

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of July 6, 2004, as amended

1. CALL TO ORDER

The Assembly Meeting was called to order by Chair Traini at 5:07 p.m.

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

PRESENT: Anna Fairclough, Brian Whittle, Dick Tremaine, Dick Traini, Allan Tesche, Ken Stout, Pamela Jennings, Debbie Ossiander and Janice Shamberg.

ABSENT: Dan Sullivan and Dan Coffey, excused.

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

4. MINUTES OF PREVIOUS MEETING

A. Regular Meeting – February 3, 2004

Mr. Tesche moved, to approve Minutes for the Regular Meeting of
Ms. Ossiander seconded, February 3, 2004.
and this motion was passed unanimously,
with Jennings, Stout and Ossiander abstaining,
and with excused absences from Sullivan and Coffey,

B. Regular Meeting – May 18, 2004

Mr. Tesche moved, to approve Minutes for the Regular Meeting of
Ms. Ossiander seconded, May 18, 2004.
and this motion was passed unanimously,
with excused absences from Sullivan and Coffey,

5. MAYOR'S REPORT

Mayor Begich reported that he had attended the U.S. Conference of Mayors, and Alaska received unanimous support for a resolution supporting the Alaska Gas Line. The Conference also supported the "GO-Act," sponsored by Alaskan Congressman Don Young, which would make dollars available to communities and state governments for recreational opportunities, to reduce obesity and foster a healthier society.

Mayor Begich and mayors from Washington and Oregon were starting a Northwest Mayor's Conference, as a component of the U.S. Conference of Mayors.

The Mayor recently traveled to New York with the Anchorage Economic Development Corporation to meet with the media and business representatives seeking sites for development and expansion. Mayor Begich had promoted Anchorage, emphasizing the opportunities for international trade. He stated there were several journalists and site selectors traveling to Alaska to review possible site developments.

6. ASSEMBLY CHAIR'S REPORT

Chair Traini reported that he had recently attended a municipal meeting in Arlington, Massachusetts, as a part of a National League of Cities Board Meeting.

7. COMMITTEE REPORTS None.

8. ADDENDUM TO AGENDA

Chair Traini added AR 2004-179, assigning it to 9.A.1 in the Agenda. He called for additional items and AO 2004-91 (S), AM 545-2004, AM 546-2004 and AO 2004-100 (S-1) were added. Chair Traini assigned these new items in the Agenda as 13.A.2, 9.D.7, 9.D.8 and 11.D.3, respectively. He then called for additional items, and there being none, he called for a motion to incorporate the Addendum items into the Regular Agenda.

Ms. Fairclough moved, to approve the inclusion of the Addendum items into the
Mr. Sullivan seconded, Regular Agenda.
and there were no objections,

Chair Traini called for a motion on the Consent Agenda.

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

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

9. CONSENT AGENDA

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

- 9.A.1. Resolution No. AR 2004-179, a resolution of the Anchorage Municipal Assembly proclaiming July 6, 2004 as "**No Computer Should Go to Waste Day**", Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle.
(Addendum)

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

9.B. RESOLUTIONS FOR ACTION - OTHER

- 9.B.1. Resolution No. AR 2004-169, a resolution of the Municipality of Anchorage appropriating the \$26,495 from the State of Alaska, Department of Transportation and Public Facilities MS/CVE and \$1,390 as a contribution from the 2004 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151), to the State Categorical Grants Fund (231) Anchorage Police Department, for the **Commercial Vehicle Inspection Grant Agreement**, Anchorage Police Department.
a. Assembly Memorandum No. AM 529-2004.
- 9.B.2. Resolution No. AR 2004-170, a resolution of the Municipality of Anchorage appropriating \$50,000 restricted contribution from the University of Alaska Anchorage to the Office of Economic & Community Development, Anchorage Parks & Recreation Miscellaneous Operational Grants Fund (261), for the purpose of preparing a land use plan, space plan, facility condition audit and pre-conceptual designs for the **Chester Creek Sports Complex**, Office of Economic & Community Development.
a. Assembly Memorandum No. AM 530-2004.

