

MUNICIPALITY OF ANCHORAGE  
ASSEMBLY MEETING

Assembly Chambers, Loussac Library  
3600 Denali Street, Room 108

Minutes for Regular Meeting of February 17, 2004

1. CALL TO ORDER

The Assembly Meeting was called to order by Chair Traini at 5:04 p.m. in Assembly Chambers of the Loussac Library, 3600 Denali Street, Anchorage, Alaska.

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

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

ABSENT: None.

3. PLEDGE OF ALLEGANCE Ms. Taylor led the pledge.

4. MINUTES OF PREVIOUS MEETING None.

5. MAYOR'S REPORT None.

6. ASSEMBLY CHAIR'S REPORT None.

7. COMMITTEE REPORTS None.

8. ADDENDUM TO AGENDA

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

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

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

NAYES: None.

Chair Traini called for a motion on the Consent Agenda. Mr. Tremaine moved to approve and it was seconded by Mr. Tesche. The Chair then read the Consent Agenda items and called for Assemblymembers to request items be pulled and be moved to the Regular Agenda for discussion.

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS None.

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2004-22, a resolution of the Anchorage Municipal Assembly and Mayor Mark Begich to name the Loussac Library Ice Sculpture Fountain the "Kay Linton Ice Sculpture Fountain" in honor of her outstanding contributions and dedication to community service. (Postponed from 1-20-04)

Ms. Von Gemmingen requested this item be pulled for review on the Regular Agenda. (See item 10.B.1)

9.B.2. Resolution No. AR 2004-40, a resolution of the Municipality of Anchorage appropriating \$100,000 from the State of Alaska, Department of Environmental Conservation under the Prevention and Emergency Response Program, to the State Categorical Grants (231) Fund to expand the response capabilities to the Anchorage Hazardous Materials (HAZMAT) Response Team, Anchorage Fire Department.  
a. Assembly Memorandum No. AM 164-2004.

9.B.3. Resolution No. AR 2004-41, a resolution of the Municipality of Anchorage appropriating \$3,000 as a grant from the Anchorage Republicans Women's Club to the Miscellaneous Grants Fund (261) for the Anchorage Police Department to provide for the purchase of additional defibrillators, Anchorage Police Department.  
a. Assembly Memorandum No. AM 165-2004.

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

9.B.4. Resolution No. AR 2004-42, a resolution of the Municipality of Anchorage appropriating \$26,500 from the Alaska Division of Homeland Security to the State Categorical Grants Fund (231) for the development of the Community Emergency Response Teams (CERTS) through the Office of the Municipal Manager on behalf of the MOA Office of Emergency Management.  
a. Assembly Memorandum No. AM 166-2004.

**9.C. BID AWARDS** None.

**9.D. NEW BUSINESS**

- 9.D.1. Assembly Memorandum No. AM 140-2004, **Airport Aviation Advisory Commission** reappointments (Erin Marston, Paul Palinski), Mayor's Office.
- 9.D.2. Assembly Memorandum No. AM 141-2004, **Americans with Disabilities Act Advisory Commission** reappointments (Don Peterson, Trevor Storrs), Mayor's Office.
- 9.D.3. Assembly Memorandum No. AM 142-2004, **Anchorage Parking Authority Board of Directors** reappointments (Joanne Brause, Louise Lazur, Mike Zoske), Mayor's Office.
- 9.D.4. Assembly Memorandum No. AM 143-2004, **Animal Control Advisory Board** reappointments (George Doty, Kayla Epstein, Neil Koeniger), Mayor's Office.
- 9.D.5. Assembly Memorandum No. AM 144-2004, **Animal Control Appeals Board** reappointment (James Hagee), Mayor's Office.
- 9.D.6. Assembly Memorandum No. AM 145-2004, **Budget Advisory Commission** reappointments (Kay Brown, Phil Okeson, Tim Wiepking), Mayor's Office.
- 9.D.7. Assembly Memorandum No. AM 146-2004, **Chugiak, Birchwood, Eagle River Rural Road Service Area Board of Supervisors** appointments (Roger Van Ornum, Jeff Johnson), Mayor's Office.
- 9.D.8. Assembly Memorandum No. AM 147-2004, **Election Commission** appointments (Ethel Tuck, Evelyn Hansen), Mayor's Office.

The Administration requested this item be pulled for review on the Regular Agenda. (*See item 10.D.8*)

- 9.D.9. Assembly Memorandum No. AM 148-2004, **Geotechnical Advisory Commission** reappointments (Keith Mobley, Mark Musial, Steve Teller), Mayor's Office.
- 9.D.10. Assembly Memorandum No. AM 149-2004, **Historical and Fine Arts Commission** reappointments (Bernadine Nyboer, William Penrose, Carol Smith), Mayor's Office.
- 9.D.11. Assembly Memorandum No. AM 150-2004, **Human Resources Advisory Board** reappointments (Todd Allen, Anne Sakumoto), Mayor's Office.
- 9.D.12. Assembly Memorandum No. AM 151-2004, **Board of Ethics** appointments (Rev. Gregory Kimura, Dr. James Liszka), Mayor's Office.

Chair Traini requested this item be pulled for review on the Regular Agenda. (*See item 10.D.12*)

- 9.D.13. Assembly Memorandum No. AM 152-2004, **Public Safety Advisory Commission** appointments (Dwight "Sam" O'Connor, Anthony Piper, Prescious Council), Mayor's Office
- 9.D.14. Assembly Memorandum No. AM 153-2004, **Library Advisory Board** appointments (David Harrington, Mary Rasmussen, Theodore Kassier), Mayor's Office.
- 9.D.15. Assembly Memorandum No. AM 154-2004, **Light and Power Commission** reappointment (Dennis Nottingham), Mayor's Office.
- 9.D.16. Assembly Memorandum No. AM 155-2004, **Mt. View Recreational Community Center Advisory Commission** appointments (Richard Benavides, Neil Rodriguez, Capricia Turner), Mayor's Office.
- 9.D.17. Assembly Memorandum No. AM 156-2004, **Parks and Recreation Commission** appointments (William Bryson, Jeff Clarke, Peter Crosby), Mayor's Office.
- 9.D.18. Assembly Memorandum No. AM 157-2004, proprietary purchase for providing **library materials** from the Gale Group to the Municipality of Anchorage, Office of Community & Economic Development, Library Division (\$98,000), Purchasing.
- 9.D.19. Assembly Memorandum No. AM 158-2004, approval to expend 2004 funds for the operation of the **William A. Egan Civic and Convention Center** (\$500,000), Office of Economic & Community Development.
- 9.D.20. Assembly Memorandum No. AM 159-2004, request for approval of Amendment No. 3 to the contract for professional services with **Anchorage Convention and Visitors Bureau** extending the contract for one year through December 31, 2004 and providing up to \$5,750,000 for 2004 funding, Office of Economic & Community Development.
- 9.D.21. Assembly Memorandum No. AM 160-2004, 2004 grant agreement with **Alaskans for Litter Prevention and Recycling** for the rebate of backhaul wharfage shipping fees (\$27,000), Solid Waste Services.
- 9.D.22. Assembly Memorandum No. AM 161-2004, proprietary purchase with Law Offices of Mitch D. Gravo for professional **lobbying services** for the Municipality of Anchorage (\$65,000), Municipal Manager's Office.
- 9.D.23. Assembly Memorandum No. AM 162-2004, final private development **water main oversizing reimbursement** for Southeast Middle School and Goldenview Park AWWU File W94-024 (\$463,330.71), Anchorage Water & Wastewater Utility.
- 9.D.24. Assembly Memorandum No. AM 174-2004, **Arts Advisory Commission** appointments (Edward Blahous, Connie Ozer, Gretchen Sagan), Mayor's Office. (**Addendum**)
- 9.D.25. Assembly Memorandum No. AM 175-2004, **Emergency Medical Service Board** reappointments (Dr. Richard Brodsky, Dr. Michael Levy, Dr. Gilbert Dickie, Dr. Frank Sacco, Barbara Simonsen), Mayor's Office. (**Addendum**)
- 9.D.26. Assembly Memorandum No. AM 176-2004, **Equal Rights Commission** appointments (Denise Morris, Rey Alvarez, John Brower), Mayor's Office. (**Addendum**)
- 9.D.27. Assembly Memorandum No. AM 177-2004, **Health and Human Services Commission** appointments (Clarice Dickess, David Dunsmore, Gladys Langdon, Liz Posey), Mayor's Office. (**Addendum**)
- 9.D.28. Assembly Memorandum No. AM 178-2004, **Historic Preservation Board** reappointments (Mark Ivy, Charles Ditters), Mayor's Office. (**Addendum**)
- 9.D.29. Assembly Memorandum No. AM 179-2004, **Housing and Neighborhood Development Commission** reappointments (Margaret Evans, Glenn Gellert, Timothy Sullivan), Mayor's Office. (**Addendum**)
- 9.D.30. Assembly Memorandum No. AM 180-2004, **Investment Advisory Commission** appointments (Soren Orley, Michael Beal, Heather Anderson), Mayor's Office. (**Addendum**)
- 9.D.31. Assembly Memorandum No. AM 181-2004, **Public Transit Advisory Board** appointments (Jeffrey Manfull, Elayne Janiak, Kimberly Pace), Mayor's Office. (**Addendum**)
- 9.D.32. Assembly Memorandum No. AM 182-2004, **Senior Citizens Advisory Commission** appointments (Mary Jane Bader, Charlene McBratney, Anna Bell Stevens), Mayor's Office. (**Addendum**)

