

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEETING

Assembly Chambers, Loussac Library
3600 Denali Street, Room 108

Minutes for Regular Meeting of February 3, 2004

1. CALL TO ORDER

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

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

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

ABSENT: Melinda Taylor, excused.

3. PLEDGE OF ALLEGIANCE Mr. Kendall led the pledge.

4. MINUTES OF PREVIOUS MEETING

A. Regular Meeting – October 7, 2003

Mr. Tesche moved, to approve Minutes for Regular Meeting of
Ms. Von Gemmingen seconded, October 7, 2003.
and this motion was passed unanimously,

B. Special Meeting – October 28, 2003

Ms. Fairclough moved, to approve Minutes for Special Meeting of
Mr. Tesche seconded, October 28, 2003.
and this motion was passed unanimously,

C. Regular Meeting – November 4, 2003

Mr. Tesche moved, to approve Minutes for Regular Meeting of
Mr. Tremaine seconded, November 4, 2003.
and this motion was passed unanimously,

D. Special Meeting – November 15, 2003

Ms. Fairclough moved, to approve Minutes for Special Meeting of
Mr. Sullivan seconded, November 15, 2003.
and this motion was passed unanimously,

E. Regular Meeting – November 18, 2003

Mr. Tesche moved to approve the Minutes of November 18th, seconded by Ms. Von Gemmingen. Ms. Von Gemmingen requested an amendment for Minutes of November 18th, on Page 1, Line 74, to show that the Executive Directors of the Alaska Municipal League would be meeting in Anchorage in 2006. This motion was seconded by Ms. Fairclough and was passed unanimously.

Mr. Tesche moved, to approve Minutes for Regular Meeting of
Ms. Von Gemmingen seconded, November 18, 2003, as amended.
and this motion was passed unanimously,

F. Regular Meeting – January 6, 2004

Mr. Tesche moved to approve the Minutes of January 6th, seconded by Ms. Fairclough. Mr. Kendall requested the Minutes show his absence of January 6, 2004 as approved. There were no objections and Chair Traini asked for the necessary corrections to show his absence as excused.

Mr. Tesche moved, to approve the Minutes of Regular Meeting of
Ms. Fairclough seconded, January 6, 2004, as amended.
and there were no objections,

5. MAYOR'S REPORT

Municipal Manager Denis LeBlanc announced that the Mayor had been selected to attend a Conference of Mayors' Institute on City Design, in Charleston, South Carolina, with travel costs paid for by the Institute. Each mayor was requested to present a design or redevelopment challenge to a group of leading experts in architecture, urban

planning, landscape architecture, transportation and planning or real estate development. Mayor Begich presented a design for a new convention center for Anchorage.

Mr. LeBlanc stated that Mayor Begich had announced that day that Mr. George Cannelos, Executive Director of the Heritage Land Bank was leaving his position at the end of the month. Mr. LeBlanc explained that Mr. Cannelos would join the local architectural firm of Koonce, Pfeffer and Bettis, Inc. Mr. Cannelos had been with the MOA since July, 2001, and Mr. LeBlanc stated it had been a privilege having him as a part of the MOA and the Administration would soon begin their search for a new executive director.

To Chair Traini, Mr. LeBlanc stated that he would ask Mr. Cannelos about the rewrite of the Heritage Land Bank Code.

6. ASSEMBLY CHAIR'S REPORT

Chair Traini announced that the Assembly Meeting of February 17, 2004 would begin at noon, at the Assembly Chambers at the Loussac Library. All of the bonds would be reviewed first on the Agenda, because of the deadline for being approved for the ballot. He stated that if the Regular Agenda was not completed on the evening of the 17th, there would be a continuation of the meeting on February 18, 2004.

Chair Traini reported that several Assemblymembers had been in Juneau the previous week, meeting with Legislators on the Municipality's priorities. Assemblymembers requested state funding for the four-lane Dowling Road Upgrade which would improve Anchorage east-west traffic by developing Dowling from Bicentennial Park to Kincaid Park.

Chair Traini announced that the State Caucus would be meeting in Anchorage in the Assembly Chambers at the Loussac Library at 9:00 a.m. on Saturday, February 7, 2004. State Legislators would be there to answer all questions. Ms. Von Gemmingen urged citizens to participate and request support for local schools.

7. COMMITTEE REPORTS None.

8. ADDENDUM TO AGENDA

Chair Traini read the Addendum items. He called for additional Addendum items, and to the Agenda he added AR 2004-26, AR 2004-37, AO 2004-34, AO 2004-36, AO 2004-37, AO 2004-39, AO 2004-40, AO 2004-38, AO 2004-41, AO 2004-42, AO 2004-43, AO 2004-57, AO 2004-58 and AO 2004-35. He assigned Agenda Numbers 9.B.3, 9.B.4, 9.F.24, 9.F.25, 9.F.26, 9.F.27, 9.F.28, 9.F.29, 9.F.30, 9.F.31, 9.F.32, 9.F.33, 9.F.34 and 9.F.35, respectively. Mr. Tremaine intruded two items, to which Chair Traini assigned 15.A and 15.B. under Agenda Number 15, Special Orders. Chair Traini then called for a motion.

Mr. Tesche moved,	to approve the inclusion of the Addendum items into
M. Tremaine seconded,	the Regular Agenda.
and this motion was passed,	

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

NAYES: None.

Chair Traini called for a motion on the Consent Agenda.

Mr. Tremaine moved,	to approve the Consent Agenda.
Mr. Tesche seconded,	

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

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.A.1. Resolution No. AR 2004-30, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Detective Nancy L. Potter** for her 24 years of service with the Anchorage Police Department, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor, Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle.

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2004-1, a resolution of the Anchorage Municipal Assembly approving the revised (schematic) design for the **Muldoon Middle School**, Anchorage School District.
a. Assembly Memorandum No. AM 1-2004.

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

9.B.2. Resolution No. AR 2004-31, a resolution of the Municipality of Anchorage appropriating \$93,112 of proceeds received from the Anchorage Golf Course surcharge revenue to the Areawide Capital Improvement Fund (401) for the 2003 payment of the **Golf Course loan**, Office of Economic & Community Development.

a. Assembly Memorandum No. AM 91-2004.

9.B.3. Resolution No. AR 2004-36, a resolution of the Anchorage Municipal Assembly finding that the proposed issuance of a **duplicate beverage dispensary liquor license** and the modification of an existing conditional use meets the standards of AMC 21.50.020 and 21.50.160 and that no significant effect will result from the approval of the modification of this existing conditional use in the B3 District for a duplicate beverage dispensary liquor license per AMC 21.40.180D.8, the legal description of which is Lot 2, Block 1, Teekell Subdivision, located at 8801 Jewel Lake Road (**Jewel Lake Bowl**), Assembly Chair Traini. (**Laid on the Table**)

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

- 9.B.4. Resolution No AR 2004-37, a resolution of the Anchorage Municipal Assembly opposing passage of **SB 260** and urging the Legislature to retain a strong local voice in the planning and design of Anchorage's road system, Assemblymembers Tesche and Von Gemmingen. **(Laid on the Table)**
(Public Hearing set for 2-10-04)

Mr. Sullivan requested this item be pulled for review on the Regular Agenda. *(See item 10.B.4)*

9.C. BID AWARDS

- 9.C.1. Assembly Memorandum No. AM 76-2004, recommendation of award to Klebs Mechanical, Inc. for **Anchorage Senior Center Heating, Ventilating, and Air Conditioning (HVAC) controls upgrade** for the Municipality of Anchorage, Maintenance & Operations Department (ITB 23-C080) (\$159,094), Purchasing.
- 9.C.2. Assembly Memorandum No. AM 77-2004, recommendation of award to TAM Construction, Inc. for **2003/2004 miscellaneous construction services** for the Municipality of Anchorage, Project Management & Engineering (ITB 23-C077) (\$500,000), Purchasing.

9.D. NEW BUSINESS

- 9.D.1. Assembly Memorandum No. AM 97-2004, **The Mother Lode** #3453 – Transfer of Ownership & Name Change for a Brewpub Liquor License (Eagle River Community Council), Clerk's Office.
- 9.D.2. Assembly Memorandum No. AM 98-2004, **Homewood Suites** #4354 – New Beverage Dispensary Tourism Liquor License (Spenard Community Council), Clerk's Office.

Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.2)*

- 9.D.3. Assembly Memorandum No. AM 99-2004, **New York New York Restaurant** #2664 – Transfer of Ownership & Name Change for a Restaurant Eating Place and Restaurant Designation Liquor License (Spenard Community Council), Clerk's Office.
- 9.D.4. Assembly Memorandum No. AM 100-2004, **Tofu House Restaurant** #4190 – Transfer of Ownership & Name Change for a Restaurant Eating Place and Restaurant Designation Liquor License (Spenard Community Council), Clerk's Office.
- 9.D.5. Assembly Memorandum No. AM 101-2004, **3 Amigos Mexican Restaurant** #3746 – Transfer of Ownership & Name Change for a Restaurant Eating Place and Restaurant Designation Liquor License (Russian Jack Community Council), Clerk's Office.
- 9.D.6. Assembly Memorandum No. AM 81-2004, proprietary purchase with Medtronic Physio-Control Corporation for providing **parts and services** to the Municipality of Anchorage, Anchorage Fire Department (\$50,000), Purchasing.
- 9.D.7. Assembly Memorandum No. AM 82-2004, proprietary purchase with United Fire Service, Inc. for providing **parts and services** to the Municipality of Anchorage, Anchorage Fire Department (\$50,000), Purchasing.
- 9.D.8. Assembly Memorandum No. AM 83-2004, proprietary purchase for providing **disposal of PCB contaminated water, dielectric fluid and soil services** with Alaska Pollution Control for the Municipality of Anchorage, Municipal Light & Power (\$75,000), Purchasing.
- 9.D.9. Assembly Memorandum No. AM 84-2004, recommendation of award to Resource Data, Inc. to provide services to create a **comprehensive traffic safety database system** for the Municipality of Anchorage, Traffic Department (RFP 23-P035) (\$666,000), Purchasing.

Ms. Shamberg requested this item be pulled for review on the Regular Agenda. *(See item 10.D.9)*

- 9.D.10. Assembly Memorandum No. AM 85-2004, Amendment No. 3 to professional engineering services contract with CRW Engineering for the design of the **Elmore Road Upgrade, Huffman Rd. to DeArmoun Rd.** Project Nos. 00-22 and 00-23 (\$98,827), Project Management & Engineering.
- 9.D.11. Assembly Memorandum No. AM 86-2004, 2004 grant agreement with **Anchorage Economic Development Corporation** (\$491,500), Municipal Manager's Office.

Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.D.11)*

- 9.D.12. Assembly Memorandum No. AM 87-2004, proprietary purchase of **library information services** from OCLC, Inc. for the Municipality of Anchorage, Office of Community & Economic Development, Library Division (\$48,000), Purchasing.
- 9.D.13. Assembly Memorandum No. AM 88-2004, **UAA Small Business Development Center** grant agreement (\$50,000), Office of Economic & Community Development.