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

- 9.B.3. Resolution No. AR 2004-171, a resolution of the Municipality of Anchorage appropriating \$2,500 from the Alaska Division of Homeland Security as supplemental funding to the State Categorical Grants Fund (231) for the development of the **Community Emergency Response Teams** through the Office of the Municipal Manager on behalf of the MOA Office of Emergency Management.
a. Assembly Memorandum No. AM 531-2004.

9.C. BID AWARDS None.

9.D. NEW BUSINESS

- 9.D.1. Assembly Memorandum No. AM 523-2004, **O'Brady's Burgers & Brew #1989** - Transfer of Ownership for a Restaurant/Eating Place & Restaurant Designation Liquor License (Klatt/Bayshore and Taku/Campbell Community Councils), Clerk's Office.
- 9.D.2. Assembly Memorandum No. AM 524-2004, **Rice Bowl #2973** – Transfer of Ownership for a Restaurant/Eating Place & Restaurant Designation Liquor License (Fairview Community Council), Clerk's Office. **(Postponed until July 20, 2004)**

Ms. Jennings requested the Assembly return to this previously approved item, for clarification. *(See item 10.D.2)*

- 9.D.3. Assembly Memorandum No. AM 525-2004, **I Luv Sushi #4420** – New Restaurant Designation Liquor License (Abbott Loop Community Council), Clerk's Office. **(Postponed until July 20, 2004)**

Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.D.3)*

- 9.D.4. Assembly Memorandum No. AM 526-2004, **Turnagain Vines #4414** – Transfer of Location for a Wholesale Malt Beverage/Wine Liquor License (Midtown Community Council), Clerk's Office.
- 9.D.5. Assembly Memorandum No. AM 527-2004, Change Order No. 1 to Purchase Order 231264 with Premera Blue Cross/Blue Shield of Alaska for providing **health and medical insurance** and to States West Life for providing life/accidental death and dismemberment (AD&D) coverage to Chugiak Volunteer Fire & Rescue, Inc. for the Municipality of Anchorage, Anchorage Fire Department (\$160,000).
- 9.D.6. Assembly Memorandum No. AM 528-2004, recommendation of award to PDC, Inc. for providing various professional **engineering services** for the Municipality of Anchorage, Municipal Light & Power (ML&P) (RFP 24-P020) (\$300,000/yr), Purchasing.
- 9.D.7. Assembly Memorandum No. AM 545-2004, recommendation of Award to Professional and Technical Services, Inc. for Providing **Professional Engineering Services** for the Knik View Water Intertie for the Municipality of Anchorage Water and Wastewater Utility, (AWWU) (RFP 24-P002) (\$125,000). **(Laid on the Table)**
- 9.D.8. Assembly Memorandum No. AM 546-2004, **Proprietary Lease** to Gary and Marjorie Moon for Providing Leased Space for the Chugiak Volunteer Fire Department for the Municipality of Anchorage, Anchorage Fire Department (Real Estate Services)(\$30,250). **(Laid on the Table)**

9.E. INFORMATION AND REPORTS

- 9.E.1. Information Memorandum No. AIM 57-2004, transmittal of the Planning and Zoning Commission record for the denial of a rezoning application to rezone approximately two acres from B-3 (General

Business District) to I-1 (Light Industrial), for the **North ½ and South ½ of Lot 47 of Section 11, T14N, R2W, S.M., Alaska**, generally located at 16650 and 16670 Eagle River Road (Eagle River Community Council) (Planning & Zoning Commission Case 2004-046), Planning Department.
(Postponed until July 20, 2004)

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

- 9.E.2. Information Memorandum No. AIM 58-2004, Notice of Pending Contract Amendment, Annette's Trucking, Inc., **Pine Street Improvements, Reka Drive to DeBarr Road**, Project No. 00-10, Project Management & Engineering.

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

- 9.E.3. Information Memorandum No. AIM 59-2004, **Monthly Financial Reports – May 2004**, Finance.