- 9.D.33. Assembly Memorandum No. AM 183-2004, **School Budget Advisory Commission** appointments (Joni Whitmore, Dora Wilson, Chris Tuck), Mayor's Office. **(Addendum)**
- 9.D.34. Assembly Memorandum No. AM 184-2004, **Sister Cities Commission** reappointments (Frank Appel, Tanguy Llbrecht, Suzette Mashburn), Mayor's Office. **(Addendum)**
- 9.D.35. Assembly Memorandum No. AM 185-2004, **Solid Waste Advisory Commission** appointment (Jeanne Carlson), Mayor's Office. **(Addendum)**
- 9.D.36. Assembly Memorandum No. AM 186-2004, **Water and Wastewater Utilities Commission** appointments (Patricia Curl, Gordon Hoyt, James Rooney, Lynette Fox), Mayor's Office. **(Addendum)**
- 9.D.37. Assembly Memorandum No. AM 187-2004, **Women's Commission** appointment (Tamara de Lucia), Mayor's Office. **(Addendum)**
- 9.D.38. Assembly Memorandum No. AM 189-2004, **Transportation Commission** reappointment (James Riley), Mayor's Office. **(Addendum)**
- 9.D.39. Assembly Memorandum No. AM 188-2004, appointments to **Board of Equalization** (Will Abbott, Kevin J. Anderson, Esq., Marianne Burke, David F. Heier, Mark G. Huber, David "Mike" Burns, Eva Loken, Mark Lutz, Vernon Rush, Jo-Li C. Sellin, Shelley Moore, James Shaw, Janna Stewart, Michael Shamburger), Clerk's Office. **(Addendum)**
- 9.D.40. Assembly Memorandum No. AM 191-2004, approval of Amendment No. 3 to Alasco Trucking contract (P.O. 221209) increasing the contract by \$500,000 for an amount Not-To-Exceed (NTE) \$2,000,000 for providing **end-dump trucks with operators** for snow removal services within ARDSA, Street Maintenance Department. **(Addendum)**
- 9.D.41. Assembly Memorandum AM 195-2004, approving a transfer of ownership/location and name change for a package store liquor license #3349 for **Goldrush Liquors**, (Taku/Campbell and Abbott Loop Community Council), Clerk's Office. *(Carried Over from 2-03-04) (Introduced 2-17-04) (Laid on the Table)*
- 9.D.42. Assembly Memorandum AM 202-2004, approving the transfer of ownership and name change for a beverage dispensary liquor license #1949 for the **Mother Lode**, (Eagle River Community Council), Clerk's Office. *(Carried Over from 2-03-04) (Introduced 2-17-04) (Laid on the Table)*
- 9.D.43. Assembly Memorandum AM 203-2004, approving **Platting Board** reappointments (Bud Caress, Sharon Walsh and Christopher Capps), The Mayor's Office. *(Laid on the Table) (Clerk's note: Will begin a two week Public Hearing) (Laid on the Table)*

The Administration requested this item be pulled for review on the Regular Agenda. *(See item 10.D.43)*

- 9.D.44. Assembly Memorandum AM 204-2004, approving **Planning and Zoning Commission** appointment (Jim Lottsfeld), the Mayor's Office. **(Laid on the Table)**

The Administration requested this item be pulled for review on the Regular Agenda. *(See item 10.D.44)*

- 9.D.45. Assembly Memorandum AM 205-2004, approving **Zoning Board of Examiners and Appeals**, appointments (Jon Dunham, Kenneth Burkhart, William Earnhart and Cindy Thomas), the Mayor's Office. **(Laid on the Table)**

The Administration requested this item be pulled for review on the Regular Agenda. *(See item 10.D.45)*

- 9.D.46. Assembly Memorandum AM 206-2004, approving **Planning and Zoning Commission** appointments (Robin Ward and Art Isham), the Mayor's Office. **(Laid on the Table)**

The Administration requested this item be pulled for review on the Regular Agenda. *(See item 10.D.46)*

## **9.E. INFORMATION AND REPORTS**

- 9.E.1. Information Memorandum No. AIM 10-2004, **standardization of road design elements** pending submittal of Volume 1 of the Municipal Design Criteria Manual, Project Management & Engineering.

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

- 9.E.2. Information Memorandum No. AIM 11-2004, **contracts awarded between \$50,000 and \$100,000 through formal competitive processes** for the month of January 2004, Purchasing.
- 9.E.3. Information Memorandum No. AIM 12-2004, **Sole Source Procurement Report** for the month of January 2004, Purchasing.

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

- 9.E.4. Information Memorandum No. AIM 13-2004, continuation of terms for various boards and commissions (**Platting Board**: Bud Caress, Christopher Cross, Sharen Walsh; **Urban Design Commission**: Alana Christopherson, Joanne Mitchell; **Zoning Board of Examiners and Appeals**: Kenneth Burkhart, Jon Dunham, Burke Wick), Mayor's Office. **(Addendum)**
- 9.E.5. Information Memorandum No. AIM 14-2004, **Monthly Financial Report** – December 2003, Finance. **(Addendum)**

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

- 9.F.1. Ordinance No. AO 2004-59, an ordinance of the Anchorage Municipal Assembly authorizing the **lease of Lot 4A-1, Port of Anchorage Subdivision** to Horizon Lines of Alaska, LLC, Port of Anchorage.
- a. Assembly Memorandum No. AM 167-2004. *(Public Hearing set for 3-2-04)*
- 9.F.2. Resolution No. AR 2004-43, a resolution authorizing the Municipality of Anchorage, Public Transportation Department, to enter into a Transfer of Responsibilities Agreement (TORA) in the amount of \$137,250 with the State of Alaska, Department of Transportation and Public Facilities, and appropriating these funds to the State Categorical Grants Fund (231) for the summer landscaping and winter ice and snow removal at selected bus stops within the Anchorage Area through an **Enhancement Youth Work Program**, Public Transportation Department.
- a. Assembly Memorandum No. AM 168-2004. *(Public Hearing set for 3-2-04)*

- 1 9.F.3. Resolution No. AR 2004-44, a resolution of the Municipality of Anchorage appropriating \$1,250,000  
2 from the Maintenance and Operations Department Areawide Service Area Fund (Fund 101) approved in  
3 the 2004 General Government Operating Budget as a contribution to the Areawide Service Area Capital  
4 Improvement Program (Fund 401) for **major municipal facility upgrades and repairs**, Street  
5 Maintenance Department.  
6 a. Assembly Memorandum No. AM 169-2004. (*Public Hearing set for 3-2-04*)  
7 9.F.4. Resolution No. AR 2004-45, a resolution of the Municipality of Anchorage appropriating \$1,980,190 of  
8 2004 tax revenues as a contribution from the Chugiak, Birchwood, Eagle River Rural Road Service Area  
9 (CBERRRSA) Fund (Fund 119) to the CBERRRSA Capital Improvement Program (Fund 419) for **road**  
10 **and drainage and capital improvement projects within the CBERRRSA**, Street Maintenance  
11 Department.  
12 a. Assembly Memorandum No. AM 170-2004. (*Public Hearing set for 3-2-04*)  
13 9.F.5. Resolution No. AR 2004-46, a resolution of the Municipality of Anchorage appropriating \$375,830 as a  
14 contribution from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police  
15 Department 2004 Operating Budget, to the Federal Categorical Grants Fund (241) Anchorage Police  
16 Department, for the second year local matching funds requirement of the **COPS in Schools Program**  
17 grant, Anchorage Police Department.  
18 a. Assembly Memorandum No. AM 171-2004. (*Public Hearing set for 3-2-04*)  
19

20 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See item 10.F.5*)  
21

- 22 9.F.6. Resolution No. AR 2004-47, a resolution of the Municipality of Anchorage, Alaska, approving the **Eagle**  
23 **River High School (sanitary) sewer extension** and providing for assessment of benefited properties  
24 at time of service connection, Anchorage Water & Wastewater Utility.  
25 a. Assembly Memorandum No. AM 172-2004. (*Public Hearing set for 3-2-04*)  
26 9.F.7. Resolution No. AR 2004-48, a resolution confirming and levying assessments for the sewer special  
27 improvements within **Levy-Upon-Connection (LUC) Roll 04-S-2**, setting date of payment and providing  
28 for penalties and interest in the event of delinquency, Anchorage Water & Wastewater Utility.  
29 a. Assembly Memorandum No. AM 173-2004. (*Public Hearing set for 3-2-04*)  
30 9.F.8. Ordinance No. AO 2004-60, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
31 Municipal Code Chapter 21.90, **Utility Distribution Facilities**, Section 21.90.030, Variances, and  
32 Section 21.90.070, Nonconforming Overhead Lines, to authorize the Director of the Office of Economic  
33 and Community Development to grant variances, to require a utility owning poles to expend two percent  
34 of its gross annual retail revenues from sales within the Municipality of Anchorage to remove poles  
35 supporting nonconforming overhead utility lines and place the lines underground, and to require  
36 placement of new service lines underground, Assemblymember Shamberg. (*To be referred to the*  
37 *Planning & Zoning Commission*) (**Addendum**)  
38

39 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See item 10.F.8*)  
40

- 41 9.F.9. Resolution No. AR 2004-49, a resolution of the Municipality of Anchorage, Alaska, approving the **Eagle**  
42 **River Area High School water extensions** and providing for assessment of benefited properties at  
43 time of service connection, Anchorage Water & Wastewater Utility.  
44 a. Assembly Memorandum No. AM 137-2004. (**Addendum**) (*Public Hearing set for 3-16-04*)  
45 9.F.10. Assembly Memorandum No. AM 190-2004, **Employee Relations Board** reappointment (Michael  
46 Reeves), Mayor's Office. (**Addendum**) (*Public Hearing set for 3-2-04*)  
47 9.F.11. Ordinance No. AO 2004-61, an ordinance of the Anchorage Municipal Assembly, amending AO 2003-  
48 155 (AM), Section 4, effective date of amendments to Anchorage Municipal Code, Sections 8.65.030,  
49 **Soliciting**, 9.28.026, and 9.28.027, relating to impoundment and forfeiture of vehicles operated, driven  
50 or in the physical control of an individual during the commission of the offense of soliciting for  
51 prostitution, sponsored by Assembly Chair Traini.  
52

53 Chair Traini requested a date be set for March 2, 2004, for Public Hearing of AO 2004-61.  
54

- 55 9.F.12. Resolution No. AR 2004-50, a resolution of the Municipality of Anchorage, revising the **2004 general**  
56 **government capital improvement budget**, Office of Management and Budget. (**Laid on the Table**)  
57

58 The Administration and Chair Traini requested this ordinance be pulled so the date could be set for Public Hearing.  
59 (*See Agenda Item 10.F.12*)  
60

61 Chair Traini called for a vote on the motion to approve the Consent Agenda.  
62

63 Mr. Tremaine moved, to approve the amended Consent Agenda, with the  
64 Mr. Tesche seconded, exception of those items pulled for review.  
65 and this motion was passed,  
66

67 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Kendall,  
68 Tremaine and Sullivan.  
69 NAYES: None.  
70  
71

72 Mayor Begich stated that he had many memorandums with newly appointed members to his Administration and asked  
73 for all new appointments in attendance to please stand, introduce themselves and state what board or commission they  
74 were appointed to serve on. The Mayor thanked Mr. Michael Johnson, MOA Administrator who helped find these  
75 volunteers and talked them into serving. Mayor Begich thanked all those individuals who were willing to serve on the  
76 public boards and commissions. Chair Traini stated that he and the Assembly thanked them for taking the time to serve  
77 the city.  
78

79 **END OF CONSENT AGENDA**  
80

**10. REGULAR AGENDA**

**10.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS** None.

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

10.B.1. Resolution No. AR 2004-22, a resolution of the Anchorage Municipal Assembly and Mayor Mark Begich to name the Loussac Library Ice Sculpture Fountain the "**Kay Linton Ice Sculpture Fountain**" in honor of her outstanding contributions and dedication to community service. (*Postponed from 1-20-04*)

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

Ms. Von Gemmingen moved, to approve AR 2004-22.  
Mr. Whittle seconded,

Ms. Von Gemmingen asked Kay Linton's family members to come forward. Mr. Richard Linton read the proclamation, honoring Ms. Kay Linton. Chris and Dawn Linton joined him before the Assembly. Ms. Linton was recognized for all her efforts involving community service, organization of events, fund raisers and her dedication to the MOA Library. Mayor Begich recognized many of the people who had been involved with the fountain and thanked the many volunteers for seeing the project through to completion.