Mr. Sullivan requested this item be pulled for review on the Regular Agenda. *(See item 10.D.13)*

- 9.D.14. Assembly Memorandum No. AM 89-2004, approval to enter into grant agreements with **The ARC of Anchorage** (\$98,000), **NorthEast Community Center** (\$131,430) and the **Boys and Girls Club of Greater Anchorage-Mountain View Rec Center** (\$250,250), Office of Economic & Community Development.
- 9.D.15. Assembly Memorandum No. AM 90-2004, Change Order No. 1 to Contract 231194 with Control Contractors, Inc. for **Egan Convention Center Heating, Ventilation and Air Conditioning (HVAC)** control upgrades for the Municipality of Anchorage, Office of Economic & Community Development (\$24,283).
- 9.D.16. Assembly Memorandum No. AM 116-2004, Internal Audit Department – **2004 Audit Plan**, Internal Audit. **(Addendum)**
- 9.D.17. Assembly Memorandum No. AM 118-2004, Change Order No. 7 to Purchase Order 210943 with Alaska Textiles, Inc. for furnishing **uniforms** on an "as required" basis for the Municipality of Anchorage, Anchorage Fire Department (\$22,500), Purchasing. **(Addendum)**

- 1 9.D.18. Assembly Memorandum No. AM 119-2004, proprietary contract with Chambers, Conlon & Hartwell,
2 Inc. (CC&H) for providing professional **lobbying services** for the Municipality of Anchorage, Port of
3 Anchorage (\$175,000), Purchasing. (**Addendum**)
4 9.D.19. Assembly Memorandum No. AM 120-2004, recommendation of award to R&M Consultants, Inc. to
5 provide professional engineering services for the **Girdwood Street and Drainage Improvements**
6 **projects** for the Municipality of Anchorage, Project Management & Engineering (RFP 23-P038)
7 (\$575,000), Purchasing. (**Addendum**)
8 9.D.20. Assembly Memorandum No. AM 121-2004, proprietary purchase with Computer Associates
9 International, Inc. for **software license agreements** for the Municipality of Anchorage, Information
10 Technology Department (ITD) (\$976,798), Purchasing. (**Addendum**)
11 9.D.21. Assembly Memorandum No. AM 122-2004, sole source procurement authorization from various
12 suppliers to support **power generation plant operations** for the Municipality of Anchorage, Municipal
13 Light & Power (\$2,850,000), Purchasing. (**Addendum**)
14

15 **9.E. INFORMATION AND REPORTS**

- 16 9.E.1. Information Memorandum No. AIM 7-2004, Transmittal of the Planning and Zoning Commission
17 recommendation of a denial for a rezoning application request to rezone approximately seven acres
18 from R-10 SL (Residential Alpine Slope District) with Special Limitations to AF (**Antenna Farm**
19 **District**) for seven acres of a 160-acre unsubdivided parcel identified as the South ½ of the Northwest
20 ¼ of Section 5, T12N, R2W, S.M., AK, generally located east of Basher Drive, on the south side of the
21 Fort Richardson Military Reserve (Basher Community Council) (Planning and Zoning Commission
22 Case Number 2003-030), Planning Department.
23

24 Mr. Sullivan requested this item be pulled for review on the Regular Agenda. (*See item 10.E.1*)
25

- 26 9.E.2. Information Memorandum No. AIM 8-2004, Internal Audit Report 2004-1 – **Special Assessments-**
27 **Project Management & Engineering Department**, Internal Audit.
28

29 Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (*See item 10.E.2*)
30

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

- 32 9.F.1. Ordinance No. AO 2004-24, an ordinance providing for the submission to the qualified voters of
33 Anchorage, Alaska, the question of the issuance of not to exceed **\$30,000,000 of General Obligation**
34 **Bonds** of the Municipality of Anchorage to pay the costs of educational capital improvements in the
35 Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004,
36 Anchorage School District. (*Public Hearing set for 2-17-04*)
37 a. Assembly Memorandum No. AM 74-2004.
38 9.F.2. Ordinance No. AO 2004-25, an ordinance providing for the submission to the qualified voters of
39 Anchorage, Alaska, the question of the issuance of not to exceed **\$36,380,000 of General Obligation**
40 **Bonds** of the Municipality of Anchorage to pay the costs of educational capital improvements in the
41 Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004,
42 Anchorage School District. (*Public Hearing set for 2-17-04*)
43 a. Assembly Memorandum No. AM 74-2004.
44 9.F.3. Ordinance No. AO 2004-26, an ordinance providing for the submission to the qualified voters of
45 Anchorage, Alaska, the question of the issuance of not to exceed **\$95,830,000 of General Obligation**
46 **Bonds** of the Municipality of Anchorage to pay the costs of educational capital improvements in the
47 Municipality of Anchorage and the question of an increase in the municipal tax cap limitation to pay
48 associated operations and maintenance costs at an election in and for the Municipality of Anchorage
49 on April 6, 2004, Anchorage School District. (*Public Hearing set for 2-17-04*)
50 a. Assembly Memorandum No. AM 74-2004.
51 9.F.4. Ordinance No. AO 2004-29, an ordinance submitting to the qualified voters residing in Glenn View
52 Estates North Subdivision and North Wood Subdivision, Phase 2, which are not presently within the
53 Eagle River Street Light Service Area, a ballot proposition to create a new street light service area
54 designated the **Glenn View Estates North/North Woods Subdivisions Street Light Service Area**
55 and, upon voter approval, amending Anchorage Municipal Code Section 27.30.700 to consolidate the
56 Glenn View Estates North/North Woods Subdivisions Street Light Service Area with the existing Eagle
57 River Street Light Service Area, effective retroactively as of January 1, 2004, Street Maintenance
58 Department. (*Public Hearing set for 2-17-04*)
59 a. Assembly Memorandum No. AM 92-2004.
60 9.F.5. Ordinance No. AO 2004-30, an ordinance submitting to the qualified voters residing in Eagle Crossing
61 Subdivision, which is not presently within the Eagle River Street Light Service Area, a ballot
62 proposition to create a new street light service area designated as **Eagle Crossing Street Light**
63 **Service Area** and, upon voter approval, amending Anchorage Municipal Code 27.30.700 to
64 consolidate Eagle Crossing Street Light Service Area with the existing Eagle River Street Light Service
65 Area, effective retroactively as of January 1, 2004, Street Maintenance Department. (*Public Hearing*
66 *set for 2-17-04*)
67 a. Assembly Memorandum No. AM 93-2004.
68 9.F.6. Resolution No. AR 2004-32, a resolution confirming and levying special assessments for **Special**
69 **Assessment District No. 1SR97**, which provided street, drainage, and street light reconstruction
70 within the Geneva Woods Subdivision Area, and setting the date of assessment installment payments,
71 interest on unpaid assessments, and providing for penalties and interest in the event of delinquency,
72 Project Management & Engineering. (*Public Hearing set for 3-02-04 3-16-04*)
73 a. Assembly Memorandum No. AM 94-2004.
74

75 Chair Traini stated there had been a technical error and the correct Public Hearing date should be March 16, 2004.
76

- 77 9.F.7. Resolution No. AR 2004-33, a resolution of the Municipality of Anchorage, Alaska, confirming and
78 levying assessments for the water special improvements within **Levy Upon Connection (LUC) Roll**
79 **03-W-2**, setting date of payment and providing for penalties and interest in the event of delinquency,
80 Anchorage Water & Wastewater Utility. (*Public Hearing set for 3-02-04*)

- 1 a. Assembly Memorandum No. AM 95-2004.
- 2 9.F.8. Resolution No. AR 2004-34, a resolution of the Municipality of Anchorage, Alaska, confirming and
- 3 levying assessments for the sewer special improvements within **Levy Upon Connection (LUC) Roll**
- 4 **03-S-2**, setting date of payment and providing for penalties and interest in the event of delinquency,
- 5 Anchorage Water & Wastewater Utility. *(Public Hearing set for 3-02-04)*
- 6 a. Assembly Memorandum No. AM 96-2004.
- 7 9.F.9. Ordinance No. AO 2004-33, an ordinance of the Anchorage Municipal Assembly submitting to the
- 8 qualified voters residing in the **Eagle River-Chugiak Park and Recreational Service Area**
- 9 (ERCPRSA) at the Regular Election on April 6, 2004, a ballot proposition increasing the maximum mill
- 10 levy rate to establish a capital improvement budget for the ERCPRSA and amending Anchorage
- 11 Municipal Code Section 27.30.090 upon voter approval of the ballot proposition, Assemblymember
- 12 Fairclough. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 13 a. Assembly Memorandum No. AM 105-2004.
- 14 9.F.10. Ordinance No. AO 2004-31, an ordinance of the Anchorage Municipal Assembly submitting to the
- 15 qualified voters residing in the **Glen Alps Service Area** (GASA) at the Regular Election on April 6,
- 16 2004, a ballot proposition increasing the maximum attainable mill levy rate for the GASA and
- 17 amending Anchorage Municipal Code Section 27.30.190 upon voter approval of the ballot proposition,
- 18 Assemblymembers Shamberg and Tremaine. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 19 a. Assembly Memorandum No. AM 102-2004.
- 20

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

22

- 23 9.F.11. Ordinance No. AO 2004-32, an ordinance of the Anchorage Municipal Assembly submitting to the
- 24 qualified voters residing in the **Girdwood Valley Service Area** (GVSA) at the Regular Election on
- 25 April 6, 2004, a ballot proposition establishing the maximum attainable mill levy rate for the GVSA and
- 26 amending Anchorage Municipal Code Section 27.30.020 upon voter approval of the ballot proposition,
- 27 Assemblymembers Shamberg and Tremaine. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 28 a. Assembly Memorandum No. AM 103-2004.
- 29

30 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.F.11)*

31

- 32 9.F.12. Ordinance No. AO 2004-44, an ordinance submitting to the qualified voters residing in the **Glen Alps**
- 33 **Service Area** (SA), a ballot proposition to impose a maximum 2.75 mill levy rate for the Glen Alps SA,
- 34 effective retroactively as of January 1, 2004, and amending Anchorage Municipal Code Subsection
- 35 27.30.190B., Street Maintenance Department. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 36 a. Assembly Memorandum No. AM 123-2004.
- 37

38 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.F.12)*

39

- 40 9.F.13. Ordinance No. AO 2004-45, an ordinance submitting to the qualified voters residing in the **Girdwood**
- 41 **Valley Service Area** (SA), a ballot proposition to impose a maximum mill levy rate of 6.00 mills for the
- 42 Girdwood Valley Service Area (SA), effective retroactively as of January 1, 2004, and amending
- 43 Anchorage Municipal Code Section 27.30.020, Street Maintenance Department. **(Addendum)** *(Public*
- 44 *Hearing set for 2-17-04)*
- 45 a. Assembly Memorandum No. AM 124-2004.
- 46