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

- 9.F.1. Ordinance No. AO 2004-105, an ordinance authorizing the extension of the lease of the **Pioneer School House** at 437 East 3rd Avenue, Anchorage, Alaska to the Anchorage Woman's Club at less than market value, Real Estate Services. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 537-2004.

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

- 9.F.2. Ordinance No. AO 2004-106, an ordinance approving a plan amendment to "The 2000 Merrill Field Airport Master Plan" to include the 2004 "Revised" Merrill Field Airport Heights Zoning Map in accordance with AMC 21.65.040, and amend AMC 21.65.040 B to include the specific **2004 "Revised" Merrill Field Airport Heights Zoning Map** (All Community Councils) (Planning and Zoning Commission Case 2004-069), Planning Department. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 538-2004.
- 9.F.3. Ordinance No. AO 2004-107, an ordinance amending the zoning map and providing for the rezoning of approximately 15,246 square feet from R-1A (Single Family Residential) to R-2M SL (Multiple Family Residential with Special Limitations) for **Lot 15, Block 21, Poggas Subdivision**, generally located at 13211 Venus Way (Old Seward/Oceanview Community Council) (Planning and Zoning Commission Case 2004-047), Planning Department. *(Pubic Hearing set for 8-17-04)*
a. Assembly Memorandum No. AM 539-2004.

Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.F.3)*

- 9.F.4. Resolution No. AR 2004-172, a resolution of the Municipality of Anchorage appropriating \$6,148,000 from the United States Forest Service to the Federal Categorical Grants Fund (241) to support continuing hazardous reduction efforts and prepare for and **mitigate wildfire hazards** in the Municipality of Anchorage, Anchorage Fire Department. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 532-2004.

Ms. Shamberg requested this item be pulled for review on the Regular Agenda. *(See item 10.F.4)*

- 9.F.5. Resolution No. AR 2004-173, a resolution of the Municipality of Anchorage appropriating \$1,334,583 from Alaska Housing Finance Corporation (AHFC) as a grant to the State Categorical Grants Fund (231), Department of Health and Human Services to fund the **Weatherization Assistance Program**, Health and Human Services. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 533-2004.

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

- 9.F.6. Resolution No. AR 2004-174, a resolution of the Anchorage Municipal Assembly appropriating \$300,000 from the Anchorage School District to the Anchorage Roads and Drainage Service Area Fund (441) for the **improvement of Laurel Street, between Dowling Road and 64th Avenue**, Project Management & Engineering. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 534-2004.

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. *(See item 10.F.6)*

- 9.F.7. Resolution No. AR 2004-175, a resolution of the Municipality of Anchorage appropriating \$1,408,045 to the State Categorical Grants Fund (231) from the Federal Highway Administration through the Alaska Department of Transportation and Public Facilities to provide funding for **congestion management and air quality mitigation** through expansion of public transportation services within the Municipality of Anchorage, Public Transportation Department. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 535-2004.
- 9.F.8. Resolution No. AR 2004-176, a resolution approving the acceptance and appropriation of State of Alaska grant funds in the amount of \$62,803 from the **Department of Environmental Conservation Matching Grant Program** (Senate Bill 183), Anchorage Water & Wastewater Utility. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 536-2004.
- 9.F.9. Resolution No. AR 2004-177, a resolution approving and ratifying a five year collective bargaining agreement between the Municipality of Anchorage and **International Association of Fire Fighters, Local 1264**, Employee Relations. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 540-2004.

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

Mr. Tesche moved, to approve the Consent Agenda, as amended.
Ms. Fairclough seconded,
and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

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

END OF CONSENT AGENDA

10. REGULAR AGENDA

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

10.A.1. Resolution No. AR 2004-179, a resolution of the Anchorage Municipal Assembly proclaiming July 6, 2004 as "**No Computer Should Go to Waste Day**", Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle.