Ms. Von Gemmingen proposed changes to the resolution, as requested by the family.

Ms. Von Gemmingen moved, to amend AR 2004-22, on Page 2, Line 9, 14 and 15,  
Ms. Shamberg seconded, by changing Kay's name to "Mrs. Jack M. (Kay) Linton."  
and this motion was approved,

Ms. Von Gemmingen moved, to approve AR 2004-22, as amended.  
Mr. Whittle seconded,  
and this motion was passed,

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

NAYES: None.

10.B.3. Resolution No. AR 2004-41, a resolution of the Municipality of Anchorage appropriating \$3,000 as a grant from the Anchorage Republicans Women's Club to the Miscellaneous Grants Fund (261) for the Anchorage Police Department to provide for the purchase of additional **defibrillators**, Anchorage Police Department.  
a. Assembly Memorandum No. AM 165-2004.

Chair Traini called for a motion from Mr. Sullivan.

Mr. Sullivan moved, to approve AR 2004-41.  
Mr. Tesche seconded,  
and this motion was passed,

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

NAYES: None.

Mr. Sullivan asked Anchorage Police Department Chief Walt Monegan to escort Jerie Harman and Pauline Martins, representatives of the Alaska Republican Women's Club, before the Assembly. Mr. Sullivan read the proclamation, honoring this group of women. Anchorage Police Department Chief Monegan presented the award to the representatives and added the APD's thanks and appreciation for the contributions of this dedicated group of citizens.

**10.C. BID AWARDS** None.

**10.D. NEW BUSINESS**

10.D.8. Assembly Memorandum No. AM 147-2004, **Election Commission** appointments (Ethel Tuck, Evelyn Hansen), Mayor's Office.

Ms. Fairclough moved, to approve AM 147-2004.  
Mr. Whittle seconded,

Assistant Municipal Manager, Michael Abbott, requested amending AM 147-2004, by *correcting* a technical error in the memorandum, with the correct spelling of "Mable," of an outgoing member of the Elections Commission.

Ms. Fairclough moved, to approve AM 147-2004, as amended.  
Mr. Whittle seconded,  
and this motion was passed,

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

NAYES: None.

10.D.12. Assembly Memorandum No. AM 151-2004, **Board of Ethics** appointments (Rev. Gregory Kimura, Dr. James Liszka), Mayor's Office.

Chair Traini read this memorandum title and called for a motion to postpone until March 16, 2004, following a work session to discuss minority issues.

Ms. Fairclough moved, to postpone AM 151-2004 until March 16, 2004.  
Mr. Tesche seconded,

Mr. Tesche stated that the Board of Ethics was a most important group of citizens, who monitored the conduct of elected officials in office. He stated he was extremely pleased with the qualifications of the appointed officials and urged the Assembly to act on the approval of their appointments that evening. Mr. Tremaine stated that he also wished to proceed with the approval of the appointments.

To the Mayor, Ms. Fairclough responded that his appointments were very qualified men, but she believed that the Administration's Boards and Commissions, specifically the Ethics Board, were lacking cultural and gender diversity. She stated that all the appointments were men, and she would oppose the memorandum, not due to the lack of qualifications of these men but for the lack of diversity. She urged the Administration to reconsider filling a position with a woman, if there were qualified candidates from which to select. Ms. Taylor stated that the selection of the Board of Ethics was an important one. Chair Traini stated they were losing the only woman on this Board and he and other Assemblymembers were concerned of having no females on such a critically important Board, which would be reviewing gender issues.

Mayor Begich stated these qualified people were outstanding and respected citizens in the community who would add quality to the Board of Ethics. He gave statistics of diversity of the 120 appointments the Administration had made so far. The Mayor stated he was proud of the improvements his Administration had made with cultural and gender diversity in his positions.

Ms. Fairclough agreed to withdraw her motion to postpone, which was accepted by Mr. Tesche. She requested to set March 16, 2004 for a work session to study this issue and to meet with the newly elected appointments. Ms. Von Gemmingen requested the work session be scheduled for March 12, 2004, and there were no objections.

Ms. Fairclough moved, to approve AM 151-2004, with a work session scheduled  
Mr. Tesche seconded, for March 12, 2004.  
and this motion was approved,

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

Chair Traini asked the new appointments to stand and be recognized. He explained that their discussion on this issue that evening did not reflect their professional qualifications.

Assistant Municipal Manager, Michael Abbott, requested that Public Hearing and action be set for items 10.D.43 through 10.D.46, memorandums AM 203-2004, AO 204-2004, AO 205-2004 and AO 206-2004, approving new administrative appointments, for March 2, 2004. This motion was cast by Ms. Fairclough, seconded by Mr. Van Etten and there were no objections.

10.D.43. Assembly Memorandum AM 203-2004, approving **Platting Board** reappointments (Bud Caress, Sharon Walsh and Christopher Capps), Mayor's Office. **(Laid on the Table)**  
(Public Hearing Set, Action Set for March 2, 2004)

10.D.44. Assembly Memorandum AM 204-2004, approving **Planning and Zoning Commission** appointment (Jim Lottsfeld), Mayor's Office. **(Laid on the Table)**  
(Public Hearing Set, Action Set for March 2, 2004)

10.D.45. Assembly Memorandum AM 205-2004, approving **Zoning Board of Examiners and Appeals**, appointments (Jon Dunham, Kenneth Burkhart, William Earnhart and Cindy Thomas), Mayor's Office. **(Laid on the Table)**  
(Public Hearing Set, Action Set for March 2, 2004)

10.D.46. Assembly Memorandum AM 206-2004, approving **Planning and Zoning Commission** appointments (Robin Ward and Art Isham), Mayor's Office. **(Laid on the Table)**  
(Public Hearing Set, Action Set for March 2, 2004)

#### 10.E. INFORMATION AND REPORTS

10.E.1. Information Memorandum No. AIM 10-2004, **standardization of road design elements** pending submittal of Volume 1 of the Municipal Design Criteria Manual, Project Management & Engineering.

Chair Traini read the memorandum title and called on a motion from Mr. Tremaine.

Mr. Tremaine moved, to accept AIM 10-2004.  
Ms. Fairclough seconded,

Mr. Tremaine stated that this was an issue concerning standardization of road designs and he read from Page 2, beginning on Line 17. He requested clarification on exactly what would be addressed with the design process, specifically if the numbers of trails, the sidewalks and the designs which had already been decided.

Mr. Jerry Hanson with MOA Management and Engineering stated that the trails and sidewalks were tentatively included with each collector road and were often requested by residents, but the ultimate decision would be project specific.

Mr. Tremaine moved, to accept AIM 10-2004.  
Ms. Fairclough seconded,  
and this motion was passed,

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

1 Tremaine and Sullivan.  
2 NAYES: None.

3  
4 10.E.3. Information Memorandum No. AIM 12-2004, Sole Source Procurement Report for the month of  
5 January 2004, Purchasing.

6  
7 Chair Traini read this memorandum title and called for a motion.

8  
9 Mr. Tesche moved, to accept AIM 12-2004.  
10 Ms. Shamberg seconded,

11  
12 To Chair Traini, MOA Purchasing Officer, Bart Mauldin responded that the total \$205,000 for the transit budget was  
13 based on the clientele demographics and the advertisement for each group was area specific. The advertisement had  
14 been completed by the transit system administration, and addressed different targeted audiences.

15  
16 Mr. Sullivan requested clarification on the contract to Elliot Bay Research for the APD Strategic Plan in the amount of  
17 \$19,760. APD Chief Monegan responded that they were completing a 60-day Strategic Plan which required polling and  
18 marketing research. The Mayor and Mr. Mauldin explained this particular group had been selected because of their past  
19 association with and their knowledge of the Municipality, with a large municipal database already established in their  
20 system.

21  
22 Mr. Tesche stated he found that communications between the public and the police department needed to be improved.  
23 He found the Strategic Plan would address many concerns and stated he supported this memorandum.

24  
25 Mr. Tesche moved, to accept AIM 12-2004.  
26 Ms. Shamberg seconded,  
27 and this motion was passed,

28  
29 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Kendall,  
30 Tremaine and Sullivan.  
31 NAYES: None.

32  
33 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

34 10.F.5. Resolution No. AR 2004-46, a resolution of the Municipality of Anchorage appropriating \$375,830 as a  
35 contribution from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police  
36 Department 2004 Operating Budget, to the Federal Categorical Grants Fund (241) Anchorage Police  
37 Department, for the second year local matching funds requirement of the **COPS in Schools Program**  
38 grant, Anchorage Police Department.  
39 a. Assembly Memorandum No. AM 171-2004. (*Public Hearing set for 3-2-04*)

40  
41 Chair Traini called for a motion from Mr. Tesche.

42  
43 Mr. Tesche moved, to introduce AR 2004-46.  
44 Mr. Fairclough seconded,  
45 Mr. Tremaine was the concurring third,

46  
47 Mr. Tesche urged the APD and the ASD to be present at the Public Hearing on this item, with reports and summaries of  
48 the COPS in Schools Program prepared for presentation. With no objections from the body, Chair Traini announced  
49 the introduction of AR 2004-46, with Public Hearing set for March 2, 2004.

50  
51 10.F.8. Ordinance No. AO 2004-60, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
52 Municipal Code Chapter 21.90, **Utility Distribution Facilities**, Section 21.90.030, Variances, and  
53 Section 21.90.070, Nonconforming Overhead Lines, to authorize the Director of the Office of Economic  
54 and Community Development to grant variances, to require a utility owning poles to expend two percent  
55 of its gross annual retail revenues from sales within the Municipality of Anchorage to remove poles  
56 supporting nonconforming overhead utility lines and place the lines underground, and to require  
57 placement of new service lines underground, Assemblymember Shamberg and Tesche. (*To be referred*  
58 *to the Planning and Zoning Commission*) (**Addendum**)

59  
60 Mr. Tesche requested that he be added as a cosponsor to this ordinance. Ms. Shamberg, the sponsor, concurred and  
61 with no objections from the Assembly, Chair Traini announced the approval of Mr. Tesche as a co-sponsor to AO 2004-  
62 60, as amended.

63  
64 10.F.12. Resolution No. AR 2004-50, a resolution of the Municipality of Anchorage, revising the **2004**  
65 **general government capital improvement budget**, Office of Management and Budget. (**Laid on the**  
66 **Table**) (*Public Hearing set for 3-2-04*)

67  
68 Chair Traini read this resolution title and called for a motion.

69  
70 Mr. Tremaine moved, to introduce AR 2004-50, with Public Hearing date  
71 Ms. Shamberg seconded, set for March 2, 2004.  
72 Mr. Whittle was the concurring third,

73  
74 Chair Traini announced the introduction of this resolution and set Public Hearing for March 2, 2004.