47 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.F.13)*

48

- 49 9.F.14. Ordinance No. AO 2004-46, an ordinance submitting to the qualified voters residing in the Section
- 50 6/Campbell Airstrip Limited Road Service Area (LRSA), a ballot proposition to increase the **Section**
- 51 **6/Campbell Airstrip Road Limited Road Service Area** (LRSA) maximum mill levy from 1.00 mills to
- 52 1.50 mills, effective retroactively as of January 1, 2004, and amending Anchorage Municipal Code
- 53 Subsection 27.30.300B., Street Maintenance Department.
- 54 a. Assembly Memorandum No. AM 125-2004. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 55 9.F.15. Ordinance No. AO 2004-47, an ordinance submitting to the qualified voters residing in Glenn View
- 56 Estates Subdivision, Lots 1-17, which is not presently within the Eagle River Street Light Service Area,
- 57 a ballot proposition to create a new street light service area designated the **Glenn View Estates**
- 58 **Subdivision Street Light Service Area** and, upon voter approval, amending Anchorage Municipal
- 59 Code 27.30.700 to consolidate the Glenn View Estates Subdivision Street Light Service Area with the
- 60 existing Eagle River Street Light Service Area, effective retroactively as of January 1, 2004, Street
- 61 Maintenance Department. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 62 a. Assembly Memorandum No. AM 126-2004.
- 63 9.F.16. Ordinance No. AO 2004-48, an ordinance submitting to the qualified voters residing in Eagle Pointe
- 64 Subdivision, including Phase 2, Phase 3, Phase 4, Phase 5, Phase 6 and Phase 7 areas, which are
- 65 not presently within the Eagle River Street Light Service Area, a ballot proposition to create a new
- 66 street light service area designated as **Eagle Pointe Street Light Service Area** and, upon voter
- 67 approval, amending Anchorage Municipal Code 27.30.700 to consolidate Eagle Pointe Street Light
- 68 Service Area with the existing Eagle River Street Light Service Area, effective retroactively as of
- 69 January 1, 2004, Street Maintenance Department. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 70 a. Assembly Memorandum No. AM 127-2004.
- 71 9.F.17. Ordinance No. AO 2004-49, an ordinance submitting to the qualified voters residing in the Heritage
- 72 Estates Subdivision, including Addition No. 1 and Addition No. 2 areas, which are not presently within
- 73 the Eagle River Street Light Service Area, a ballot proposition to create a new street light service area
- 74 designated as the **Heritage Estates Street Light Service Area** and, upon voter approval, amending
- 75 Anchorage Municipal Code Section 27.30.700 to consolidate the Heritage Estates Street Light Service
- 76 Area with the existing Eagle River Street Light Service Area, effective retroactively as of January 1,
- 77 2004, Street Maintenance Department. **(Addendum)** *(Public Hearing set for 2-17-04)*
- 78 a. Assembly Memorandum No. AM 128-2004.
- 79 9.F.18. Ordinance No. AO 2004-50, an ordinance creating the East Huffman Limited Road Service Area
- 80 (LRSA) that includes Chickadee Slopes Subdivision, Lots 1A, 1B, 2, 4A, 4B and 5, Straley

Subdivision, Lots 1-3 and 8-10, Tenberg Subdivision, Tract B-1, Garretson Subdivision, Lots 1-3, Harrold Miller Subdivision, Lot 4, Greenbrook Subdivision, Block 4, Lots 10-14 and Block 5, Lot 2, and Tax Parcels Nos. 01743235, 01743236 and 01523119, at the Regular Municipal Election on April 6, 2004, a ballot proposition to create the **East Huffman Limited Road Service Area** (LRSA) consisting of the above parcels and, upon voter approval, amending Anchorage Municipal Code 27.30.700 to add the East Huffman LRSA effective January 1, 2005, Street Maintenance Department.

(Addendum) *(Public Hearing set for 2-17-04)*

a. Assembly Memorandum No. AM 129-2004.

- 9.F.19. Ordinance No. AO 2004-51, an ordinance submitting to the qualified voters residing in the Shangri-La Subdivision Area and the qualified voters of the South Goldenview Limited Road Service Area (LRSA), a ballot proposition **amending the South Goldenview LRSA boundary to include Shangri-La Subdivision**, effective retroactively as of January 1, 2004, Street Maintenance Department.

(Addendum) *(Public Hearing set for 2-17-04)*

a. Assembly Memorandum No. AM 130-2004.

- 9.F.20. Ordinance No. AO 2004-52, an ordinance submitting at the Regular Municipal Election April 6, 2004 to qualified voters residing in the South Goldenview Limited Road Service Area and Ashland Subdivision – Tract A; Mountainside Village Subdivision Addition No. 1 – Tract B; Bluebell Subdivision – Tract A; Goldenview Gate Tracts Subdivision – Tracts A, B, C, & D; Prominence Pointe Subdivision – Lot 39, Block 3 and Tract C1D; Prominence Pointe Subdivision Phase 1A – Lots 1-11, 23-25, Block 1; Lots 1-3, Block 2; Lots 1-3, Block 3; Tracts E-H J-O; Prominence Pointe Subdivision Phase 1B – Lots 12-22, Block 1; Prominence Pointe Subdivision – Lots 22A & 24A, Block 1; Prominence Pointe Subdivision - Lots 7A & 20A, Block 1; Prominence Pointe Subdivision 1A – Lots 1A & 3A, Block 2; Prominence Pointe Subdivision Phase1B – Lots 15A & 17A, Block 1; Prominence Pointe Subdivision Phase 2A – Lots 30-34, Block 1; Lots 31-34, Block 3; Lot 1, Block 6, Open Space Tract C4; Prominence Pointe Subdivision Phase 2B – Lots 4 & 5, Block 3, Lots 26 thru 29, Block 1 & Tract F1; Prominence Pointe Subdivision Phase 3 – Lots 10 thru 14, Block 3 and Tract P; Prominence Pointe Subdivision – Lot 19A, Block 1; Prominence Pointe Subdivision Phase 5 – Lots 5-17, Block 2; Lots 6-9, Block 3 and Tract R, a ballot proposition to change the boundaries of the **South Goldenview Limited Road Service Area** to exclude specific portions of said subdivisions from the South Goldenview Limited Road Service Area effective January 1, 2005, Street Maintenance Department.

a. Assembly Memorandum No. AM 131-2004. **(Addendum)** *(Public Hearing set for 2-17-04)*

- 9.F.21. Ordinance No. AO 2004-53, an ordinance submitting to the qualified voters residing in South ½ of Northeast ¼, Section 15, Township 12 North, Range 3 West, Seward Meridian, at the Regular Municipal Election on April 6, 2004, a ballot proposition to create the **SRW Homeowner's Limited Road Service Area** (LRSA) and amending Anchorage Municipal Code Section 27.30.700, effective January 1, 2005, Street Maintenance Department. **(Addendum)** *(Public Hearing set for 2-17-04)*

a. Assembly Memorandum No. AM 132-2004.

- 9.F.22. Ordinance No. AO 2004-54, an ordinance authorizing elements for site selection, site plan, limited waiver of Title 7 procedures and establishment of boundaries for a **new convention center** and establishing the Anchorage Assembly as the approving authority for site selection and site plan approval, Office of Economic & Community Development.

a. Assembly Memorandum No. AM 133-2004. **(Addendum)** *(Public Hearing set for 3-02-04)*

- 9.F.23. Resolution No. AR 2004-35, a resolution adopting the 2004 Action Plan of the Municipality of Anchorage, which constitutes the application of the U.S. Department of Housing and Urban Development for the **Community Development Block Grant**, the **HOME Investment Partnership grant** and the **Emergency Shelter grant**, Community Development Division, Community Development Division. *(Public Hearing set for 3-02-04)*

a. Assembly Memorandum No. AM 117-2004. **(Addendum)**

- 9.F.24. Ordinance No. AO 2004-34, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,570,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **Areawide Public Transportation Improvements** at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget.

a. Assembly Memorandum No. AM 106-2004. **(Laid on the Table)** *(Public Hearing set for 2-17-04)*

- 9.F.25. Ordinance No. AO 2004-36, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$5,650,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of fire protection and related capital improvements in the **Anchorage Fire Service Area** and the question of an increase in the municipal tax cap limitation to pay associated operation and maintenance costs at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget. **(Laid on the Table)**

a. Assembly Memorandum No. AM 108-2004. *(Public Hearing set for 2-17-04)*

- 9.F.26. Ordinance No. AO 2004-37, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,210,000 of General Obligation Bonds of the Municipality of Anchorage to pay for **ambulances, communication upgrades and related capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget. **(Laid on the Table)**

a. Assembly Memorandum No. AM 109-2004. *(Public Hearing set for 2-17-04)*

- 9.F.27. Ordinance No. AO 2004-39, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,560,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **public facility repairs, fire/security alarm systems upgrades and related capital improvements** in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget.

a. Assembly Memorandum No. AM 111-2004. **(Laid on the Table)** *(Public Hearing set for 2-17-04)*

- 9.F.28. Ordinance No. AO 2004-40, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,020,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **parks and recreation facility upgrades and related capital improvements** in the Municipality of Anchorage Parks and Recreation Service Area at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget.

- 1 a. Assembly Memorandum No. AM 112-2004. **(Laid on the Table)** (Public Hearing set for 2-
2 17-04)
- 3 9.F.29. Ordinance No. AO 2004-38, an ordinance providing for the submission to the qualified voters of
4 Anchorage, Alaska, the question of the issuance of \$1,870,000 of General Obligation Bonds of the
5 Municipality of Anchorage to pay the costs of Parks and Recreation and related capital improvements
6 in the **Eagle River-Chugiak Parks and Recreation Service Area** and the question of an increase in
7 the municipal tax cap limitation to pay associated operations and maintenance costs at an election in
8 and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget.
- 9 a. Assembly Memorandum No. AM 111-2004. **(Laid on the Table)** (Public Hearing set for 2-
10 17-04)
- 11 9.F.30. Ordinance No. AO 2004-41, an ordinance providing for the submission to the qualified voters of
12 Anchorage, Alaska, the question of the issuance of \$4,335,000 of General Obligation Bonds of the
13 Municipality of Anchorage to pay the costs of Parks and Recreation and related capital improvements
14 in the **Anchorage Parks and Recreation Service Area** and the question of an increase in the
15 municipal tax cap limitation to pay operations and maintenance costs at an election in and for the
16 Municipality of Anchorage on April 6, 2004, Office of Management and Budget. **(Laid on the Table)** (
17 a. Assembly Memorandum No. AM 113-2004. *Public Hearing set for 2-17-04*)
- 18 9.F.31. Ordinance No. AO 2004-42, an ordinance providing for the submission to the qualified voters of
19 Anchorage, Alaska, the question of the issuance of \$7,670,000 of General Obligation Bonds of the
20 Municipality of Anchorage to pay the costs of acquiring property for, designing, constructing and
21 remodeling **public libraries** and related capital improvements in the Municipality of Anchorage and
22 the question of an increase in the municipal tax cap limitation to pay for operations and maintenance
23 costs at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management
24 and Budget. **(Laid on the Table)**
- 25 a. Assembly Memorandum No. AM 114-2004. *(Public Hearing set for 2-17-04)*
- 26 9.F.32. Ordinance No. AO 2004-43, an ordinance providing for the submission to the qualified voters of
27 Anchorage, Alaska, the question of the issuance of \$46,520,000 of General Obligation Bonds of the
28 Municipality of Anchorage to pay the costs of road, storm drainage and related capital improvements
29 and the question of an increase in the municipal tax cap limitation to pay associated operations and
30 maintenance costs in the **Anchorage Roads and Drainage Service Area** at an election in and for the
31 Municipality of Anchorage on April 6, 2004, Office of Management and Budget. **(Laid on the Table)**
- 32 a. Assembly Memorandum No. AM 115-2004. *(Public Hearing set for 2-17-04)*
- 33 9.F.33. Assembly Ordinance No. AO 2004-57, an ordinance providing for the submission to the qualified
34 voters of Anchorage, Alaska, the question of the issuance of \$3,000,000 of General Obligation Bonds
35 of the Municipality of Anchorage to pay the costs of roof renovations/upgrades to the **Alaska Center**
36 **of the Performing Arts** and related capital improvements in the Municipality of Anchorage in an
37 election in and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget.
- 38 a. Assembly Memorandum No. AM 134-2004. **(Laid on the Table)** (Public Hearing set for 2-
39 17-04)