Mr. Tremaine moved, to approve AR 2004-179.
Mr. Whittle seconded,
and there were no objections,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

10.B. RESOLUTIONS FOR ACTION - OTHER

10.B.2. Resolution No. AR 2004-170, a resolution of the Municipality of Anchorage appropriating \$50,000 restricted contribution from the University of Alaska Anchorage to the Office of Economic & Community Development, Anchorage Parks & Recreation Miscellaneous Operational Grants Fund (261), for the purpose of preparing a land use plan, space plan, facility condition audit and pre-conceptual designs for the **Chester Creek Sports Complex**, Office of Economic & Community Development.

a. Assembly Memorandum No. AM 530-2004.

Ms. Fairclough moved, to approve AR 2004-170.
Mr. Tesche seconded,

To Ms. Fairclough, Mayor Begich explained money had been appropriated through bonds for the Chester Creek Sports Complex. Ms. Fairclough questioned how these funds had been designated. The Mayor responded that this proposal involved money from the Parks and Recreation Department for improvements of the site plan, in conjunction with the University of Alaska, who would be a primary user of the facility.

Mr. Tesche and Mr. Whittle each stated that this project was needed and long overdue.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

10.D. NEW BUSINESS

10.D.2. Assembly Memorandum No. AM 524-2004, Rice Bowl #2973 – Transfer of Ownership for a Restaurant/Eating Place & Restaurant Designation Liquor License (Fairview Community Council), Clerk's Office. (**Postponed until July 20, 2004**)

Ms. Jennings requested the Assembly return to this previously approved item, due to the confusion over the buyer's name.

Mr. Tesche moved, for immediate reconsideration AM 524-2004.
Mr. Stout seconded,
and there were no objections,

Mr. Tesche moved, to postpone until July 20, 2004, to allow for review and
Mr. Stout seconded, corrections.
and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

10.D.3. Assembly Memorandum No. AM 525-2004, I Luv Sushi #4420 – New Restaurant Designation Liquor License (Abbott Loop Community Council), Clerk's Office. (**Postponed until July 20, 2004**)

Ms. Fairclough moved, *to postpone* until July 20, 2004.
Mr. Tremaine seconded,

Ms. Fairclough stated that the conditional use permit would be addressed on July 20th.

and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

10.E. INFORMATION AND REPORTS

10.E.1. Information Memorandum No. AIM 57-2004, transmittal of the Planning and Zoning Commission record for the denial of a rezoning application to rezone approximately two acres from B-3 (General Business District) to I-1 (Light Industrial), for the **North ½ and South ½ of Lot 47 of Section 11, T14N, R2W, S.M., Alaska**, generally located at 16650 and 16670 Eagle River Road (Eagle River Community Council) (Planning & Zoning Commission Case 2004-046), Planning Department.
(Postponed until July 20, 2004)

Ms. Fairclough moved, *to postpone* until July 20, 2004.
Ms. Ossiander seconded,

Ms. Fairclough stated there were still questions that remained, and this issue involved a non-conforming use to the property. She was concerned that it was not in compliance with current code. She wanted to wait for additional information to determine the status.

and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

10.E.2. Information Memorandum No. AIM 58-2004, Notice of Pending Contract Amendment, Annette's Trucking, Inc., **Pine Street Improvements, Reka Drive to DeBarr Road**, Project No. 00-10, Project Management & Engineering.

Mr. Whittle moved, *to accept* AIM 58-2004.
Mr. Tremaine seconded,

To Mr. Whittle, Mr. Jerry Hansen, of Project Management Engineering, responded that the project was on schedule, with the exception of this additional work. He explained the excavation of the additional peat was almost completed, and they would begin the backfilling process.

To Ms. Fairclough, Mr. Hansen responded they tried to predict the amounts of peat by digging test holes every three hundred feet, but often dealt with unforeseen amounts of peat. They maintained accountability for the projects with continual inspections and material analysis of soil samples.

and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.1. Ordinance No. AO 2004-105, an ordinance authorizing the extension of the lease of the **Pioneer School House** at 437 East 3rd Avenue, Anchorage, Alaska to the Anchorage Woman's Club at less than market value, Real Estate Services. *(Pubic Hearing set for 7-20-04)*
a. Assembly Memorandum No. AM 537-2004.