75  
76 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

77 11.A. Resolution No. AR 2004-12, a resolution of the Municipality of Anchorage supporting development of a  
78 **natural gas pipeline** with a spur line to Anchorage to meet future energy needs, Mayor's Office.  
79 (*Postponed from 1-20-04; Carried Over from 2-3-04*) (**Carried Over to 3-2-04**)  
80

- 11.B. Resolution No. AR 2004-10(S), a resolution of the Anchorage Municipal Assembly approving a conditional use for an alcoholic beverages conditional use in the B-2C District for a duplicate beverage dispensary license per AMC 21.40.170 D.14, for **The Woodshed Lounge**, located on the lower level floor, Anchorage Original Townsite, Block 17, Lot 7A; generally located on the northeast corner of West 3rd Avenue and F Street (Downtown Community Council) (Case 2004-010), Planning Department.  
(Carried Over from 2-03-04)
1. Informational Memorandum No. AIM 9-2004.
  2. Resolution No. AR 2004-10, a resolution of the Anchorage Municipal Assembly approving a conditional use for an alcoholic beverages conditional use in the B-2C District for a duplicate beverage dispensary license per AMC 21.40.170 D.14, for The Woodshed Lounge, located on the lower level floor, Anchorage Original Townsite, Block 17, Lot 7A; generally located on the northeast corner of West 3rd Avenue and F Street (Downtown Community Council) (Case 2004-010), Planning Department.
  3. Assembly Memorandum No. AM 40-2004.

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

Ms. Von Gemmingen moved, to approve AR 2004-10(S) and AIM 9-2004.  
Mr. Sullivan seconded,

Ms. Von Gemmingen requested that owner of the Woodshed Lounge testify and explain what he had accomplished since his last appearance before the Assembly and what changes had been made to the resolution.

Mr. John Perry, owner of Woodshed Lounge, testified that he had met with the Turnagain Arms Apartments Homeowners and they had reached a mutual agreement. Mr. Perry stated the agreement included restricting the bar from serving beverages on the deck after 10:00 p.m. People would still be allowed to purchase beverages inside and walk outside, but there would be no sale of beverages on the deck or any type of entertainment after 10:00 p.m.

Ms. Von Gemmingen stated she thought the negotiations had been successful and she thanked him for the compromises he had made, trying to accommodate the neighboring residents.

To Mr. Tesche's question, Mr. Perry responded that the final agreement between his business and the homeowners group had been signed and was with the Planning Department. Ms. Fairclough read the agreement which was in letter form and dated on January 27, 2004. She stated it was signed on January 28<sup>th</sup> by John Perry of the Woodshed Lounge and the Vice President of the Turnagain Arms Homeowners Association.

Mr. Tesche stated he wanted the letter and agreement noted in the records as a statement of intent and wanted the contract conditions included in the resolution. Ms. Fairclough stated the Administration had incorporated those changes into the new substitute, (S) Version.

Ms. Von Gemmingen moved, to approve AR 2004-10(S) and AIM 9-2004.  
Mr. Sullivan seconded,  
and this motion was passed,

AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Shamberg, Van Etten, Kendall, Tremaine 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 from 2-3-04) (**Postponed until March 16, 2004**)

Chair Traini read this informational memorandum title and opened Public Hearing.

CARL ADRIAN testified that Planning and Zoning had denied request for this rezone and he hoped the Assembly understood this and would deny this rezoning. He explained the petitioner had wished to have a car lot and wanted the property rezoned from the R1 into business zoning. He stated there were many reasons why the rezone was not a good idea, including the existence of a creek on the property, which could cause flooding if the lot was paved. There was currently a vacant car sales lot right across the street and there was belief there was no need for another one. With an additional car lot the property values would remain lower than comparable, surrounding lots. Mr. Adrian stated this car lot had not been supported by the community and urged the Assembly to deny the rezoning. To Mr. Kendall's question, Mr. Adrian responded that he was a property owner next to the proposed rezone.

Ms. Fairclough told Mr. Adrian that it would be to his advantage to attend the area Homeowners' Association meetings and get informed of the bigger issues. She explained that the Eagle River Comprehensive Plan was going to be rewritten and that property in this area would be reviewed for rezoning to B-3 during that process.

Ms. Fairclough moved, to postpone AIM 94-2003 until March 16, 2004.  
Mr. Sullivan seconded,  
and this motion was passed,

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



11.D. Assembly Memorandum No. AM 86-2004, 2004 grant agreement with **Anchorage Economic Development Corporation** (\$491,500), Municipal Manager's Office.  
(Carried Over from 2-3-04 and 2-17-04) (**Carried Over to 3-02-04**)

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, 1-6-04, and 1-20-04; Carried Over from 2-3-04 and 2-17-04) (**Carried Over to 3-02-04**)

## 12. APPEARANCE REQUESTS

12.A. **Ted & Francoise Gianoutsos**, regarding gift assignments for the Anchorage Veterans' Home.

TED and FRANCOISE GIANOUTSOS testified before the Assembly concerning stand-alone veterans' homes. Mr. Gianoutsos had been disappointed with the Begich Administration for failing to address this issue. Mayor Begich responded that his stand on supporting the veterans' homes remained firm and the Administration was actively pursuing negotiations with the State of Alaska for land in the MOA to support their plans.

## 13. CONTINUED PUBLIC HEARINGS

13.A. Resolution No. AR 2003-312, a resolution of the Municipality of Anchorage appropriating \$139,372 of unappropriated revenue and reappropriating \$163,628 from the Areawide General Capital Improvement Fund (401), as a contribution to the Areawide General Fund (101) for the purpose of reimbursement to **SMG of Alaska** for the 2002 operating deficit, Economic & Community Development.  
1. Assembly Memorandum No. AM 778-2003.  
(Continued from 10-21-03 and 11-4-03, and 12-16-03)

Chair Traini read this resolution title and opened Public Hearing. There being none, he closed Public Hearing and called for discussion, beginning with report of this issue from the Administration.

Municipal Attorney, Fred Boness requested that the Assembly table this resolution. He explained that the Administration had met with the President and Vice President of SMG last week. The final contract included a number of changes, including amortization for five years of the amount which was past due. He stated those amounts were renegotiated and were now more favorable for the Administration. Mr. Boness explained the new contract would be before the Assembly in the next couple of weeks in the form of a new resolution. Mayor Begich stated he was delighted with the negotiations and requested the Assembly postpone this resolution indefinitely. He stated that contract details would soon be released to the public.

Mr. Sullivan moved, to postpone indefinitely AR 2003-312.  
Ms. Von Gemmingen seconded,  
and this motion was approved unanimously,

Mr. Sullivan questioned the discounts the Administration had negotiated with SMG and he was looking forward to reviewing the new contract.

Ms. Von Gemmingen congratulated the Administration on the negotiations with SMG.

13.B. Ordinance No. AO 2003-114, an ordinance establishing a new **Fire Lake Community Council** pursuant to Anchorage Municipal Code Chapter 2.40; modifying the boundaries for Eagle River, Birchwood and Chugiak Community Councils; and amending Community Council maps in accordance therewith, Assemblymember Kendall.  
(Continued from 10-21-03 and 12-16-03) (To Be Submitted 2-17-04)

Mr. Kendall stated this group of people had held their two organizational meetings as required, and they were currently reviewing boundary changes. They had not yet determine the boundary lines, working in conjunction with the neighboring community councils. It was requested that this item be tabled. He encouraged the body to expect to hear future proposals from the Fire Lake Community Council.

Mr. Kendall moved, to postpone indefinitely AO 2003-114.  
Ms. Von Gemmingen seconded,  
and this motion was approved unanimously,

## 14. NEW PUBLIC HEARINGS

Chair Traini announced that Action had been taken on Agenda Items, 14.A through 14.M, concerning service areas within the MOA, during the Special Assembly Meeting held earlier in the evening. (Clerk's note: Please refer to Special Meeting Minutes of 2-17-04 to review details of Public Hearing, Discussion and Action on items AO 2004-33, AO 2004-44, AO 2004-45, AO 2004-46, AO 2004-29, AO 2004-30, AO 2004-30(S), AO 2004-30, AO 2004-47, AO 2004-48, AO 2004-49, AO 2004-50, AO 2004-51, AO 2004-52 and AO 2004-53.)

14.A. Ordinance No. AO 2004-29, an ordinance submitting to the qualified voters residing in Glenn View Estates North Subdivision and North Wood Subdivision, Phase 2, which are not presently within the Eagle River Street Light Service Area, a ballot proposition to create a new street light service area designated the **Glenn View Estates North/North Woods Subdivisions Street Light Service Area** and, upon voter approval, amending Anchorage Municipal Code Section 27.30.700 to consolidate the Glenn View Estates North/North Woods Subdivisions Street Light Service Area with the existing Eagle

River Street Light Service Area, effective retroactively as of January 1, 2004, Street Maintenance Department.

1. Assembly Memorandum No. AM 92-2004.

*(AO 2004-29 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.E. in Special Meeting Minutes for details of Public Hearing and Action on this item)*

- 14.B. Ordinance No. AO 2004-30(S), an ordinance submitting to the qualified voters residing in Eagle Crossing Subdivision, which is not presently within the Eagle River Street Light Service Area, a ballot proposition to create a new street light service area designated as **Eagle Crossing Street Light Service Area** and, upon voter approval, amending Anchorage Municipal Code 27.30.700 to consolidate Eagle Crossing Street Light Service Area with the existing Eagle River Street Light Service Area, effective retroactively as of January 1, 2004, Street Maintenance Department.

1. Assembly Memorandum No. AM 93-2004.
2. Ordinance No. AO 2004-30, an ordinance submitting to the qualified voters residing in Eagle Crossing Subdivision, which is not presently within the Eagle River Street Light Service Area, a ballot proposition to create a new street light service area designated as Eagle Crossing Street Light Service Area and, upon voter approval, amending Anchorage Municipal Code 27.30.700 to consolidate Eagle Crossing Street Light Service Area with the existing Eagle River Street Light Service Area, effective retroactively as of January 1, 2004, Street Maintenance Department.

*(AO 2004-30(S) was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.F. in Special Meeting Minutes for details of Public Hearing and Action on this item)*

- 14.C. Ordinance No. AO 2004-33, an ordinance of the Anchorage Municipal Assembly submitting to the qualified voters residing in the **Eagle River-Chugiak Park and Recreational Service Area** (ERCPRSA) at the Regular Election on April 6, 2004, a ballot proposition increasing the maximum mill levy rate to establish a capital improvement budget for the ERCPRSA and amending Anchorage Municipal Code Section 27.30.090 upon voter approval of the ballot proposition, Assemblymember Fairclough.

1. Assembly Memorandum No. AM 105-2004.

*(AO 2004-33 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.A. in Special Meeting Minutes for details of Public Hearing and Action on this item)*

- 14.D. 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.