40
41 The Administration requested this item be pulled for review on the Regular Agenda. (See item 10.F.33)

- 42
43 9.F.34. Ordinance No. AO 2004-58, an ordinance of the Anchorage Municipal Assembly, providing for the
44 submission to the qualified voters of the Municipality of Anchorage at its next Regular Election on April
45 6, 2004, an advisory proposition on the question of whether the citizens of Anchorage shall urge the
46 Alaska Legislature to adopt a **Comprehensive Long-Range Fiscal Plan for the State of Alaska**,
47 Assemblymember Tesche. **(Laid on the Table)** (Public Hearing set for 2-17-04)

48
49 Mr. Tesche proposed introduction of this resolution. (See item 10.F.34)

- 50
51 9.F.35. Assembly Ordinance No. AO 2004-35, an ordinance providing for the submission to the qualified
52 voters of Anchorage, Alaska, the question of the issuance of \$2,000,000 of General Obligation Bonds
53 of the Municipality of Anchorage to pay the costs of public safety facilities (Police) and related capital
54 improvements in the **Anchorage Metropolitan Police Service Area** and the question of an increase
55 in the municipal tax cap limitation to pay associated operations and maintenance costs at an election
56 in and for the Municipality of Anchorage pm April 6, 2004, Office of Management and Budget.
- 57 A. Assembly Memorandum No AM 107-2004. **(Laid on the Table)** (Public Hearing set for
58 February 17, 2004)

59
60 Chair Traini called for a motion to approve the remainder of Consent Agenda.

61
62 Mr. Tremaine moved, to approve the Consent Agenda, as amended.
63 Mr. Tesche seconded,
64 and this motion was passed unanimously,

65
66 Chair Traini announced the unanimous approval of the amended Consent Agenda, with the exception of the pulled
67 items and proceeded into discussion of those items.

68
69 **END OF CONSENT AGENDA**

70
71
72 **10. REGULAR AGENDA**

73 **10.A. RESOLUTIONS FOR ACTION – PROCLAMATIONS AND RECOGNITIONS**

- 74 10.A.1. Resolution No. AR 2004-30, a resolution of the Anchorage Municipal Assembly recognizing and
75 honoring **Detective Nancy L. Potter** for her 24 years of service with the Anchorage Police
76 Department, Mayor Begich; Assemblymembers Fairclough, Kendall, Shamberg, Sullivan, Taylor,
77 Tesche, Traini, Tremaine, Van Etten, Von Gemmingen and Whittle.

78
79 Chair Traini read this resolution and requested Anchorage Police Chief Monegan pass on their appreciation and
80 regards to Detective Nancy L. Potter for her 24 years of professional service with the MOA.

10.B. RESOLUTIONS FOR ACTION - OTHER

10.B.1. Resolution No. AR 2004-1, a resolution of the Anchorage Municipal Assembly approving the revised (schematic) design for the **Muldoon Middle School**, Anchorage School District.

a. Assembly Memorandum No. AM 1-2004.

Ms. Fairclough moved, to approve AR 2004-1.
Mr. Tremaine seconded,

Deputy Municipal Manager Michael Abbott stated that the site review plan was still being resolved, in particular the selection of the site for a water utility facility, designed to serve that school and the surrounding area. He encouraged Assemblymembers to approve the schematic design.

Mr. Whittle stated there had been a large group of citizens involved with discussion of this design in coordination with the Administration to ensure it would accommodate everyone's needs.

Mr. Sullivan stated that the Muldoon Middle School would have a campus that would include a community recreation center and library, separate from the school. He said it would be a new experience using a community center in the same proximity as a middle school.

and this motion was passed,

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

NAYES: None.

10.B.3. Resolution No. AR 2004-36, a resolution of the Anchorage Municipal Assembly finding that the proposed issuance of a **duplicate beverage dispensary liquor license** and the modification of an existing conditional use meets the standards of AMC 21.50.020 and 21.50.160 and that no significant effect will result from the approval of the modification of this existing conditional use in the B3 District for a duplicate beverage dispensary liquor license per AMC 21.40.180D.8, the legal description of which is Lot 2, Block 1, Teekell Subdivision, located at 8801 Jewel Lake Road (**Jewel Lake Bowl**), Assembly Chair Traini. **(Laid on the Table)** *(Introduced 2-03-04)*

Mr. Tremaine explained that he pulled this item from the Consent Agenda for the purpose of combining it with items 14.L. and 14.Q. Ms. Fairclough moved to postpone until later in the evening, which was seconded by Mr. Van Etten and approved unanimously by the Assembly. *(See item 14.L.)*

Chair Traini later returned the Assembly to this item and read the item title and called for a motion to approve. Ms. Fairclough cast the motion, and urged a YES-vote.

Ms. Fairclough moved, to approve AR 2004-36.
Mr. Van Etten seconded,
and this motion was passed,

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

NAYES: None.

10.B.4. Resolution No. AR 2004-37, a resolution of the Anchorage Municipal Assembly **opposing the passage of SB 260** and urging the Legislature to retain a strong local voice in the Planning and Design of Anchorage's Road System, Assemblymember Tesche. **(Laid on the Table)**

Chair Traini read the title of this resolution and called for a motion from Mr. Sullivan. Mr. Sullivan gave the floor to Mr. Tesche.

Mr. Tesche moved, to introduce AR 2004-37.
Mr. Fairclough seconded,
Mr. Tremaine was the concurring third,

Mr. Sullivan stated that there was often a question if the MOA wanted the State of Alaska to participate with the municipal road issues.

Mr. Tesche stated that the current AMATS organization consisted of three, elected MOA representatives, which was a majority and maintained the Municipality's best interests. Senate Bill 260 proposed to change the state membership to four positions. Mr. Tesche urged the Assembly to oppose the change by supporting this legislation and sending a strong message to the State.

Mr. Tremaine stated that he met with Senator Ben Stevens, sponsor of SB 260, to discuss the bill. Senator Stevens had felt that the process was convoluted, with the inability to track and account for progress. Mr. Tremaine stated that for years he had witnessed major projects languish. Even though he had served on the AMATS Committee for two years, it was difficult to understand why some projects were left incomplete. Senator Stevens had stated his intent was to make the process more transparent to avoid political influences. Mr. Tremaine felt that it was not a matter of voting that would provide clarification, but a matter of dedication, participation and understanding that would improve the process.

Mr. Kendall stated he supported including local legislators to serve on AMATS and stated that 42% of the local roads were state maintained and he would be voting against the resolution.

Ms. Von Gemmingen stated that this area had 50% of all vehicle traffic in Alaska and the appropriations were only 30% of the total funding.

Ms. Fairclough stated she had served on AMATS with Mr. Tremaine for two years. She explained that, until recently, the AMATS criteria for funding had not included a population count for traffic flow. She understood Senator Stevens to say if they could not get the state representatives onto AMATS, they would be planning to change the amounts of appropriations allocated to Anchorage. Ms. Fairclough saw that as a potential hardship for the MOA, and she stated that she would be supporting the resolution.

Chair Traini stated he had also met with Senator Stevens, and reiterated the Assembly's recommendation of having a senator and a representative participate with AMATS, to improve the process. He called for a motion.

Mr. Sullivan moved, to approve AR 2004-37.
Mr. Tesche seconded,
and this motion was passed,

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

10.C. BID AWARDS None pulled for discussion.

10.D. NEW BUSINESS

10.D.2. Assembly Memorandum No. AM 98-2004, Homewood Suites #4354 – New Beverage Dispensary
Tourism Liquor License (Spenard Community Council), Clerk's Office.

(Clerk's notes: See Agenda item Number 14.R, AR 2004-29 for related Assembly discussion and action.)

Chair Traini read this memorandum title and called for a motion from Ms. Fairclough. Ms. Fairclough explained this issue would also be discussed in item AR 2004-29, 14.R. She moved to approve.

Ms. Fairclough moved, to approve AM 98-2004.
Ms. Von Gemmingen seconded,

Ms. Fairclough moved, to amend AM 98-2004, *by changing* the language
Ms. Von Gemmingen seconded, describing the conditional use permit from
and this motion was approved, "protest" to "approval."

Ms. Fairclough moved, to approve AM 98-2004, as amended.
Ms. Von Gemmingen seconded,
and this motion was passed,

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

10.D.9. Assembly Memorandum No. AM 84-2004, recommendation of award to Resource Data, Inc. to provide
services to create a **comprehensive traffic safety database system** for the Municipality of
Anchorage, Traffic Department (RFP 23-P035) (\$666,000), Purchasing.

Ms. Shamberg moved, to approve AM 84-2004.
Mr. Tremaine seconded,

To Ms. Shamberg's question, the Administration responded that a safety report on bicycle and pedestrian traffic crashes in the Municipality would be published in an annual report and would provide much more detail. Findings would also be published on the web.

Mr. Whittle stated this was a most important issue in Anchorage, to assist with determining safety concerns of traffic issues in the MOA. Chair Traini called for a vote.

and this motion was passed,

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

10.D.11 Assembly Memorandum No. AM 86-2004, 2004 grant agreement with **Anchorage Economic Development Corporation** (\$491,500), Municipal Manager's Office. (Postponed until 2-17-04)

Mr. Tremaine moved, to postpone AM 86-2004 until February 17, 2004.
Mr. Sullivan seconded,
and this motion was passed unanimously,

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

10.D.13. Assembly Memorandum No. AM 88-2004, UAA Small Business Development Center grant
agreement (\$50,000), Office of Economic & Community Development.

Mr. Sullivan moved, to approve AM 88-2004.
Mr. Tremaine seconded,

Mr. Sullivan praised this program but thought it was not in critical need. Because Anchorage was experiencing a budget crisis, he felt that the UAA Small Business Development Center should rely on the University of Alaska. He stated the Center had received appropriations from the MOA in the past but was not dependent upon the MOA grants. He stated he would be casting a NO-vote.

Mr. Van Etten said he supported this issue and would be casting a YES-vote.

Mr. Tesche stated he would be voting YES because he felt this organization was extremely useful. He felt that small businesses were the backbone of this community and Anchorage needed to support them.