Mr. Whittle moved, *to introduce* AO 2004-105, with Public Hearing set for July 20, 2004.
Mr. Tremaine seconded,
Ms. Fairclough was the concurring third,

Mr. Whittle commended the Woman's Club on their accomplishments with the Pioneer School House and he encouraged everyone to visit their project.

10.F.3. Ordinance No. AO 2004-107, an ordinance amending the zoning map and providing for the rezoning of approximately 15,246 square feet from R-1A (Single Family Residential) to R-2M SL (Multiple Family Residential with Special Limitations) for **Lot 15, Block 21, Poggas Subdivision**, generally located at 13211 Venus Way (Old Seward/Oceanview Community Council) (Planning and Zoning Commission Case 2004-047), Planning Department. *(Pubic Hearing set for 8-17-04)*
a. Assembly Memorandum No. AM 539-2004.

Ms. Fairclough moved, *to introduce* AO 2004-107, with Public Hearing set for August 17, 2004.
Mr. Tremaine seconded,
Ms. Fairclough was the concurring third,

Ms. Fairclough was concerned that it might be possible to reconsolidate the plat to allow an eight-plex on the property. She stated that the Administration response could wait until the August Public Hearing. She requested consideration for Lot 16 to be omitted because it was conforming and did not need to be rezoned. Ms. Ossiander also requested a legal explanation of the limitations of future subdividing. Mr. Tesche recommended their requests be in writing prior to the next meeting.

- 10.F.4. Resolution No. AR 2004-172, a resolution of the Municipality of Anchorage appropriating \$6,148,000 from the United States Forest Service to the Federal Categorical Grants Fund (241) to support continuing hazardous reduction efforts and prepare for and **mitigate wildfire hazards** in the Municipality of Anchorage, Anchorage Fire Department. (*Pubic Hearing 7-20-04*)
- a. Assembly Memorandum No. AM 532-2004.

Ms. Shamberg moved, *to introduce AR 2004-172, with Public Hearing set for July 20, 2004.*
Ms. Tesche seconded,
Ms. Fairclough was the concurring third,

Ms. Shamberg requested a breakdown of this money to be spent. She was concerned there were higher priorities, in particular reducing the high "fire load" areas, instead of spending this money on equipment and other projects.

- 10.F.5. Resolution No. AR 2004-173, a resolution of the Municipality of Anchorage appropriating \$1,334,583 from Alaska Housing Finance Corporation (AHFC) as a grant to the State Categorical Grants Fund (231), Department of Health and Human Services to fund the **Weatherization Assistance Program**, Health and Human Services. (*Pubic Hearing set for 7-20-04*)
- a. Assembly Memorandum No. AM 533-2004.

Mr. Stout moved, *to introduce AR 2004-173.*
Mr. Tesche seconded,
Ms. Fairclough was the concurring third,

Mr. Stout requested a report on the history of this program, including how it was currently assisting citizens, and the intention of the Administration for its continuation. Mayor Begich responded the funding was much reduced compared to past years and involved state and federal dollars. He thought there was a continued need.

- 10.F.6. Resolution No. AR 2004-174, a resolution of the Anchorage Municipal Assembly appropriating \$300,000 from the Anchorage School District to the Anchorage Roads and Drainage Service Area Fund (441) for the **improvement of Laurel Street, between Dowling Road and 64th Avenue**, Project Management & Engineering. (*Pubic Hearing set for 7-20-04*)
- a. Assembly Memorandum No. AM 534-2004.

Ms. Ossiander moved, *to introduce AR 2004-174.*
Ms. Jennings seconded,
Mr. Tremaine was the concurring third,

To Ms. Ossiander, the Mayor explained that this involved school district money. She wanted reassurances that the verbiage in the bond included language to enable this appropriation. The Administration stated a summary report would be forthcoming.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

- 11.A. Assembly Memorandum No. AM 490-2004, **Zoning Board of Examiners and Appeals** appointment (Thomas Van Flein), Mayor's Office.
(*Postponed from 6-22-04*)

Mr. Tremaine moved, *to accept AM 490-2004.*
Mr. Tesche seconded,
and there were no objections,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.
NAYES: None.
ABSENT: Sullivan and Coffey, excused.