1. Assembly Memorandum No. AM 123-2004.

*(AO 2004-44 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.B. in Special Meeting Minutes for details of Public Hearing and Action on this item)*

- 14.E. 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.

1. Assembly Memorandum No. AM 124-2004.

*(AO 2004-45 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.C. in Special Meeting Minutes for details of Public Hearing and Action on this item)*

- 14.F. Ordinance No. AO 2004-46, an ordinance submitting to the qualified voters residing in the Section 6/Campbell Airstrip Limited Road Service Area (LRSA), a ballot proposition to increase the **Section 6/Campbell Airstrip Road Limited Road Service Area** (LRSA) maximum mill levy from 1.00 mills to 1.50 mills, effective retroactively as of January 1, 2004, and amending Anchorage Municipal Code Subsection 27.30.300B., Street Maintenance Department.

1. Assembly Memorandum No. AM 125-2004.

*(AO 2004-46 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.D. in Special Meeting Minutes for details of Public Hearing and Action on this item)*

- 14.G. Ordinance No. AO 2004-47, an ordinance submitting to the qualified voters residing in Glenn View Estates Subdivision, Lots 1-17, which is not presently within the Eagle River Street Light Service Area, a ballot proposition to create a new street light service area designated the **Glenn View Estates Subdivision Street Light Service Area**, and, upon voter approval, amending Anchorage Municipal Code Section 27.30.700 to consolidate the Glenn View Estates Subdivision Street Light Service Area with the existing Eagle River Street Light Service Area, effective retroactively as of January 1, 2004, Street Maintenance Department.

1. Assembly Memorandum No. AM 126-2004.

*(AO 2004-47 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.G. in Special Meeting Minutes for details of Public Hearing and Action on this item)*

- 14.H. Ordinance No. AO 2004-48, an ordinance submitting to the qualified voters residing in Eagle Pointe Subdivision, including Phase 2, Phase 3, Phase 4, Phase 5, Phase 6 and Phase 7 areas, which are not presently within the Eagle River Street Light Service Area, a ballot proposition to create a new street light service area designated as **Eagle Pointe Street Light Service Area** and, upon voter approval,

amending Anchorage Municipal Code Section 27.30.700 to consolidate Eagle Pointe Street Light Service Area with the existing Eagle River Street Light Service Area, effective retroactively as of January 1, 2004, Street Maintenance Department.

1. Assembly Memorandum No. AM 127-2004.

(AO 2004-48 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.H. in Special Meeting Minutes for details of Public Hearing and Action on this item)

14.I. Ordinance No. AO 2004-49, an ordinance submitting to the qualified voters residing in the Heritage Estates West Subdivision, including Addition No. 1 and Addition No. 2 areas, which are not presently within the Eagle River Street Light Service Area, a ballot proposition to create a new street light service area designated as the **Heritage Estates West Street Light Service Area** and, upon voter approval, amending Anchorage Municipal Code Section 27.30.700 to consolidate the Heritage Estates West Street Light Service Area with the existing Eagle River Street Light Service Area, effective retroactively as of January 1, 2004, Street Maintenance Department.

1. Assembly Memorandum No. AM 128-2004.

(AO 2004-49 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.I. in Special Meeting Minutes for details of Public Hearing and Action on this item)

14.J. Ordinance No. AO 2004-50, an ordinance creating the East Huffman Limited Road Service Area (LRSA) that includes Chickadee Slopes Subdivision, Lots 1A, 1B, 2, 3, 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 Chapter Code 27.30 to add the East Huffman LRSA, and establish a maximum mill levy of 1.00 mills, effective January 1, 2005, Street Maintenance Department.

1. Assembly Memorandum No. AM 129-2004.

(AO 2004-50 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.J. in Special Meeting Minutes for details of Public Hearing and Action on this item)

14.K. 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 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.

1. Assembly Memorandum No. AM 130-2004.

(AO 2004-51 was Approved and Immediate Reconsideration Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.K. in Special Meeting Minutes for details of Public Hearing and Action on this item)

14.L. 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 Phase 1A – Lots 1A & 3A, Block 2; Prominence Pointe Subdivision Phase 1B – 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 on January 1, 2005, Street Maintenance Department.

1. Assembly Memorandum No. AM 131-2004.

(AO 2004-52 Failed during the Special Meeting of 2-17-04; Refer to Agenda item 4.L. in Special Meeting Minutes for details of Public Hearing and Action on this item)

14.M. 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 LRSA** and amending Anchorage Municipal Code Chapter 27.30, effective January 1, 2005, Street Maintenance Department.

1. Assembly Memorandum No. AM 132-2004.

Chair Traini called for a motion to combine Public Hearing on items 14.N to 14.X, concerning city bond proposals.

Mr. Tesche moved,  
Ms. Taylor seconded,  
and this motion was approved,

to combine Public Hearing on Agenda items 14.N through 14.X, including AO 2004-34, AO 2004-34(S), AO 2004-35, AO 2004-36, AO 2004-36(S), AO 2004-37, AO 2004-37(S), AO 2004-38, AO 2004-39, AO 2004-39(S), AO 2004-40, AO 2004-41, AO 2004-42, AO 2004-42(S), AO 2004-57, AO 2004-43 and AO 2004-43(S).

VICKY CANTRELL testified in support of item 14.X, AO 2004-43, concerning the road and drainage bonds. She stated that this was the single largest bond proposition for roads that the MOA had created. She hoped that one day the Administration would address spreading the maintenance fees throughout the seventeen LRSAs, so these areas could contribute to ARSDA costs. She felt that many of these roads were traveled by most of the people in the city.

Chair Traini called for additional public testimony on the city bonds. There being none, he closed Public Hearing, and began action on these Agenda items, beginning with 14.N.

- 14.N. Ordinance No. 2004-34(S), 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 & Budget.
1. Assembly Memorandum No. AM 106-2004.
  2. Ordinance No. 2004-34, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of one million five hundred seventy thousand dollars (\$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.

*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Mr. Tesche moved, to approve AO 2004-34(S).  
Mr. Tremaine seconded,  
and this motion was passed,

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

NAYES: Kendall and Shamberg, temporarily out of room.

Mr. Van Etten reminded the Assembly that there were matching funds for these improvements of four-to-one with federal funds.

- 14.O. 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 on April 6, 2004, Office of Management & Budget.
1. Assembly Memorandum No. AM 107-2004.
- (Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Mr. Sullivan moved, to approve AO 2004-35.  
Mr. Whittle seconded,  
and this motion was passed,

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

NAYES: Kendall, temporarily out of room.

- 14.P. Ordinance No AO 2004-36(S), 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 operations and maintenance costs at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management & Budget.
1. Assembly Memorandum No. AM 108-2004.
  2. Ordinance No AO 2004-36, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of five million six hundred fifty thousand and no/00 dollars (\$5,650,000) of general obligations 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 operations and maintenance costs at an election in and for the Municipality of Anchorage on April 6, 2004.
- (Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Ms. Fairclough moved, to approve AO 2004-36(S).  
Mr. Tesche seconded,  
and this motion was passed,

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

NAYES: None.

Ms. Fairclough wanted to clarify that the language of the AO 2004-36(S) involved a one-year increase of the tax cap, and the tax cap would permanently be expanded to change that figure. Mayor Begich confirmed her interpretation of the language in this bond proposal.

14.Q. Ordinance No. AO 2004-37(S), 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 & Budget.

1. Assembly Memorandum No. AM 109-2004.
2. 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.

*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Mr. Tesche moved, to approve AO 2004-37(S).  
Mr. Tremaine seconded,  
and this motion was passed,

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

NAYES: None.

14.R. Ordinance No. AO 2004-38, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,870,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of parks and recreation and related capital improvements in the **Eagle River-Chugiak Parks and Recreation 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 on April 6, 2004, Office of Management & Budget.

1. Assembly Memorandum No. AM 110-2004.

*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Ms. Fairclough moved, to postpone indefinitely AO 2004-38.  
Mr. Tremaine seconded,  
and this motion was passed unanimously,

Ms. Fairclough explained that there was a request pending to increase the capital side of the budget by .5 mills and both the Chamber of Commerce and the Chugiak Parks Board had recommended that this item be postponed.

14.S. Ordinance No. AO 2004-39(S), 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 & Budget.

1. Assembly Memorandum No. AM 111-2004.
2. 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.

*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Mr. Tesche moved, to approve AO 2004-39(S).  
Ms. Shamberg seconded,  
and this motion was passed,

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

NAYES: Kendall, temporarily out of the room.

14.T. 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 Anchorage Parks and Recreation Service Area at an election in and for the Municipality of Anchorage on April 6, 2004, Office of Management & Budget.

1. Assembly Memorandum No. AM 112-2004.

*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Mr. Tesche moved, to approve AO 2004-40.  
Mr. Sullivan seconded,  
and this motion was passed,

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

- 14.U. Ordinance No. AO 2004-41, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$4,335,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of parks and recreation and related capital improvements in the **Anchorage Parks and Recreation 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 on April 6, 2004, Office of Management & Budget.  
1. Assembly Memorandum No. AM 113-2004.  
*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Ms. Fairclough moved, to approve AO 2004-41.  
Mr. Van Etten seconded,  
and this motion was passed,

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

- 14.V. Ordinance No. AO 2004-42(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$7,670,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of acquiring property for, designing, constructing and remodeling **public libraries** and related capital improvements in the Municipality of Anchorage 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 on April 6, 2004, Office of Management & Budget.  
1. Assembly Memorandum No. AM 114-2004.  
2. Ordinance No. AO 2004-42, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$7,670,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of acquiring property for, designing, constructing and remodeling public libraries and related capital improvements in the Municipality of Anchorage 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 on April 6, 2004.  
*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Mr. Tesche moved, to approve AO 2004-42(S).  
Mr. Van Etten seconded,  
and this motion was passed,

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

- 14.W. 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 for the Performing Arts 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 & Budget.  
1. Assembly Memorandum No. AM 134-2004.  
*(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*

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

Ms. Fairclough moved, to postpone indefinitely AO 2004-57.  
Mr. Tremaine seconded,

To Ms. Fairclough's and Ms. Von Gemmingen's questions Mayor Begich explained the \$6 million cost for the renovations of the PAC roof had been spread out over other funding sources, to include \$2.5 million from other bond propositions, a revenue bond for \$3.5 million and would include a user-fee from performance tickets to help pay for the building maintenance. He explained that the stand-alone bond was no longer necessary.

and this motion was passed,

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

- 14.X. Ordinance No. AO 2004-43(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$46,520,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of road, storm drainage and related capital improvements and the question of an increase in the municipal tax cap limitation to pay associated operations and