Mr. Tremaine stated that he would be voting in support of this issue for a number of reasons, including the many educational services this agency provided to locals. He stated it was a good use of money and could expect a good return on the investment. Chair Traini called for a vote.

and this motion was passed,

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

NAYES: Fairclough, Kendall and Sullivan.

10.E. INFORMATION AND REPORTS

10.E.1. Information Memorandum No. AIM 7-2004, Transmittal of the Planning and Zoning Commission recommendation of a denial for a rezoning application request to rezone approximately seven acres from R-10 SL (Residential Alpine Slope District) with Special Limitations to AF (**Antenna Farm District**) for seven acres of a 160-acre unsubdivided parcel identified as the South ½ of the Northwest ¼ of Section 5, T12N, R2W, S.M., AK, generally located east of Basher Drive, on the south side of the Fort Richardson Military Reserve (Basher Community Council) (Planning and Zoning Commission Case Number 2003-030), Planning Department.

Mr. Sullivan moved, to accept AIM 7-2004

Ms. Von Gemmingen seconded,

Mr. Sullivan noted that there was a large group of citizens present to hear this issue before the Assembly. The Assembly had received a recommendation on this issue from Planning and Zoning and could either accept or set this item for Public Hearing. Chair Traini explained it would take three Assemblymembers to approve Public Hearing. He requested Mr. Henri, the petitioner, to speak before the Assembly on his proposed project.

JOSEPH HENRI gave a brief history of the rezoning and his plan to move an 18-year-old tower in Stuckagain Heights to an area above the residential area. He had received opposition from residents of Stuckagain Heights. He felt this project had been stalled because the MOA had not issued a rezone and the Assembly had not granted a Public Hearing. He thought that the legal process had been avoided, not allowing him due process of a Public Hearing, and that it was his constitutional right to be heard. To Mr. Sullivan, he stated that they had been told by the Planning and Zoning Commission, on December 1, 2003, that the cost of a rezone application would be \$14,000.

To Mr. Tesche, Mr. Henri responded he did not have any specific Alaska case law that he could reference, but he thought the statutes were clear, allowing hearings for rezonings. Municipal Attorney Fred Boness responded that he did not see this issue as a constitutional issue. He thought the process that was in place, presenting the information to the Planning and Zoning Commission (P&Z) satisfied the due process requirements. Assembly Attorney Michael Gatti concurred that under Alaska State Law the constitutional rights for meaningful process to be heard was being fulfilled by the presentation and review by the P&Z. He reminded the body there was a reapplication process that legally could be pursued.

Mr. Sullivan stated that future need for communication towers would continue to grow. Economic and Community Development Director Mary Jane Michael responded that the municipality was in the process of developing a communications plan.

Chair Traini reminded members that a YES-vote would support the denial of the application, and there would be no Public Hearing, upholding recommendations of denial from the P&Z Commission. He called for a vote on the Sullivan motion to accept.

and this motion was passed,

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

NAYES: None.

Mr. Van Etten moved for immediate reconsideration.

Mr. Van Etten moved, for immediate reconsideration of AIM 7-2004.

Mr. Tesche seconded,

and this motion failed,

AYES: None

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

(Clerk's Note: Shamberg was temporarily out of room)

10.E.2. Information Memorandum No. AIM 8-2004, Internal Audit Report 2004-1 – **Special Assessments-Project Management & Engineering Department**, Internal Audit.

Chair Traini called for a motion from Ms. Von Gemmingen.

Ms. Von Gemmingen moved, to accept AIM 8-2004.
Mr. Tremaine seconded,

Ms. Von Gemmingen referred to Page 3 of the Audit, reporting the final approval being delayed and voiced her concern with similar legal issues from the past. She urged the Property Management and Engineering Department (PM&E) to expedite their completion of this report. Ms. Von Gemmingen commented on Page 6, referring to the statement that PM&E should obtain approval from the benefiting property owners, when there were cost overruns. To Chair Traini's question, Mr. Holtan responded that the tax payers bore the costs of overruns and they did rely on district property owners when costs were projected to be in excess of the limits originally defined by the department.

and this motion was passed unanimously,

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

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.10. Ordinance No. AO 2004-31, an ordinance of the Anchorage Municipal Assembly submitting to the qualified voters residing in the **Glen Alps Service Area** (GASA) at the Regular Election on April 6, 2004, a ballot proposition increasing the maximum attainable mill levy rate for the GASA and amending Anchorage Municipal Code Section 27.30.190 upon voter approval of the ballot proposition, Assemblymembers Shamberg and Tremaine. (*Public Hearing set for 2-17-04*)
a. Assembly Memorandum No. AM 102-2004. (**Addendum**)

Mr. Tremaine moved, to postpone indefinitely AO 2004-31.
Ms. Fairclough seconded,
and this motion passed unanimously,

10.F.11. Ordinance No. AO 2004-32, an ordinance of the Anchorage Municipal Assembly submitting to the qualified voters residing in the **Girdwood Valley Service Area** (GVSA) at the Regular Election on April 6, 2004, a ballot proposition establishing the maximum attainable mill levy rate for the GVSA and amending Anchorage Municipal Code Section 27.30.020 upon voter approval of the ballot proposition, Assemblymembers Shamberg and Tremaine. (*Public Hearing set for 2-17-04*)
a. Assembly Memorandum No. AM 103-2004. (**Addendum**)

Mr. Tremaine moved, to postpone indefinitely AO 2004-32.
Ms. Fairclough seconded,
and this motion passed unanimously,

10.F.12. Ordinance No. AO 2004-44, an ordinance submitting to the qualified voters residing in the **Glen Alps Service Area** (SA), a ballot proposition to impose a maximum 2.75 mill levy rate for the Glen Alps SA, effective retroactively as of January 1, 2004, and amending Anchorage Municipal Code Subsection 27.30.190B., Street Maintenance Department. (**Addendum**) (*Public Hearing set for 2-17-04*)
a. Assembly Memorandum No. AM 123-2004.

Mr. Tremaine moved to introduce and it was seconded by Ms. Fairclough.

Mr. Tremaine moved, to amend attached memorandum, AM 123-2003, by adding
Ms. Fairclough seconded, on Line 13, "The Board of Supervisors will provide an annual
and this was unanimously approved, recommendation to the Assembly on the mill levy the Board wishes to see adopted. This mill levy will provide for service area operations including capital improvements."

Mr. Tremaine stated this was to clarify that this service area would not sunset and the Assembly would expect such service areas to come before the Assembly annually to announce their mill rates.

Mr. Tremaine moved, to introduce AO 2004-44, as amended, with Public
Ms. Fairclough seconded, Hearing set for February 17, 2004.
and this motion was passed,

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

10.F.13. Ordinance No. AO 2004-45, an ordinance submitting to the qualified voters residing in the **Girdwood Valley Service Area** (SA), a ballot proposition to impose a maximum mill levy rate of 6.00 mills for the Girdwood Valley Service Area (SA), effective retroactively as of January 1, 2004, and amending Anchorage Municipal Code Section 27.30.020, Street Maintenance Department. (**Addendum**) (*Public Hearing set for 2-17-04*)
a. Assembly Memorandum No. AM 124-2004.

Mr. Tremaine moved to introduce, seconded by Ms. Fairclough with a concurring third from Ms. Von Gemmingen. Chair Traini called for discussion from Mr. Tremaine.

Mr. Tremaine proposed to add a sentence on Line 12, which would require the service area to provide an annual mill levy to the Assembly.

Mr. Tremaine moved, to amend AO 2003-45, *by adding* on Line 14, "The Board of Supervisors will provide an annual recommendation to the Assembly on the mill levy the Board wishes to see adopted. This mill levy will provide for service area operations including capital improvements."
Ms. Fairclough seconded,
and this was approved unanimously,

Mr. Tremaine stated this was to clarify that this service area did not sunset and the Assembly would expect these service areas to come before the Assembly annually to announce their mill rates.

Mr. Tremaine moved, to *introduce* AO 2004-45, as amended, with Public Hearing set for February 17, 2004.
Ms. Fairclough seconded,
and this motion passed without objection,

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

- 10.F.33 Assembly Ordinance No. AO 2004-57, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$3,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of roof renovations/upgrades to the **Alaska Center of the Performing Arts** and related capital improvements in the Municipality of Anchorage in an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management and Budget.
a. Assembly Memorandum No. AM 134-2004. ***(Laid on the Table)*** *(Public Hearing set for 2-17-04)*

Chair Traini read this ordinance Laid on the Table by the Administration and called on Deputy Municipal Manager Michael Abbott for comment. Mr. Abbott responded that the Administration would like to set Public Hearing for February 17, 2004.

Mr. Abbott moved, to *accept* AO 2004-57, with Public Hearing set for February 17, 2004.
Mr. Tremaine seconded,
and this was unanimously approved,

- 10.F.34 Ordinance No. AO 2004-58, an ordinance of the Anchorage Municipal Assembly, providing for the submission to the qualified voters of the Municipality of Anchorage at its next Regular Election on April 6, 2004, an advisory proposition on the question of whether the citizens of Anchorage shall urge the Alaska Legislature to adopt a **Comprehensive Long-Range Fiscal Plan for the State of Alaska**, Assemblymember Tesche. ***(Laid on the Table)*** *(Public Hearing set for 2-17-04)*

Mr. Tesche moved, to *introduce* AO 2004-58 with Public Hearing set for February 17, 2004.
Ms. Fairclough seconded,
Mr. Tremaine was the concurring third,

- 10.F.35. Assembly Ordinance No. AO 2004-35, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$2,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of public safety facilities (Police) and related capital improvements in the **Anchorage Metropolitan Police Service Area** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage pm April 6, 2004, Office of Management and Budget.
A. Assembly Memorandum No AM 107-2004. ***(Laid on the Table)*** *(Public Hearing set for 2-17-04)*

Chair Traini read the title of this ordinance and with no objections from the body, he announced the unanimous approval of introduction of this item with Public Hearing set for February 17, 2004.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

- 11.A. Assembly Memorandum No. AM 66-2004, **Planning and Zoning Commission** reappointments (Greg Jones, Toni Jones), Mayor's Office. *(Postponed from 1-20-04)*

Ms. Fairclough moved to change the order of the day, to take up items 11.A and 11.B, it was seconded by Mr. Sullivan and unanimously approved. Chair Traini read this memorandum title and called for a motion.