- 11.B. Information Memorandum No. AIM 53-2004, **Monthly Financial Reports – April 2004**, Finance.
(*Carried Over from 6-8-04 and 6-22-04*)

Mr. Stout moved, *to accept AIM 53-2004.*
Mr. Tesche seconded,

Mr. Stout initially pulled this item to discuss a problem with the booster station. With the information he had received, he felt this project was ready for approval.

To Ms. Ossiander, Assembly Budget and Legislative Director Elvi Gray-Jackson responded that there was a worksession on the Creekside Town Center project was scheduled at noon on July 16, 2004.

and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.
NAYES: None.
ABSENT: Sullivan and Coffey, excused.

- 11.C. Assembly Memorandum No. AM 449-2004, Amendment No. 1 to the professional services contract with DOWL Engineers for the **Creekside Town Center road improvements**, Project No. 02-12 (\$373,302), Project Management & Engineering.
(Carried Over from 6-8-04 and 6-22-04)

Mr. Whittle moved, to accept AM 449-2004.
Mr. Tesche seconded,
and this motion was approved,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.
NAYES: None.
ABSENT: Sullivan and Coffey, excused.

- 11.D. Ordinance No. AO 2004-100, an ordinance of the Anchorage Assembly amending Chapter 15.75 of the Anchorage Municipal Code regarding **Pesticide Control** to add definitions and to modify public notice for commercial pesticide application; and to amend Anchorage Municipal Code Section 14.60.030 by increasing fines for violation of Anchorage Municipal Code 15.75 within the Department of Health and Human Services, Assemblymembers Whittle, Jennings and Tesche.
1. Assembly Memorandum No. AM 469-2004.
 2. Ordinance No. AO 2004-100(S), an ordinance of the Anchorage Assembly amending Chapter 15.75 of the Anchorage Municipal Code regarding **Pesticide Control** to add definitions and to modify public notice for commercial pesticide application; and to amend Anchorage Municipal Code Section 14.60.030 by increasing fines for violation of Anchorage Municipal Code 15.75 within the Department of Health and Human Services, Assemblymembers Whittle, Jennings and Tesche. (Carried Over from 6-22-04)
 3. Ordinance No. AO 2004-100(S-1), an ordinance of the Anchorage Assembly amending Chapter 15.75 of the Anchorage Municipal Code regarding **Pesticide Control** to add definitions and to modify public notice for commercial pesticide application; and to amend Anchorage Municipal Code Section 14.60.030 by increasing fines for violation of Anchorage Municipal Code 15.75 within the Department of Health and Human Services, Assemblymembers Whittle, Jennings and Tesche. (Carried Over from 6-22-04) (**Laid on the Table**)

Mr. Whittle moved, to approve AO 2004-100(S-1).
Mr. Tesche seconded,

Mr. Whittle thought the ordinance had been improved and urged the body to approve this substitute version.

To Ms. Fairclough, Assembly Analyst Michael Gutierrez explained the primary differences between the original version and the S-1 Version dealt with the radius of notification around the area of pesticide use. The S-1 Version specified properties within one hundred fifty feet of a treated area needed to receive notice. It would be the responsibility of the Municipality for posting and distributing notices for pesticide application on any municipal property, not just parks and sports playing fields. It also addressed if postings were destroyed by vandalism or outside forces, the city would not be liable. To Ms. Fairclough, Mr. Gutierrez responded that mailings were now allowed in the notification process.

Chair Traini questioned the change made to the wind speed allowance when applying pesticides. Mr. Gutierrez responded the change was made to clarify the code to say simply five knots, instead of five knots per hour, which was redundant.