1 maintenance costs in the **Anchorage Roads and Drainage Service Area** at an election in and for the  
2 Municipality of Anchorage on April 6, 2004, Office of Management & Budget.  
3 1. Assembly Memorandum No. AM 115-2004.  
4 2. Assembly Memorandum No. AM 201-2004.  
5 3. Ordinance No. AO 2004-43, an ordinance providing for the submission to the qualified voters of  
6 Anchorage, Alaska, the question of the issuance of \$46,520,000 of General Obligation Bonds of  
7 the Municipality of Anchorage to pay the costs of road, storm drainage and related capital  
8 improvements and the question of an increase in the municipal tax cap limitation to pay  
9 associated operations and maintenance costs in the Anchorage Roads and Drainage Service  
10 Area at an election in and for the Municipality of Anchorage on April 6, 2004.  
11 *(Combined Public Hearing Carried Over from Special Meeting of 2-17-04, items 14.N through 14.X)*  
12

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

15  
16 Mr. Tesche moved, to approve AO 2004-43(S).  
17 Mr. Van Etten seconded,  
18

19 Mr. Tesche stated that many of these road bonds were past due. He proposed two changes to the ordinance, without  
20 changing the total road bond amount, but rather redistributing \$500,000 within the bond amount. He urged a YES-vote.  
21

22 To Mr. Tremaine's question, Mr. Abbott responded that the money that the Administration had allocated to the bond  
23 proposal had many variables and was a cash-flow basis for those amounts of expected RID future costs. He explained  
24 that without knowing the exact, approved RID figures the total amount needed to remain flexible.  
25

26 Mr. Tesche moved, to amend AM 201-2004, of AO 2004-43(S), *to reallocate* the  
27 Ms. Shamberg seconded, proposed appropriations to redistribute the total bond  
28 and this motion was approved unanimously, amount to include \$400,000 for the E Street Corridor  
29 Project – Ship Creek to Delaney Strip and to include \$100,000  
30 for the 16<sup>th</sup> Terrace Upgrade - Medfra Street to Orca.  
31

32 Ms. Taylor proposed amendments to include \$60,000 for an Edward Street Upgrade, a dangerous road leading to a site  
33 condo and also leading to Ptarmigan Elementary School; \$100,000 to a Pioneer Drive Upgrade, a road that was  
34 crumbling and was a main access to Chugiak Foothills and \$60,000 for a 32<sup>nd</sup> Avenue Upgrade from Muldoon Road to  
35 Pussywillow Street, where if cars were parked on both sides of the street, an emergency vehicle could not get through.  
36

37 Ms. Taylor moved, to amend AM 201-2004, of AO 2004-43(S), *to reallocate* the  
38 Mr. Fairclough seconded, proposed appropriations to redistribute the total bond  
39 and this motion was passed, amount to include \$60,000 for an Edward Street Upgrade, to  
40 include \$100,000 for Pioneer Drive Upgrade and to include  
41 \$60,000 for 32<sup>nd</sup> Avenue Upgrade.  
42

43 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Van Etten, Shamberg, Kendall and  
44 Tremaine.  
45 NAYES: Sullivan.  
46

47 Ms. Shamberg proposed amendments to move \$75,000 from the Timberline road maintenance allocations to the 104<sup>th</sup>  
48 Avenue/King Street Upgrade. Mr. Jim Lamson, with Project Management Engineering responded that the issue of  
49 sidewalks usually included sidewalks on both sides. The Administration saw that the need for sidewalks on Timberline  
50 Drive was substantial, from increased traffic from John's Park to the South and a South Anchorage Sports Park to the  
51 North and the ASD had busses that stopped on both sides of this road and sidewalks for this area would be required by  
52 Title 21, if a contractor were to build on this street. He added the Urban Design Commission had also reviewed and  
53 approved the upgrades scheduled for Timberline Road. Ms. Shamberg responded to Mr. Lamson, that she had  
54 attended a large homeowners' meetings of the Timberline area, where residents did not want any trails and indicated  
55 they would happily forgo the allocated moneys for upgrades to Timberline to fund more urgent needed maintenance.  
56 She proposed the amendment to reflect the wishes of the residents of the district.  
57

58 Ms. Shamberg moved, to amend AM 201-2004, of AO 2004-43(S), *to reallocate* the  
59 Mr. Tremaine seconded, proposed appropriations to redistribute the total bond amount  
60 to  
61 and this motion was passed, include \$75,000 from the Timberline Road to the 104<sup>th</sup>  
62 Avenue/King Street Upgrade.  
63

64 AYES: Tesche, Whittle, Von Gemmingen, Taylor, Traini, Fairclough, Van Etten, Shamberg, Kendall and  
65 Tremaine.  
66 NAYES: Sullivan.  
67

68 To Ms. Shamberg's question, Mr. Abbott responded that lighting would soon be available to Hanshew, and the current  
69 challenge was how to get electricity to the lights without having to trench the ground in the wintertime.  
70

71 With no further discussion, Chair Traini called for a vote on the main motion and the attached memorandum, as  
72 amended.  
73

74 Mr. Tesche moved, to approve AO 2004-43(S), and attachments, as amended.  
75 Mr. Van Etten seconded,  
76 and this motion was passed,  
77

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



Chair Traini proposed a vote of immediate reconsideration of the all bond proposals already considered. Mr. Tesche cast the motion and urged a NO-vote.

Mr. Tesche moved,	to approve <i>immediate reconsideration</i> of AO 2004-29, AO
Mr. Tremaine seconded,	2004-30, AO 2004-30(S), AO 2004-33, AO 2004-44, AO 2004-
and this motion failed unanimously,	45, AO 2004-46, AO 2004-47, AO 2004-48, AO 2004-49, AO
	2004-50, AO 2004-51, AO 2004-52, AO 2004-53, AO 2004-34,
	AO 2004-34(S), AO 2004-35, AO 2004-36, AO 2004-36(S), AO
	2004-37, AO 2004-37(S), AO 2004-38, AO 2004-39, AO 2004-
	39(S), AO 2004-40, AO 2004-41, AO 2004-42, AO 2004-42(S),
	AO 2004-57, AO 2004-43 and AO 2004-43(S) , AO 2004-24,
	AO 2004-25, AO 2004-26, and AO 2004-26(S), and any
	submitted substitute versions of these ordinances.

Chair Traini announced that the vote for immediate reconsideration of the bond proposals failed and these issues would not be heard before the Assembly again.

Chair Traini proposed to combine Public Hearing on items 14.Y to 14.aa, concerning the education and capital improvements bond proposals and he received no objections from the body. He opened Public Hearing on AO 2004-24(S), AO 2004-25(S) and AO 2004-26(S).

JAKE METCALFE, President of the Anchorage School Board, spoke in favor of all three bond proposals. He said Proposition One dealt with site acquisition and renovations and included the construction of the Muldoon Middle School which totaled \$52 million out of the \$95 million dollars. He stated the Muldoon Middle School was a much needed facility for the city. He explained the Proposition Two concerned the Administration and Training facility. The Third Proposition involved much needed maintenance on education facilities through out the MOA. He stated that each of these projects had gone through thorough elaborate processes to reach this stage.

CAROL COMEAU, Superintendent of Anchorage School District, spoke in support of the purchase of the old, vacant Kmart for the School District Administration Building. She stated locating the new administration division in this facility would be a catalyst for upgrading and revitalizing the Northway Mall area and community. She said it was a good business decision to consider consolidation of the administration facilities. The proposed \$1 million dollars, which would be the amount saved in lease payments, would be redirected back into the classroom, to help offset some of the large cuts the ASD faced with the current budget cuts. She said this project qualified for the 60% debt reimbursement, which had already been approved by the State of Alaska. Superintendent Comeau said the ASD Administration was committed to upgrading the education facilities in north and east Anchorage, which included construction of Muldoon Area Middle School, future replacement of Clark Middle School and significant future renovations of Chester Valley Elementary. To Ms. Fairclough, she responded that the costs of renovations of the old Kmart Building could be best addressed by Mr. Vakalis. Concerning the demolition of the Dimond High School facility, she responded from the studies that they had completed, they understood the renovations would cost much more than new construction. To Mr. Tesche, Superintendent Comeau responded they would be committed to a revitalization program for the community surrounding the Northway Mall.

GEORGE VAKALIS responded to Ms. Fairclough's questions by saying there were issues that needed to be addressed when considering the Kmart building renovations. The first was reducing the operating budget that the ASD was currently paying in leases, and the purchase of the facility would save \$11 million over a projected 20-year period.

JOHN STEINER, member of the Anchorage School Board, responded to Mr. Tesche by stating they would be committed to a revitalization effort for the community, and felt the proposed School District Center had the opportunity to be an anchor of the community, and would contribute to the revitalization efforts of that area. Mr. Steiner stated the price of the land and the building were ten years old, and the costs of refurbishing were also less than comparable market value. To Mr. Sullivan, Mr. Steiner responded they were heading to Juneau to discuss with the State of Alaska the Reimbursement Program the following weekend and assured Mr. Sullivan that he would keep the Assembly Office informed with the responses they received on the matching funds program and possible grants from the state.

JEFF FRIEDMAN responded to Ms. Fairclough's question by stating that the proposed renovations to the Kmart building would be extensive because it was an empty shell, and they would have to accommodate changes in electrical, water and waste water, to create office space.

JOAN DIAMOND, member on the Capital Request Advisory Committee, testified. She explained that she was one of fifteen members who worked hard communicating with schools and residents to collect a list of their goals and priorities.

BOB BELL stated that he and Ernie Hall were fund raising for support of the bond proposals and would accept any donations from Assemblymembers that evening. Ms. Von Gemmingen presented him a check. He stated the low bid for the renovations of the Kmart building included walls, installing windows, HVA systems, electrical systems, carpet and etcetera. He felt that the purchase and the renovations of the Kmart Building would save the MOA money in the long run. Mr. Bell stated there would be a large force of business leaders ready to campaign for this issue, if the Assembly allowed it on the ballot. To Mr. Sullivan's question Mr. Bell responded that the proposed remodel would be a success, with proper design engineering.

ERNIE HALL, testified that the purchase of the Kmart and the renovations were a good financial deal.

JOHN BLOMFELD, owner of the Kmart building, testified. He explained that he had purchased the building when Kmart had filed bankruptcy. The cost of the real estate included a 13-acre parcel of land and a building with 160,000 square feet. It included a major remodeling completed in 2001 and had been worth about \$31 million when he purchased it. He bought it for considerably less. To Mr. Tesche's question he stated he was ready and felt committed to working with the ASD, the Administration and the private developers with the sale and renovations.



MARY GILBERT, testified, representing the Anchorage Principal's Association and endorsing the bond packages for the education and the school district. As the Principal of Turnagain Elementary, she endorsed Proposition One, which included Phase II of the renovations for Turnagain Elementary School. She explained she felt strongly about supporting education in our community, also being a private citizen and property owner.

KITTY MILLER, member of the Capital Request Advisory Committee with the ASD, testified. She said that it was difficult not to make additional bond packages because of the available State of Alaska matching funds. She agreed with the bond proposal to purchase and remodel the Kmart facility, and thought it was good business sense.

Chair Traini called for additional public testimony and there being none, he closed Public Hearing, and proceeded into discussion and action on the ordinances dealing with the school bond propositions.