Mr. Kendall moved, to approve AM 66-2004.
Ms. Fairclough seconded,
and this motion passed with no objections,

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

- 11.B. Assembly Memorandum No. AM 68-2004, **Board of Adjustment** reappointment (Michael Jensen), Mayor's Office. *(Postponed from 1-20-04)*

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

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

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

- 11.C. Information Memorandum No. AIM 94-2003, transmittal of the Planning and Zoning Commission recommendation of denial for a rezoning application request to rezone 2.01 acres from R-1A (Single Family Residential) to B-3 (General Business District) for a relinquished right of way parcel and **Lots 1, 2, 3, 4, 5 and 10, Block D, Deborah Subdivision**, generally located at 12907 Old Glenn Highway, Eagle River (Planning and Zoning Commission Case 2003-094), Planning Department.
(Postponed from 10-21-03; Carried Over from 11-18-03; Postponed from 12-2-03 and 12-16-03) **(Carried Over to 2-17-04)**
- 11.D. Resolution No. AR 2004-12, a resolution of the Municipality of Anchorage supporting development of a **natural gas pipeline** with a spur line to Anchorage to meet future energy needs, Mayor's Office.
(Postponed from 1-20-04) **(Carried Over to 2-17-04)**
- 11.E. Resolution No. AR 2003-389, a resolution of the Anchorage Municipal Assembly supporting **Alaska Senate Concurrent Resolution 12**, acknowledging the natural unfairness in the current local governmental structure and requesting the Local Boundary Commission to present a recommendation for borough incorporation to the Legislature in order to formally request residents living in certain unorganized areas of Alaska to help operate and financially provide for their local school system, Assemblymembers Tesche, Traini, Fairclough, Sullivan, and Von Gemmingen.
1. Assembly Memorandum No. AM 976-2003.
(Postponed from 12-16-03 and 1-20-04) **(Carried Over to 2-17-04)**

12. APPEARANCE REQUESTS

A. **Ed Earnhart**, regarding community councils.

ED EARNHART made many recommendations for improving functions of community councils. He suggested having the Assembly make provisions for a continuing contract with the Federation of Community Councils (FCC), which was needed to assist local councils. He spoke of setting limits on members' dues and proposed to allow contributions, from members only, limited to \$250, thereby setting limitations of special interests. He recommended making council bylaws mandatory and standardized. He recommended clarifying the laws, so members could easily understand them and be able to follow parliamentary procedure. Mr. Sullivan agreed that more standardization was necessary and to his questions, Mr. Earnhart responded that the membership fees should be \$1 or \$2, but could be up to \$5 to help fund the Federation. In community councils only members could vote and during a council vote it was often difficult to discern between the members and guests. To Mr. Sullivan's question, Mr. Earnhart responded that he did not know of any council that used membership cards to hold up for voting. To Ms. Shamberg's question, he responded that the councils could meet and store records at a Federation Office or the local libraries. Mr. Earnhart cited a 1978 memo, AM 2570-8, which provided the directive for the storage of records and meeting places of community councils. He thought there were concerns with the operation of the Federation and their office was not currently staffed. He thought the Federation offices could be in City Hall, for convenience and records storage.

Ms. Von Gemmingen was concerned with the contribution limitations of \$250, limited to members only. Assembly Attorney Gatti responded he would check on the legalities and if the rules were based on an ordinance, an amendment could provide the desired changes. Chair Traini explained that Ms. Shamberg was the representative to the Federation, and requested Mr. Gatti to respond to her with the information.

13. CONTINUED PUBLIC HEARINGS None.

Ms. Von Gemmingen proposed to combine Public Hearings for items 14.A – 14.J.

Ms. Von Gemmingen moved, to combine Public Hearing for items 14.A – 14.J.
Mr. Tesche seconded,
and this motion passed unanimously,

Chair Traini read items 14.A, AO 2004-7, 14.B, AO 2004-8, 14.C, AO 2004-9, 14.D, AO 2004-10, 14.E, AO 2004-11, 14.F, AO 2004-12, 14.G, AO 2004-13, 14.H, AO 2004-14, 14.I, AO 2004-15, and 14.J, AO 2004-16. Chair Traini opened Public Hearing.

There was no one to testify and Chair Traini closed Public Hearing. Mr. Tremaine proposed to combine action of all items, into one voting en masse. Municipal Attorney Mr. Boness replied that there were no problems voting en masse. Chair Traini ruled items 14.A – 14.J were to be combined into one vote, reflecting the Assembly's vote of each item. He stated the vote cast for item 14.A, AO 2004-7 would reflect all action on the other ordinances.

14. NEW PUBLIC HEARINGS

- 14.A. Ordinance No. AO 2004-7, an ordinance submitting to the qualified voters residing in the **Lakehill Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.330 and 27.30.600. Assemblymembers Shamberg and Tremaine.
1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: It was ruled by the Chair that the one vote of AO 2004-7, item 14.A, as follows, would reflect an en masse vote for all items, 1.4.A through 14.J.)

Chair Traini ruled that one vote, en masse would represent all items, 14.A to 14.J. Mr. Tremaine stated the purpose of these ordinances was to allow the residents of these service areas to choose the levels of service in their areas.

Mr. Tremaine moved, to approve *en masse*, items 14.A, AO 2004-7, 14.B, AO 2004-8, 14.C, AO 2004-9, 14.D, AO 2004-10, 14.E, AO 2004-

Mr. Tesche seconded,

and this motion was passed,

11, 14.F, AO 2004-12, 14.G, AO 2004-13, 14.H, AO 2004-14, 14.I, AO 2004-15 and 14.J, AO 2004-16.

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

NAYES: None.

(Clerk's Note: Whittle was temporarily out of room)

14.B. Ordinance No. AO 2004-8, an ordinance submitting to the qualified voters residing in the **Mountain Park Estates Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.250 and 27.30.330. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

14.C. Ordinance No. AO 2004-9, an ordinance submitting to the qualified voters residing in the **Mountain Park/Robin Hill Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.280 and 27.30.360. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

14.D. Ordinance No. AO 2004-10, an ordinance submitting to the qualified voters residing in the **Rabbit Creek View and Rabbit Creek Heights Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.160 and 27.30.240. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

14.E. Ordinance No. AO 2004-11, an ordinance submitting to the qualified voters residing in the **Raven Woods/Bubbling Brook Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.270 and 27.30.350. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

14.F. Ordinance No. AO 2004-12, an ordinance submitting to the qualified voters residing in the **Rockhill Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.320 and 27.30.590. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

14.G. Ordinance No. AO 2004-13, an ordinance submitting to the qualified voters residing in the **Skyranch Estates Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.240 and 27.30.320. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

14.H. Ordinance No. AO 2004-14, an ordinance submitting to the qualified voters residing in the **Totem Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.340 and 27.30.610. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

14.I. Ordinance No. AO 2004-15, an ordinance submitting to the qualified voters residing in the **Upper Grover Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.260 and 27.30.340. Assemblymembers Shamberg and Tremaine.

1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

- 14.J. Ordinance No. AO 2004-16, an ordinance submitting to the qualified voters residing in the **Valli Vue Estates Limited Road Service Area** at the Regular Municipal Election April 6, 2004 a ballot proposition approving the continuation of said Limited Road Service Area for an additional period of three years. Anchorage Municipal Code Sections 27.20.230 and 27.30.310. Assemblymembers Shamberg and Tremaine.
1. Assembly Memorandum No. AM 38-2004.

(Clerk's Note: See 14.A for en-masse action on items 14.A-14.J)

- 14.K. Ordinance No. AO 2004-22, an ordinance amending Anchorage Municipal Code Section 12.25.040 to reduce the 2004 maximum attainable tax revenue by an amount attributable to exclusion of the **Eagle River-Chugiak Park and Recreational Service Area** from the 2004 Budget, Assemblymember Fairclough.
1. Assembly Memorandum No. AM 63-2004.
 2. Assembly Memorandum No. AM 104-2004, AO 2004-22; amending Anchorage Municipal Code Section 12.25.040 to reduce the 2004 maximum attainable tax revenue by an amount attributable to exclusion of the **Eagle River-Chugiak Park and Recreational Service Area** from the 2004 Budget – *Summary of Economic Effects*, Assemblymember Fairclough.
(Addendum)

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 approve AO 2004-22.
Mr. Tremaine seconded,
and this motion passed unanimously,

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

- 14.L. Resolution No. AR 2004-19, a resolution of the Municipality of Anchorage appropriating \$193,964 as a grant to the Federal Categorical Grants Fund (241), Department of Health and Human Services, from the Corporation for National and Community Service for enhancing disaster & emergency preparedness of special and vulnerable populations through **mobilization of volunteers**, Health & Human Services.
1. Assembly Memorandum No. AM 60-2004.

Ms. Fairclough moved to combine Public Hearing on items 14.L, 14.Q and 9.B.3, and it was seconded by Mr. Van Etten and approved unanimously by the body. Chair Traini read item titles, including 9.B.3, AR 2004-36, 14.L, AR 2004-19 and 14.Q, AR 2004-28 and opened Public Hearing. There being no one to testify, Chair Traini closed Public Hearing and called for a motion on AR 2004-19. Ms. Fairclough moved to approve and urged a YES-vote.

Ms. Fairclough moved, to approve AR 2004-19.
Mr. Van Etten seconded,
and this motion was passed,

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

(Clerk's Note: Whittle and Sullivan temporarily out of room)

- 14.M. Resolution No. AR 2004-20, a resolution approving the acceptance and appropriation of State of Alaska grant funds in the amount of \$375,000 from the Department of Community and Economic Development (Senate Bill 100), to be applied toward the **Sand Lake Area Water Extension project**, Anchorage Water & Wastewater Utility.
1. Assembly Memorandum No. AM 61-2004.

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

Mr. Sullivan moved, to approve AR 2004-20.
Ms. Von Gemmingen seconded,

To Mr. Sullivan's question, Mr. Premo responded that the \$375,000 was the total state appropriation. Mr. Sullivan urged a YES-vote.

To Ms. Von Gemmingen, Mr. Premo responded there were certain things already set for use of this funding. He stated the MOA would be aligning spending with legislative intent, including a watershed management plan to study the Sand Lake gravel pit issues, which would include a Public Hearing comment process.

Ms. Fairclough proposed to set the date for the Public Hearing.

Ms. Fairclough moved, to amend AR 2004-20, by adding on Line 20, "February 3, 2004."
Mr. Tremaine seconded,
and this was unanimously approved,

Mr. Sullivan moved, to approve AR 2004-20, as amended.
Ms. Von Gemmingen seconded,
and this motion was passed,

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

NAYES: None.

(Clerk's Note: Tremaine was temporarily out of the room)

- 14.N. Resolution No. AR 2004-24, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$192,150 with the State of Alaska, Department of Transportation and Public Facilities, for financing the implementation of a **Public Transportation Marketing Program** and appropriating these funds to the State Categorical Grants Fund (231), Public Transportation Department.
1. Assembly Memorandum No. AM 71-2004.

Chair Traini read the title of this resolution and opened Public Hearing. With no public testimony, he closed Public Hearing and called for a motion.

Ms. Fairclough moved, to approve AR 2004-24.
Mr. Tremaine seconded,
and this motion was passed,

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

NAYES: None.

- 14.O. Resolution No. AR 2004-25, a resolution authorizing the Municipality of Anchorage, Public Transportation Department to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$366,000 with the Department of Transportation and Public Facilities, State of Alaska, for the **Municipal Share-A-Ride Program** and appropriating these funds to the State Categorical Grants Fund (231), Public Transportation Department.
1. Assembly Memorandum No. AM 72-2004.

Chair Traini read the title of this resolution and opened Public Hearing. With no public testimony, he closed Public Hearing and called for a motion.

Ms. Fairclough moved, to approve AR 2004-25.
Ms. Shamberg seconded,
and this motion was passed,

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

NAYES: None.