Referring to Page 2, Lines 38-40, Ms. Ossiander questioned the notification requirement for pesticide application to the exterior of a building. Mr. Tremaine addressed this concern with a proposed amendment to the sentence on Line 41.

Mr. Tremaine moved, to amend AO 2004-100(S-1), on Page 2, beginning on Line 41, to read: "...only those properties contiguous and adjacent to the treated property and within one hundred and fifty feet of a specific area to be sprayed need be noticed."

Mr. Tesche seconded,

Ms. Fairclough did not think this adequately covered the issue and moved to substitute another amendment, which Mr. Tremaine did not accept as friendly. Ms. Fairclough moved to substitute new language.

Ms. Fairclough moved, to amend AO 2004-100(S-1), *by inserting*, under D.5, "Notice not be given:" *to include*, "...if the pesticides or broadcast chemicals will be sprayed only on the exterior surface of a building and not more than four feet above grade and if the pesticide or broadcast chemical will not be applied..."

Ms. Ossiander seconded,
and this motion failed,

AYES: Fairclough, Stout and Ossiander.
NAYES: Whittle, Tremaine, Traini, Tesche, Jennings and Shamberg.
ABSENT: Sullivan and Coffey, excused.

Chair Traini returned the body to the Tremaine amendment.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Tesche, Stout, Jennings, Ossiander and Shamberg.
NAYES: Traini.
ABSENT: Sullivan and Coffey, excused.

With no further discussion, Chair Traini called for a vote on the main motion, as amended.

Mr. Whittle moved, to approve AO 2004-100(S-1), as amended
Mr. Tesche seconded,
and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: Traini.

ABSENT: Sullivan and Coffey, excused.

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

Mr. Tesche moved, for immediate reconsideration of AO 2004-100(S-1),
Mr. Tremaine seconded, as amended.
and this motion failed,

AYES: Fairclough, Traini, Stout and Ossiander.

NAYES: Whittle, Tremaine, Tesche, Jennings and Shamberg.

ABSENT: Sullivan and Coffey, excused.

12. APPEARANCE REQUESTS

12.A. Anchorage Youth Court, briefing by student leaders.

Erica Thorsness, Vice President, and Mike Simms, Chief Judge, reported on the Anchorage Youth Court (AYC). They distributed an annual report, a fact sheet and an invitation to their upcoming 15th anniversary celebration to Assemblymembers. The Anchorage Youth Court had been ranked high among youth-operated courts across the nation. The AYC began in 1989, with eighteen cases and had grown to over five hundred cases annually. Ms. Thorsness stated that they heard cases involving shoplifting, minor drug possession, criminal mischief, reckless driving and other misdemeanor crimes. Their calculation of student volunteer service hours was over seventy thousand hours. Ms. Thorsness explained that only 10.1 percent of the defendants recommitted crimes. Ms. Ossiander, who had been involved as an adult ex-officio member, praised the Youth Court and explained they did not have the funding to address more involved incidents. Mr. Tesche thought this had proven to be very successful and was assisting the State of Alaska Court System. He encouraged the team to consider expanding to include alcohol-related and traffic-related incidents and urged them to seek additional sponsors. Ms. Jennings requested a summary of the savings to other areas dealing with youth crimes.

12.B. Nicholas M. Bobo, regarding prohibition of aftermarket tinting on privately owned vehicles.

Nicholas M. Bobo felt the ordinance on tinted auto windows discriminated against personal preference and was unconstitutional. He had purchased a vehicle with tinted windows and had received two violations within the last six months. He urged the Assembly to change the Code. Anchorage Police Department Chief Monegan stated that police safety was an important issue and the Code had defined the degree of tinting darkness, explaining that the highest mortality rates of police officers were from domestic violence and from traffic stops. He stated the department allowed "fix-it" tickets, which meant if the windows were corrected, the ticket could be refunded.

12.C. Regina Manteufel, regarding boxing.

