.

14.H. Ordinance No. AO 2004-63, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 9.48.050, Traffic Citations-Disposition, and Section 9.48.130, Vehicular Offenses Amenable to Disposition without Court Appearance, to clarify the processing procedure and to make illegal **vehicle window tinting** a correctable offense, Assemblymember Tesche.

1. Assembly Memorandum No. AM 218-2004.  
2. Information Memorandum No. AIM 22-2004.

Chair Traini read this ordinance title and opened Public Hearing.

APD CHIEF MONEGAN commented that he supported this ordinance.

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

Ms. Fairclough moved, to approve AO 2004-63.  
Mr. Tremaine seconded,

Mr. Tesche explained that this ordinance would help resolve the offenses in court by reducing more expensive pleas and court proceeding. He referred to the accompanying memorandum, on Lines 10 – Line 12. He recommended a YES-vote.

and this motion was passed,

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

NAYES: None.

14.I. Ordinance No. AO 2004-66, an ordinance of the Anchorage Municipal Assembly continuing or reestablishing the **Animal Control Advisory Board** pursuant to Anchorage Municipal Code Section 4.05.150, Legal Department.

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

Ms. Fairclough moved, to approve AO 2004-66.  
Mr. Van Etten seconded,

Mr. Van Etten stated he had received an email concerning to the NO-parking signage at the University Dog Park. He had also received a call from a UA police officer. Chair Traini stated that he was aware that the Advisory Board was addressing that issue.

Ms. Von Gemmingen stated that an attendance report was to be attached to this ordinance. Mr. Neil responded that the report had been completed and had been delivered to the Administration. Chair Traini was handed a copy of the report, and with Ms. Von Gemmingen's suggestion, stated it would be added as an Informational Memorandum to the Agenda for the next meeting. Mr. Neil stated that the normal attendance of their last meeting was higher than normal and they had discussed some technical corrections in their rewrites.

Chair Traini stated he had a possible conflict of interest because his wife was a member of the Animal Control Advisory Board, and called for the body to decide his participation with this issue.

Mr. Sullivan moved, that Chair Traini held *no conflict* of interest with AO 2004-66.  
Mr. Tremaine seconded,  
and this motion passed unanimously,

Ms. Fairclough moved, to approve AO 2004-66.  
Mr. Van Etten seconded,  
and this motion was passed,

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

NAYES: None.

14.J. Ordinance No. AO 2004-67, an ordinance of the Anchorage Municipal Assembly reestablishing the **Investment Advisory Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Legal Department.

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

Ms. Fairclough moved, to approve AO 2004-67.  
Mr. Sullivan seconded,  
and this motion was passed,

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

NAYES: None.

14.K. Ordinance No. AO 2004-68, an ordinance of the Anchorage Municipal Assembly reestablishing the **Urban Design Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Legal Department.

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

Ms. Fairclough moved, to approve AO 2004-68.  
Mr. Tremaine seconded,  
and this motion was passed,

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

NAYES: None.

*(Clerk's Note: Shamberg, temporarily out the room)*

14.L. Ordinance No. AO 2004-69, an ordinance of the Anchorage Municipal Assembly reestablishing the **Youth Advisory Commission** pursuant to Anchorage Municipal Code Section 4.05.150, Legal Department.

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

Ms. Fairclough moved, to approve AO 2004-69.  
Mr. Sullivan seconded,  
and this motion was passed,

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

NAYES: None.

*(Clerk's Note: Shamberg, temporarily out the room)*

## 15. SPECIAL ORDERS

By direction from Chair Traini, Mayor Begich asked for all newly appointed members of Municipal Boards and Commissions to stand and be recognized. Ms. Stacie Papineau, newly appointed to the Women's Commission, introduced herself.

16. **UNFINISHED AGENDA** None.

17. **AUDIENCE PARTICIPATION** None.

## 18. ASSEMBLY COMMENTS

Mayor Begich announced that the current MOA Comptroller, Ms. Sharon Wellington, would be joining the AWWU Staff. He thanked her for her service with the Municipality.

Ms. Taylor complemented the Municipal Clerk, Ms. Barbara Gruenstein, for a well-run, almost complete election.

Ms. Von Gemmingen announced there would be an Open House at the People Mover Downtown Transit Center, on April 14, 2004, from 3:30 to 6:00 p.m. They would be giving instructions and directions for travel training and for gaining independence on the municipal buses.

Ms. Von Gemmingen stated it had been a joy and a pleasure to serve on the Assembly.

Mr. Van Etten marked the end of his term as Assemblymember by passing his Cat-In-The-Hat hat to Mr. Sullivan.

Mr. Whittle stated he thought it was important to follow up with the Panhandle Bar. He stated there were incidents in the Police Report that were unacceptable for the liquor license renewal. He requested to meet again with the owner and have this issue again before the Assembly. Mr. Tesche stated that it was decided by the Assembly that issues associated with the Panhandle Bar had been referred to the Public Safety Committee. He added that because that bar was in his district he would be following the proceedings and planned to attend the Public Safety Committee meeting when the issue was discussed.

Ms. Shamberg stated that the Assemblymembers who were finishing their terms included Ms. Melinda Taylor, Ms. Fay Von Gemmingen, Mr. Doug Van Etten and Mr. Dan Kendall. She stated she appreciated and would miss all of the outgoing members Ms. Taylor, Ms. Von Gemmingen, Mr. Van Etten and Mr. Kendall.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Traini called for a motion to adjourn the meeting.

Mr. Sullivan moved, to adjourn the meeting.  
Mr. Tremaine 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 11:25 p.m.

DICK TRAINI, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk  
Date Minutes Approved: June 8, 2004  
MC/BG