- 14.P. Resolution No. AR 2004-26, a resolution of the Municipality of Anchorage accepting and appropriating \$450,000 as a grant from the Rasmuson Foundation, to the Anchorage Parks & Recreation Service Area CIP Fund (461), Office of Economic & Community Development, to complete the environmental impact statement for the **South Extension of the Coastal Trail project**, Office of Economic & Community Development.
1. Assembly Memorandum No. AM 73-2004.

Chair Traini read the title of this resolution and opened Public Hearing.

LINDA MATIS HOLDING, property owner on the Coastal Trail, opposed the continuation of the Trail. She opposed the Administration's stand when the city was facing a budget crisis. She disapproved of the environmental impact statement completed by HDR and wondered what company would get the contract if this was approved.

WILL BLIND, resident of Anchorage for over forty years, opposed the Rasmuson Foundation Grant for this project. Mr. Blind felt that because of the budget crisis in the city he could not understand how this project would be considered.

BJORNE HOLM spoke in favor of the extension of the Coastal Zone Trail. Mr. Holm stated he was in charge of the Coastal Trail Web site, friendsofthecoastaltrail.org, and that the group supported the extension. To Chair Traini's question, Mr. Holm responded that he only constructed the web site, and did not know the projected trail or maintenance costs. Mr. Holm stated he had included a link on the web site to groups who might know of the costs.

TED VOLIN, resident of Shore Drive, explained there were several residents who had written to the Rasmuson Fund, urging them to not to support the trail or any transportation system for many reasons and had received no response. He urged the Assembly not to support this resolution. To Mr. Sullivan, Mr. Volin responded he viewed this trail as a recreation item and not a transportation item. To Mr. Tesche, he responded that he believed the city should not accept this money because it was conditional.

DON SMITH spoke against the trail extension because he felt the money should be used for more critical issues, like providing food to those in need. Mr. Tesche reminded him that The Crop Walk and the Walk for Hope were organized programs to raise money for hungry kids and they were both held on the Coastal Trail. Responding to Mr. Smith's story of hungry children in Anchorage, Ms. Shamberg thanked him for his caring and compassion, assisting the hungry children in the city.

CHERYL SCHROYER, representing Women Advocating Sensible Trails Through Education (WASTE), spoke against the trail extension. She urged the Assembly to leave this project unfunded because she and her group felt this project was clouded by controversy and costs. She figured minimum costs at \$40-\$60 million to make the trail, with an additional \$1 to \$2 million per mile for maintenance. Ms. Schroyer stated the project had offended many people, including tax payers and property owners.

ERIC McCALLUM, resident of South Anchorage, thanked the Rasmuson Fund for the generous gift for the trail, appropriated for transportation. He urged the Assembly to support the issue.

VERNON CARPENTER, resident of East Anchorage, opposed the resolution and the expansion of the Trail. Mr. Carpenter asked if the Assembly could do a study to see if the Trail was really necessary, and then consider funding safety issues in the city, including crosswalks at schools. Ms. Shamberg responded a pedestrian traffic expert was currently examining the issue of crosswalks.

JACK HATCHER, resident of the Hillside, spoke in favor of the generous contributions of the Trail. He had worked on the original Coastal Trail system, and wanted to see it completed.

JIM REEVES supported accepting the gift. He spoke of the process, stating this issue was not about other alternatives and we should be thankful for the gift. To Mr. Sullivan, Mr. Reeves stated that the study was a complete expression and presentation of the information of the EIS process, and citizens should not criticize a process that was not completed. The process should continue to consider alternatives and go through a Public Hearing.

PAULINE UTTER testified in favor of the Coastal Trail. She lived near the Trail and while she supported the Coastal Trail, she urged the Assembly to put it closer to the coast or railroad tracks, and away from homes.

DAVID LEE, resident of Oceanview, testified. He said this project had been fast-tracked, and thought this grant allocation was for \$400,000 for a \$700,000 project and would take another \$300,000 of additional MOA funds to complete.

RYAN STENCIL, President of the Huffman-O'Malley Community Council, testified. She stated that if the Rasmuson Foundation had allocated this for the Coastal Trail System study, their community council viewed it as a waste of money. She believed the issue had not been thoroughly discussed and she feared that additional EISs would have to be completed in the future. She proposed using the grant money for studying alternative routes.

ROBIN SMITH, homeowner of a bluff-property close to area of proposed expansion, testified. She lived on the coast, had the view and was willing to share it with the community. While she urged the citizens of Anchorage to view the project as an asset, she hoped that an additional route study would be completed. To Mr. Sullivan, Ms. Smith responded that she knew there was not one house that would have to be destroyed to accommodate the extension.

WAYNE POUCHEON, thirty-two year resident of Anchorage, testified. He was co-author of the original *Anchorage Wetlands Plan* and co-author of the *Wetlands Study of Potter Marsh*. Mr. Poucheon stated his concern was with the wording of the contract, awarded to HDR. He stated the draft environmental impact study (EIS) listed a route very similar to the orange route which had been formerly rejected by the State of Alaska and the Trail Planners. He felt there were many issues misconstrued, including the studies he had completed. Mr. Poucheon urged the Assembly to be very cautious with the wording of the agreement.

JIM DEKOUZIAN, representing the Bayshore-Klatt Community Council, spoke in opposition to the Trail. He stated that while their community council supported trails in general, they did not support this one because the project had not been properly designed and was not the project that had been originally planned.

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

Mr. Van Etten moved, to approve AR 2004-26.
Ms. Fairclough seconded,

Mr. Sullivan stated that he disagreed with the Rasmuson Foundation allocating this funding strictly for the Coastal Trail, when there were too many other critical needs in the MOA in a time of budget cutbacks. He would support the connecting and maintaining of the existing trails in the MOA but could not support new extensions that would be additional costs for the MOA now and in the future. He stated that he would also not support the funding of the EIS for the Trail system.

Chair Traini stated that all appropriations for the Trail System EIS needed to be approved by Parks and Recreation. Municipal Engineer Howard Holtan and Ms. Mary Jane Michael, MOA Director of Economic and Community Development, stated they did not know the P&Z Commission stand on the design plan. Chair Traini said he would not support this issue if it was not supported by the Parks and Recreation Commission. To Mr. Sullivan's question, Mr. Holtan responded that the MOA would study the final alignment and then study the EIS involving public participation.

Ms. Von Gemmingen stated she was aware of the many contributions of millions of dollars from the Rasmuson Foundation to projects around Alaska, and viewed them as capital items, and not for every-day expense. She stated she would support this issue.

Mr. Tremaine, reading from the Friends of the Coastal Trail web site, reported that the EIS began in 1998, and quoted in the EIS draft of November, 2002, the estimated cost of maintenance had risen, from \$1500 to \$4800 per mile with elaborate, lighted trail areas.

Mr. Tesche supported the trail system for many reasons and saw this project as a city asset which was part of an infrastructure that made a better community. He thought citizens should be thankful to the Rasmuson Foundation for this money. Mr. Tesche stated he would be supporting the resolution.

Mr. Van Etten stated the Rasmuson Foundation came through to support the children and he applauded them for helping to create this project for the benefit of the whole community. He supported the Trail system and would be casting a YES-vote for the resolution.

Chair Traini stated he was going to support this resolution because the EIS and the contract had already been approved and had been requested by the Administration. He stated there was much work that still needed to be

completed, and many changes would happen to the design and routing of the trail during the process. He called for a vote.

Mr. Van Etten moved, to approve AR 2004-26.
Ms. Fairclough seconded,
and this motion was passed,

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

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

Mr. Tesche moved, for immediate reconsideration of AR 2004-26.
Mr. Whittle seconded,
and this motion failed,

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

- 14.Q. Resolution No. AR 2004-28, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the B-3 District for a new duplicate beverage dispensary use/license per AMC 21.40180 D.8, located on Teekell Subdivision, Lot 2, site address being 8801 Jewel Lake Road, generally located at the southeast corner of Jewel Lake Road and West 88th Avenue (**Jewel Lake Bowl** dba "The Place") (Case 2004-023), Planning Department.
1. Assembly Memorandum No. AM 78-2004.

The Assembly had voted to combine Public Hearing on items 9.B.3, 14.L and 14.Q. (*Clerk's Note: Refer to Agenda Item 14.L for details*). With combined Public Hearing closed, Chair Traini called for a motion. Ms. Fairclough moved to approve and urged a YES-vote.

Ms. Fairclough moved, to approve AR 2004-28.
Mr. Van Etten seconded,
and this motion was passed,

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

- 14.R. Resolution No. AR 2004-29, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the I-1 District for a new Beverage Dispensary – Tourism Use/License per AMC 21.40.200 B.1.K; located on Lot 4, Tudor Business Park Subdivision; site address being 140 West Tudor Road, generally located on the west side of A Street, south of Tudor Road (**Homewood Suites**) (Case 2004-033), Planning Department. (**Laid on the Table**)
1. Assembly Memorandum No. AM 79-2004.

Ms. Fairclough moved to Change the Order of The Day to take up and combine Public Hearing on 14.R and 9.D.2. The motion was seconded by Mr. Van Etten and was passed with one objection (*Von Gemmingen*). Chair Traini read the titles of AR 2004-29 and AM 98-2004 and opened Public Hearing. With no public testimony, he closed Public Hearing and called for a motion on AR 2004-29.

Mr. Tremaine stated he would be casting a YES-vote for this item, but he wanted to be on record saying that he felt industrial land was limited in Anchorage and with the goals and intent of the Title 21 rewrite, saw potential future conflicts.

Ms. Fairclough moved, to approve AR 2004-29.
Mr. Tremaine seconded,
and this motion was passed,

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

Chair Traini announced the approval of this resolution and moved the members into discussion and action of AM 98-2004. (*Clerk's notes: See Agenda item Number 10.D.2, AM 98-2004 for related Assembly discussion and action.*)

- 14.S. Ordinance No. AO 2004-1, an ordinance repealing Anchorage Municipal Code Section 21.70.030 regarding **Mobile Home Park Annual Permits**, amending Anchorage Municipal Code Chapter 14.60.030 to delete the fine for mobile home permits, repealing Anchorage Municipal Code of Regulations Chapter 21.70 regarding Mobile Home Park Annual Permits, and repealing Anchorage Municipal Code of Regulations Subsection 21.20.007G. regarding fees, Planning Department.
1. Assembly Memorandum No. AM 7-2004.

Chair Traini read this ordinance title and opened Public Hearing.

MATT KERRY, resident of a mobile home park which his family owned, testified in support of this ordinance.

BOB MAYER, past President of the Alaska Manufactured Housing Association, reminded the Assembly of the legislation already approved by the Administration and Planning and Zoning Commission on May 5, 2002, and pointed out to Assemblymembers, that there was a copy of the approved P&Z resolution in their packets. He urged the Assembly to consider their decision that evening carefully.