14.Y. Ordinance No. AO 2004-24(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed **\$30,000,000 of General Obligation Bonds** of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004, Anchorage School District.

1. Assembly Memorandum No. AM 74-2004.

2. Ordinance No. AO 2004-24, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$30,000,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004, Anchorage School District.

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

Mr. Sullivan moved, to approve AO 2004-24(S).  
Mr. Whittle seconded,

Mr. Sullivan stated that this was a controversial issue, and by supporting this bond position it would be saving the municipality one million dollars a year. Traffic needs of the area needed to be addressed for long range planning.

Mr. Van Etten supported this proposition because of the cost savings and also consolidating all administrative facilities into one area would help lessen traffic congestion throughout Anchorage.

Mr. Tremaine stated this bond proposal would save the MOA millions of dollars over the years and it would help with revitalizing a town center in the Northway area.

Mr. Tesche stated this \$30 million proposition made good fiscal sense and it followed the MOA Comprehensive Plan with land use and location. He felt this project had a good chance of passing the electorate and he was supporting it.

Mr. Whittle supported this project. He saw it as an investment in the future, it made good business sense and he was excited about the revitalization possibilities for that area of town.

Chair Traini stated that the ASD Administration and School Board needed to be commended for all of the hard work in this area. He was in full support of this proposition.

Mr. Sullivan moved, to approve AO 2004-24(S).  
Mr. Whittle seconded,  
and this motion was passed,

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

NAYES: None.

14.Z. Ordinance No. AO 2004-25(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed **\$36,380,000 of General Obligation Bonds** of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004, Anchorage School District.

1. Assembly Memorandum No. AM 74-2004.

2. Ordinance No. AO 2004-25, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$36,380,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage at an election in and for the Municipality of Anchorage on April 6, 2004, Anchorage School District.

Chair Traini called for a motion. Mr. Tremaine moved to approve and stated his support of this bond proposition.

Mr. Tremaine moved, to approve AO 2004-25(S).  
Mr. Sullivan seconded,  
and this motion was passed,

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

14.aa. Ordinance No. AO 2004-26(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed **\$95,830,000 of General Obligation Bonds** of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage 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 on April 6, 2004, Anchorage School District.

1. Assembly Memorandum No. AM 74-2004.

2. Ordinance No. AO 2004-26, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of not to exceed \$95,830,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of educational capital improvements in the Municipality of Anchorage 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 on April 6, 2004, Anchorage School District.

Mr. Tesche moved, to approve AO 2004-26(S).  
Mr. Tremaine seconded,

Ms. Von Gemmingen stated that Sand Lake School assured her that this bond proposal would save the MOA money. She supported the renovations of other schools on this list, including Inlet View and Romig.

Mr. Van Etten voiced his concern about the lack of projects in his area, in the mid-town district.

To Mr. Tremaine's question, the Administration responded that the substitute version helped clarify the balance of debt reimbursement.

Mr. Tesche moved, to approve AO 2004-26(S).  
Mr. Sullivan seconded,  
and this motion was passed,

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

NAYES: None.

ABSENT: Fairclough, temporarily out of room.

14.bb. 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.

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

Mr. Tesche moved, to approve AO 2004-58.  
Ms. Whittle seconded,

Mr. Tesche proposed two amendments to AO 2004-58 with the first simply a technical correction (on Line 42) to change the word "financial" to "fiscal." Mr. Tesche stated the amendment was to protect the people's rights. He urged a YES-vote on this amendment. Mr. Tesche's second amendment proposed to add to the end of Lines 43 and 45, the wording "in open session."

Mr. Tesche moved, to amend AO 2004-58 to make a *technical correction* on  
Ms. Shamberg seconded, Lines 21, 25 and 42, by changing the word "financial" to  
and this motion was approved, "fiscal;" and, *by adding* to the end of Line 43, "in open session," to read: "An advisory vote urging the Alaska Legislature to adopt a comprehensive, long range fiscal plan for the State of Alaska, in open session..." and *by adding* " on Line 45 "in open session," to read: "Shall the citizens of Anchorage urge the Alaska Legislature in open session to..."

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

NAYES: Traini, Fairclough and Sullivan.

Mr. Sullivan said it appeared the purpose of the amendments were to keep the process public. He stated that there were issues, including taxes or appropriations from the Permanent Fund, which could not take place without a vote of the legislature through public process.

Mr. Tesche stated he felt strongly that they needed to send a message to the State Legislature that to protect the residents and the city, that the State needed a long range fiscal plan.

Ms. Fairclough asked Mr. Tesche if he wanted to change the word "financial" to "fiscal" in two additional sentences in the ordinance. Mr. Tesche accepted this as a friendly amendment. She stated she would be voting against this ordinance because she thought it would create contention between the Municipality and the State of Alaska. She stated a proper and more effective method of urging the State to create a fiscal plan could be done with a public survey.

Mr. Kendall stated that this action by the MOA, urging the state to adopt a fiscal plan was really because of all of the budget cuts the city had been forced to make. He felt it was a waste of time and money. The state already had an operating fiscal plan but was lacking a long-term plan. Mr. Kendall stated that a more effective way to make changes was to elect a different governor and a different legislature. He urged a NO-vote on the ordinance.

Mr. Whittle stated that the MOA was in a crisis situation with the state budget cuts and cancelled state appropriations, grants and matching funds and the city needed to send message to the state government immediately. He urged a YES-vote on the ordinance.

Mr. Tremaine strongly disagreed with Mr. Kendall, and stated it was a responsibility of the Assembly to send a message to the Legislature that they were not doing their job. The Council of Mayors unanimously gave a vote of no confidence in the legislature's willingness to deal with the fiscal problem of the state. Many other entities were making similar statements to the Legislature. He stated he thought this ordinance was important and appropriate and he would be casting a YES-vote.

Ms. Fairclough restated her stand that the passage of this ordinance to be on the MOA ballot would only add confusion to the state government. She felt it was not the question of the state adopting a fiscal plan, but rather the process of demanding them to be fiscally responsible. She reminded Mr. Tesche that there was no fiscal note or economic statement attached, which was required of an ordinance, and she questioned the legality of this legislation.

Ms. Von Gemmingen stated that this was a difficult issue. She stated that this process may go nowhere and accomplish nothing, but there were cities, systems, education, public safety, health systems in Alaska that were in crisis. She did not believe that a vote of the people demanding fiscal responsibility from the state would do no good.

Chair Traini exchanged seats with Mr. Tesche so he could speak to this issue. He stated this process was interjecting partisan politics into a body that was not partisan and it was causing the MOA to appear dysfunctional. He stated that his communication with state officials was already urgent, requesting financial support, and he would not support this ordinance.

Mr. Sullivan stated that the voters of the MOA had many important local issues to decide in this upcoming election and it was superfluous to add this to the ballot at this time. He added that while the governments disagreed on many issues, he understood that the Legislature was comprised of good, hard working people who were doing a tough job, who took their jobs seriously and did not need a ballot proposition from the citizens of Anchorage to tell them there were concerns that needed to be addressed.

Mr. Van Etten felt it was critical that the MOA work with the State of Alaska, and this action would possibly hurt the relationship and communications they share. He stated there were too many projects in the MOA that needed State support and the MOA could not afford to stir up uneasy feelings between the governments.

Ms. Taylor stated that while she had a great deal of respect for the elected individuals who ran the state government, the state's lack of having a responsible fiscal plan would affect the MOA. Sending a clear message from the voters of the city would only remind the representatives that the MOA and other entities in Alaska were facing a crisis situation. It would be a sincere attempt in urging the Legislature to do the right things for the State of Alaska. She stated the state government officials needed a reminder they represent all of the citizens of Alaska and she felt it was important to send a message.

Mr. Tesche voiced his disappointment at the discussion among Assemblymembers, which indicated many were reading far more in to this ordinance than was there, which offended him. He urged the body to view this ordinance as it should be: a message from the citizens of Anchorage telling our state representatives that they were doing a good job, but they needed to develop a fiscal plan to protect all citizens of the state and for their own protection. He urged a YES-vote.

Mr. Whittle agreed that this issue was a non-partisan issue. He understood that the Governor and the state representatives were actively pursuing and trying to resolve this very difficult issue. With the budget crisis the MOA was facing, he felt citizens needed to do something now, and it would hurt the MOA not voice their concern.

Ms. Fairclough stated to Mr. Tesche that the state government functions differently than the cities, boroughs and municipalities. They would not interpret this action as a simple voice from the people, but as a declaration of their incompetence. She did not want the citizens of Anchorage to send any message that would only confuse state government officials, when they were already extremely aware of the economic crisis they were facing.

Mr. Tesche moved, to approve AO 2004-58, as amended.  
Ms. Whittle seconded,  
and this motion was passed,

AYES: Tesche, Whittle, Taylor, Shamberg, Van Etten, and Tremaine.

NAYES: Von Gemmingen, Traini, Fairclough, Kendall and Sullivan.

Mr. Tesche proposed immediate reconsideration and urged a NO-vote.

Mr. Tesche moved, for immediate reconsideration of AO 2004-58, as amended.  
Ms. Whittle seconded,  
and this motion failed,

AYES: Von Gemmingen, Traini, Fairclough, Kendall and Sullivan.

NAYES: Tesche, Whittle, Taylor, Shamberg, Van Etten, and Tremaine.

14.cc. 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. (Public Hearing date set for 3-16-04)

Chair Traini read this ordinance title and opened Public Hearing.

MANDY MABRY, member of the Anchorage Horse Council, testified in support of the Equestrian Center property lease. She stated she had been working with this issue, since her appointment by Mayor Knowles in 1983. Ms. Mabry stated this would give authority to the Equestrian Center for improvements for the properties, which had been a concern in the past. She explained this center provided therapeutic horse back riding for people with disabilities, camps, a pony club, horse shows and mental exercises they called "think programs" for the Girls and Boys Club. Ms. Mabry stated they had

a very dedicated board to address the issues and concerns and she urged the Assembly to support this ordinance, giving ownership to the Center for their activities. To Mr. Tremaine's question, she responded that they had reviewed the contract and everything seemed to be in order, and understood the other users of the Park would not be impacted by the new agreement.

Mr. Tremaine moved, to approve AO 2004-55.  
Ms. Shamberg seconded,

Ms. Shamberg stated that the program was successful and it was gratifying to see the results. To Ms. Shamberg's question, Ms. Mabry responded that their black-tie, cowboy fund raiser for the Rainbow Connection was scheduled for April 3<sup>rd</sup> at the Marriot Hotel in Anchorage. Ms. Shamberg thanked her for her dedication and all her hard work.

Mr. Tremaine stated that this ordinance would guarantee the security of the Equestrian Center and it was the Assembly's responsibility to support the ordinance.

and this motion was passed,

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

Mr. Tremaine proposed immediate reconsideration, and urged a NO-vote.

Mr. Tremaine moved, for *immediate reconsideration* of AO 2004-55.  
Ms. Shamberg seconded,  
and this motion was passed,

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

14.dd. Ordinance No. AO 2004-27, an ordinance amending provisions of Anchorage Municipal Code Chapter 2.40 to establish a new **Midtown Community Council**, Assemblymembers Traini, Sullivan, Von Gemmingen, Taylor, Tesche, Whittle and Van Etten.

Chair Traini read this ordinance title and opened Public Hearing.

MICHAEL McCAMEY testified in support of creating the Midtown Community Council. Since his last public testimony he had visited the Northstar Community Council and they thought the Midtown Community Council was being created too quickly. They seemed concerned with the current boundary line dividing Fireweed Lane. Those who supported the new Midtown Community Council believed that all of the criteria requirements of the Anchorage Bowl Comprehensive Plan 2020 had been met. He explained this new group was conducting many more meetings than were required and had a rapidly growing membership.

TIM POTTER, resident of Anchorage and business owner of DOWL Engineers, spoke in support of the new Midtown Community Council. He explained this was a very active group and the area was a mix of business, residential property rentals and owners. He stated the 2020 Plan described this area as a business redevelopment, key employment and residential area. He stated that by creating this new Community Council it would work in favor of future development. To Mr. Sullivan's question, Mr. Potter responded that Spenard had endorsed the creation of this new Community Council.

MIKE OLSON testified in favor of the Midtown Community Council. He believed that this Midtown Community Council would share the representation of the residents of this area.

BARBARA PENPECK, member of the Northstar Community Council, opposed the current boundary changes. She questioned the new boundary line on Fireweed Lane, which would take two schools out of their district. She explained that these students were residents of their area and one of their Community Council's primary concerns had been safety for the children. She saw the proposed boundary change might affect the focus of this safety issue.

KAREN HALF, new resident of Northstar, testified against creating the Midtown Community Council. She thought that the current districts could provide adequate representation. She stated that an ideal community council should be comprised of an equal mix of business and residential.

JOHN ANDERSON, resident of Midtown for 25 years, testified in support of the new community council. He stated that he and his wife felt they had never gotten adequate representation and with the growing numbers of residents, it was time for a new district.

SAM ROSE, Chair of the Northstar Community Council, asked the Assembly to consider a boundary change proposal. He had followed the process, including the boundary change proposals. He stated the Northstar Community Council had been proposing boundary changes since the 1980s. He asked for the Assembly to consider an option, originally suggested from the Boundary Review Committee, by extending the boundary to Northern Lights. Mr. Rose stated the criteria listed in the Charter for the formation of community councils described boundaries as traffic barriers and saw Northern Lights as a substantial traffic barrier. To Mr. Sullivan's question, Mr. Rose responded the boundaries had changed in the past to accommodate a small subdivision to the west and a section of Fairview to the east, and those residents had been pleased with the new representation of Northstar Community Council.

Chair Traini called for additional public testimony, and there was none. He closed Public Hearing and called for a motion.

Mr. Sullivan moved, to approve AO 2004-27.

Mr. Tremaine seconded,

Mr. Tremaine proposed an amendment to accommodate a boundary change. He stated the area of Northstar was comprised of dual residential, vacated businesses, and saw this boundary change would include properties that fit into the area of Northstar better than it would in another district.

Chair Traini traded seats with Mr. Tesche, to allow him the opportunity to speak on this issue. He urged the Assembly to keep the proposed boundaries because the area in question was primarily business and would fit more properly into the business-oriented Midtown Community Council area.

Mr. Sullivan stated the Northstar Community Council had expanded over the last year, had maintained an active and conscientious membership and had successfully addressed difficult issues for their area. The Assembly had addressed the concept of the Midtown Community Council and saw the Northern Lights boundary would include characteristics that were not consistent with the current Northstar Community Council. He stated he would not support the boundary change. Mr. Sullivan explained that when the Assembly addressed this issue last year, their goal was to add more residential to the proposed Midtown Community Council so there would be a mix component for this area and it would not be so business-oriented.

Ms. Von Gemmingen stated that she did not see this area as solely a business district, because it supported a large residential area.

Mr. Van Etten stated he would not support the amendment, but he wanted to explore Mr. Sullivan's thoughts and suggestions of increasing a mix. To Mr. Van Etten's question, Mr. Stuart Hall, formerly with the Boundary Commission, speaking for himself, stated he would urge the Assembly to consider a moratorium on boundary changes for a two-year period, to assess the impact of their effectiveness. He recommended leaving the portion of Fireweed Lane and 36<sup>th</sup> Avenue, from New Seward Highway to Arctic Boulevard, in the Northstar Community Council area.

To Ms. Shamberg's question, Mr. Rose stated that they would support the current proposal from Mr. Tremaine to amend AO 2004-27 by extending the boundary to Northern Lights. Ms. Shamberg stated she would support the amendment.

To Ms. Fairclough's question, Mr. Potter stated that the Assembly had reviewed this issue and were responsible for encouraging the development of the Midtown Community Council. Its development would ensure the residents and business owners of that area a voice for future development as addressed in the 2020 Plan, which outlines this area as mixed-use. He stated the amendment, proposing a boundary change would change the direction of their study.

Mr. Traini urged the Assembly to stay with the original boundaries and stated he would not support the amendment.

Mr. Tremaine moved,	to amend AO 2004-27, <i>by changing</i> the <u>southern boundaries</u>
Ms. Shamberg seconded,	of the Northstar Community Council to extend to Northern
and this motion failed,	Lights.

AYES: Shamberg and Tremaine.

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

Mr. Sullivan moved,	to approve AO 2004-27.
Mr. Tremaine seconded,	
and this motion was passed,	

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

NAYES: Tremaine.

Mr. Van Etten moved for immediate reconsideration and urged a NO-vote.

Mr. Van Etten moved,	for <i>immediate reconsideration</i> of AO 2004-27.
Mr. Tremaine seconded,	
and this motion failed,	

AYES: Tesche.

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

14.ee. Ordinance No. AO 2004-17, an ordinance creating **Special Assessment District 2P03** for road reconstruction on Highlander Drive and Highlander Circle, and determining to proceed with proposed improvements therein, Project Management & Engineering.

1. Assembly Memorandum No. AM 53-2004.

Chair Traini read this ordinance title and opened Public Hearing.

KEN BEAR, President of Campbell Glenn Homeowners Association, testified that they had supported this project for the past three years. They had gone through an extensive process for getting this approved and they had completed a neighborhood survey which indicated 78% support. He urged the Assembly to support this issue.

Mr. Tremaine stated that he supported this ordinance and he was aware that the residents in this area had overwhelmingly supported it also.

Mr. Van Etten stated that the residents of this community had been extremely active with their meetings and communications and had pulled together to support this project. He stated he would support this ordinance on their behalf.

Chair Traini called for additional public testimony. There being none, he closed PH and called for a motion.

Mr. Van Etten moved, to approve of AO 2004-17.  
Mr. Tremaine seconded,  
and this motion was passed,

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

14.ff. Ordinance No. AO 2004-18, an ordinance creating **Mooseberry Water Special Assessment District 1554**, and determining to proceed with the propose improvements therein, Anchorage Water & Wastewater Utility.  
1. Assembly Memorandum No. AM 54-2004.

Chair Traini read the ordinance title and opened Public Hearing. There being none he closed Public Hearing and call for a motion.

Ms. Shamberg moved, to approve AO 2004-18.  
Mr. Tremaine seconded,  
and this motion was passed,

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

14.gg. Resolution No. AR 2004-17, a resolution of the Municipality of Anchorage, Alaska, confirming and levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll 03-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency, Anchorage Water & Wastewater Utility.  
1. Assembly Memorandum No. AM 58-2004.

Chair Traini read the resolution title and opened Public Hearing. There being none he closed Public Hearing and call for a motion.

Mr. Tremaine moved, to approve AR 2004-17.  
Ms. Shamberg seconded,

Mr. Tremaine proposed to change on Page 1, Line 18, enter today's date.

Mr. Tremaine moved, to amend AR 2004-17, *by adding* on Page 1, Line 17, "February 17, 2004."  
Ms. Fairclough seconded,  
and this motion was approved,

Mr. Tremaine moved, to approve AR 2004-17, as amended.  
Ms. Shamberg seconded,  
and this motion was passed,

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

14.hh. Resolution No. AR 2004-18, a resolution confirming and levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll 04-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency, Anchorage Water & Wastewater Utility.  
1. Assembly Memorandum No. AM 59-2004.

Chair Traini read this resolution title and opened Public Hearing. There was none and he closed Public Hearing and called for a motion.

Mr. Tremaine moved, to approve AR 2004-18.  
Ms. Shamberg seconded,

Mr. Tremaine proposed adding today's date to this resolution.

Mr. Tremaine moved, to amend AR 2004-18, *by adding* on Page 1, Line 21, "February 17, 2004."  
Ms. Fairclough seconded,  
and this motion was approved,

Mr. Tremaine moved, to approve AR 2004-18, as amended.  
Ms. Shamberg seconded,  
and this motion was passed,

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

Ms. Von Gemmingen moved to postpone items 14.ii, 14.jj and 14.kk. until April 20, 2004. There were no objections, and Chair Traini announced the approval of the postponement of AO 2004-2, AO 2004-19 and AO 2004-20.

- 14.ii. Ordinance No. AO 2004-2, an ordinance of the Municipality of Anchorage creating **Special Assessment District 1P03** for road improvements to Marston Drive and Foraker Drive, and determining to proceed with proposed improvements therein, Project Management & Engineering.  
1. Assembly Memorandum No. AM 21-2004. ***(Postponed until April 20, 2004)***
- 14.jj. Ordinance No. AO 2004-19, an ordinance creating **Turnagain Heights Water Special Assessment District 1416**, and determining to proceed with the proposed improvements therein, Anchorage Water & Wastewater Utility.  
1. Assembly Memorandum No. AM 55-2004. ***(Postponed until April 20, 2004)***
- 14.kk. Ordinance No. AO 2004-20, an ordinance creating **Turnagain Heights Sanitary Sewer Lateral Special Assessment District 1415**, and determining to proceed with the proposed improvements therein, Anchorage Water & Wastewater Utility.  
1. Assembly Memorandum No. AM 56-2004. ***(Postponed until April 20, 2004)***

15. SPECIAL ORDERS

Chair Traini announced they had completed the Agenda and there would be no need for continuing the Assembly Meeting and announced the cancellation of the additional meeting, prescheduled for the following evening.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION

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

18. ASSEMBLY COMMENTS None.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Traini called for a motion to adjourn the meeting.

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

to adjourn the Regular Assembly Meeting.

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

NAYES: None.

The Regular Assembly Meeting was adjourned at 11:30 p.m.

Pub. THE ANCHORAGE CHRONICLE  
P.O. 52464-487-04

DICK TRAINI, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk  
Date Minutes Approved: April 13, 2004  
MC/BG