CAROL LELONE, manager of the Penland Mobile Home Park since 1986, testified. Ms. Lelone explained she was representing Penland Park, Southwood Manor, Manukes Island, Birchwood Manufactured Housing Communities, owned by Nodal Investments. She stated these four communities have a total of 1194 home sites. She stated that since the current program had been implemented, Penland Park had not been inspected once, and she had never received a report of violations, as required by the process. She had been told by the MOA there were not enough personnel, but to continue paying the fees. She urged the Assembly to repel the program because it had never been implemented and had never worked as intended. She stated the program could work on a case-by-case basis.

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

Mr. Sullivan moved, to approve AO 2004-1.
Mr. Whittle seconded,

To Mr. Sullivan's question, Mr. Brian Dean, of the Planning Department, stated that his department maintained records for all of their inspections of all the parks, including Penland. Mr. Dean stated that his staff responded primarily on a complaint basis.

To Ms. Fairclough's question, Mr. Dean stated their inspections were not primarily searching for safety violations. He stated the code abatement section responded to safety concerns, on a complaint basis. The division was most concerned with set-back violations, conditional use violations, DEC requirements for water and wastewater systems and junk violations.

To Mr. Tremaine's question, Mr. Dean responded that they had found a lot of junk and set back violations. A couple of the parks in the MOA were problematic and consumed most of their time. He stated they were still finding a few conditional use violations, and there were some smaller parks that had ignored their violation notices. He stated there were 62 mobile home parks in the MOA that would be affected by this ordinance.

Ms. Fairclough wanted to have the opportunity to discuss this with the Administration, including issues of water and wastewater.

Mr. Tremaine stated that mobile home parks in the MOA needed to be discussed with the Administration on collection of fees, water and wastewater issues.

Mr. Sullivan requested the Administration supply a report of the status of uncollected moneys, and what the Administration proposed to do with this issue.

Mr. Fairclough moved, to postpone AO 2004-1 until March 16, 2004.
Mr. Tremaine seconded,
and this motion was passed,

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

NAYES: None.

(Clerk's Notes: Von Gemmingen was temporarily out of room)

- 14.T. Ordinance No. AO 2004-23, an ordinance amending Anchorage Municipal Code of Regulations Section 21.20.002 to establish a **fee for rezoning small residential parcels** to another residential use, Planning Department, Assemblymembers Sullivan and Shamberg.
1. Assembly Memorandum No. AM 65-2004.

Chair Traini opened Public Hearing. There being no public testimony, he closed Public Hearing and called for a motion. Mr. Sullivan moved to approve, seconded by Ms. Fairclough. Ms. Shamberg requested to be added as a cosponsor. Mr. Sullivan also requested to be added as a cosponsor, and urged a YES-vote.

Mr. Sullivan moved, to amend AO 2004-23, by adding Mr. Sullivan and Ms. Shamberg as cosponsors.
Ms. Shamberg seconded,
and this was approved unanimously,

Mr. Van Etten requested an interpretation of the change of a single residential parcel for the gross site area of less than one acre, from a rezone of one residential classification to another. Mr. Jerry Weaver, with Planning, explained the ordinance was structured for a parcel, with no designated minimum numbers of structures. To Mr. Van Etten's question, Mr. Weaver responded the ordinance would allow up to 16 structures on a single parcel, with a single fee of only \$1500 for the cost of rezoning. When Mr. Van Etten stated there was similar legislation before the Assembly last year, and this was what they were trying to avoid. Mr. Weaver explained these were small parcels, with small changes and the Administration was not expecting much response.

Mr. Sullivan pointed out the MOA would benefit over time by receiving additional property taxes.

Deputy Municipal Manager Michael Abbott stated the Administration had introduced this ordinance in good faith and would attempt to keep with the wishes of the body.

Mr. Tremaine thought this sounded like spot rezoning, which was illegal, and stated that as the Administration was completing the Title 21 rewrite, there would be many rezones. He stated he would be casting a YES-vote.

Mr. Sullivan moved, to approve AO 2004-23, as amended.
Ms. Fairclough seconded,
and this motion was passed,

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

NAYES: None.

(Clerk's Note: Kendall was temporarily out of room)

- 14.U. Ordinance No. AO 2004-21, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 28.60, **Absentee Voting**, to add a new section 28.60.060 to include voting by electronic transmission, Assembly Chair Traini.
1. Assembly Memorandum No. AM 62-2004.

Chair Traini read this ordinance title and opened Public Hearing.

VICKY CANTRELL had many suggestions with improving absentee voting. Chair Traini responded that this focused on faxing ballots to the voter, rather than using email. She thought the MOA ballots were too long, to be returned on a fax machine limited to letter-size or legal-size. She addressed additional concerns, including the required signatures, the explanatory ballot, documentation and accountability for the number of pages sent and received via a fax machine and how to purge those files, keeping them confidential. She also pointed out that in Line 27, the wording "Elections Board" should be, in the Municipality, the "Election Commission." She urged the Assembly to consider setting penalties for fraudulent use of electronic ballots be included in the regulations. She cited that 5% of the voters in the last Juneau election cast electronic ballots and predicted it would involve about 125 ballots in the MOA. Electronic voting would involve discussion of all details, often entailing lengthy and sensitive debates for the minor particulars, which often made the public question the process and confidentiality.

With no further public testimony, Chair Traini closed Public Hearing and called for a motion. Mr. Tesche moved and it was seconded by Ms. Fairclough. Ms. Fairclough then proposed changes.

Ms. Fairclough moved, to amend AO 2004-21, by inserting on Page 2, Line 27,
Mr. Tremaine seconded, "Commission," and by deleting "Board."
and this motion passed with no objection,

Ms. Von Gemmingen suggested the Assembly consider reinstating an Elections Ad Hoc Committee, to review new issues like electronic voting, Saturday voting or moving the polling places. She said in the past this committee had worked successfully with the Elections Office with new or sensitive issues.

Mr. Tremaine responded to the suggestions and corrections made by Ms. Cantrell and asked Municipal Clerk Ms. Gruenstein to review their incorporation into the new electronics voting process and procedures.

Ms. Fairclough proposed to include a date in this ordinance to make sure the voters in the Municipality understood the new electronic voting system would not be ready for implementation until 2005.

Ms. Fairclough moved, to amend AO 2004-21, to include on Page 3, Section 4,
Mr. Tremaine seconded, Line 2, "This ordinance shall become effective June 1,
and this motion passed unanimously, 2004."

Mr. Kendall requested clarification, and Chair Traini reiterated this process of electronic voting would involve receiving a ballot by many means and sending the completed, signed ballot back to the polling places via fax machine. Municipal Clerk Gruenstein stated that received faxes could be monitored by a computer. She handed out examples of a faxed ballot that had been completed that day by the Kenai Borough. Ms. Gruenstein stated that the Kenai Peninsula Borough, Juneau and Fairbanks were implementing this voting process. Mr. Kendall requested that the Assembly Clerk's Office and the Elections Office keep the Assembly informed with the progress on this issue.

Mr. Tesche stated he approve of this ordinance, along with the other recommendations suggested by Ms. Cantrell, in the hopes of increasing voter turn out in Anchorage.

Chair Traini announced that Mr. Tesche would be on the MOA Ad Hoc Voting Committee.

Mr. Sullivan requested the MOA Legal Staff legally define "electronic transmission." Municipal Attorney Fred Boness stated it would be his preference for a definition to be added, but legally did not think it was necessary. When the term "electronic transmission" was used in the ordinance, it referred to an email or fax. He felt there could be a question of the method of fax-only returning of a ballot to the poling center, and proposed to include the definition.

To Mr. Sullivan's question, Ms. Gruenstein responded that the received, completed ballot would be a secured fax which would be monitored.

Mr. Tesche moved, to approve AO 2004-21, as amended.
Ms. Fairclough seconded,
and this motion was passed,

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

NAYES: None.

15. SPECIAL ORDERS

Mr. Tremaine proposed introduction of two ordinances.

- 15.A. Ordinance No. AO 2004-55, an ordinance submitting to the qualified voters of the Municipality at the regular Municipal Election April 6, 2004, a ballot proposition approving the long-term, non-exclusive lease of the Section 16 Equestrian Center, also known as the **William Clark Chamberlin Equestrian Center**, to Anchorage Horse Council, Inc. a non-profit corporation for less than fair market value, Assemblymember Tremaine. **(Laid on the Table)** (Public Hearing set for 2-17-04)

Chair Traini requested Mr. Tremaine read this ordinance proposed for introduction. Mr. Tremaine moved to introduce this ordinance which was seconded by Ms. Fairclough, with a concurring third from Ms. Von Gemmingen. Mr. Tremaine proposed changes to Line 3 and Line 32 on Page 1 and on Page 2, a change to Line 41.

Mr. Tremaine moved, to amend AO 2004-55 on Page 1, *by replacing Number 55*
Ms. Von Gemmingen seconded, for the title, in place of the blank; *by omitting* on Line
and this motion was passed unanimously, 3 and 4, "not exceeding 35 years," *and by adding "AO 2004-56,"* on Page 1, Line 32 and on Page 2, Line 3 and Line 41.

Mr. Tremaine stated that since 1985 an equestrian center had leased property, on a year-to-year basis and in an effort to stabilize the use and insure the taxpayers' dollars would no longer subsidize this lease.

Mr. Tremaine moved, to introduce AO 2004-55, as amended.
Ms. Fairclough seconded,
Ms. Von Gemmingen was the concurring third,

15.B. Ordinance No. AO 2004-56, an ordinance approving a long term lease of dedicated park land in Ruth Arcand Park, at the Section 16 **Equestrian Center**, to Anchorage Horse Council, Inc., a non-profit corporation, for less than fair market value, Assemblymember Tremaine. **(Laid on the Table)**
(Public Hearing set for 3-11-04)

Mr. Tremaine moved to introduce, which was seconded by Ms. Von Gemmingen, with a concurring third from Ms. Fairclough. Mr. Tremaine proposed changes to the title, Line 1 and Line 32. The Administration proposed to use the word "approving" instead of "authorizing."

Mr. Tremaine moved, to amend the title of AO 2004-56 on Page 1, *by replacing*
Ms. Von Gemmingen seconded, Number 55 for the title in place of the blank; on Line 1, *by*
and this motion was passed unanimously, *substituting* the word "approving" for the word "authorizing;"
by deleting on Page 1, Line 3 "not exceeding 35 years;"
and *by adding*, on Page 1, Line 30 "AO 2004-55."

Mr. Tremaine moved, to introduce AO 2004-56, as amended.
Ms. Von Gemmingen seconded,
Ms. Fairclough was the concurring third,

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS

Mr. Tremaine announced his recent appointment to the Information-Technology Communications Policy and Advocacy Steering Committee of the National League of Cities. He stated that there were now four MOA Assemblymembers on steering committees, out of 18,000 municipalities across the nation. He was congratulated by fellows Assemblymembers.

Mr. Kendall stated he had missed the January 6, 2004, meeting of the Assembly because he was in Vladivostok, Russia. The people there were particularly interested in the bidding process for projects contracted by the city.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT The Assembly Meeting adjourned at 10:35 p.m.

Mr. Kendall moved, to adjourn the meeting.
Mr. Whittle seconded,
and this motion was passed unanimously,

DICK TRAINI, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: July 6, 2004
MC/BG
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