Regina Manteufel appeared to speak on recreational boxing. She voiced her concern with the lack of a boxing commission to govern or oversee boxing activities and to help monitor safety issues of the sport. She explained that boxers were no longer required to wear protective gear and were not weight-matched, which would eventually lead to injuries or death and potential liabilities for the municipality. To Mr. Tesche, Ms. Manteufel responded that safety monitoring officials could be hired and paid by the industry, from moneys collected from the promoters.

13. CONTINUED PUBLIC HEARINGS

13.A. Ordinance No. AO 2004-91, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.50.010, **Closing Hours for Licensed Premises**, to allow patrons to safely exit the premises, Assemblymember Fairclough. (*Public Hearing Closed 6-22-04 & Carried Over from 6-22-04*)

1. Assembly Memorandum No. AM 407-2004.

2. Ordinance No. AO 2004-91(S), an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 10.50.010, **Closing Hours for Licensed Premises**, to allow patrons to safely exit the premises, Assemblymember Fairclough. (*Laid on the Table*)

Chair Traini read the ordinance title and opened Public Hearing.

MARTI GREESON, Executive Director of Mothers Against Drunk Drivers (MADD), spoke against this ordinance. She encouraged the Assembly to take a bigger look at the influences of alcohol in our society, and examine how citizens would interpret keeping bar hours opened for an additional time. To Mr. Tesche, Ms. Greeson responded that MADD proposed to have the last call at two o'clock, and to maintain current closing hours. To Ms. Jennings, she responded that everyone had varying tolerances to alcohol.

JOHN PATTEE, owner of the Gaslight Lounge and the Avenue Bar, spoke on behalf of Anchorage CHARR, stating they were no longer supportive of this ordinance. While they had originally viewed this issue as a public safety issue and not an alcohol issue, after considerable review they were now concerned with the additional legal liabilities the industry was taking on. To Ms. Ms. Jennings, he responded that in his opinion the ordinance could not be amended to eliminate legal liability. To Mr. Tesche, Mr. Pattee responded there were organized efforts to assist drinkers to get

1 home safely. Recently the State of Alaska had passed legislation that enabled bars to take an active role to
2 discourage drunk driving.

3
4 With no additional public testimony, Chair Traini closed Public Hearing and called for a motion.

5
6 Ms. Fairclough moved, to approve AO 2004-91(S).
7 Mr. Tremaine seconded,
8

9 Ms. Fairclough thought the state law may be interpreted that assisting customers was already allowable. She stated
10 that it had been her intent to protect drinkers, to allow them to stay ~~[and finish their drinks]~~ after closing hours and miss
11 the mass exit when all the bars close. While she respected and agreed with Ms. Greeson and MADD on many
12 alcohol-related issues, she disagreed that this ordinance would increase awareness as advertising bars and alcohol,
13 and viewed it as simple common sense.

14
15 Mr. Tesche thought that any lengthening of bar hours would be sending the wrong message. He stated he would be
16 casting a NO-vote.

17
18 Ms. Fairclough had created this ordinance, with assistance of the Anchorage Police Department, to protect patrons.
19 She respected the industry's proposed risk of liability issue, and she would be happy withdraw her ordinance. She
20 thought that Alaska State Code 04.16.010.A already allowed patrons to wait for rides inside the establishment after
21 closing hours for safety and protection reasons. Assembly Attorney Gatti concurred. She proposed to postpone this
22 ordinance indefinitely.

23
24 Ms. Fairclough moved, to postpone indefinitely AO 2004-91(S).
25 Ms. Jennings seconded,
26

27 Mr. Tremaine stated he would reluctantly support the motion to postpone indefinitely.

28
29 Ms. Shamberg had supported this ordinance and was disappointed to see this ordinance postponed indefinitely.

30
31 Mr. Whittle thought they still needed to address some of the safety issues that remain with bar closing hours. He
32 encouraged the body to work together on the issues.

33
34 and this motion was passed,
35

36 AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings and Ossiander.
37 NAYES: Shamberg.
38 ABSENT: Sullivan and Coffey, excused.
39

40 13.B. Ordinance No. AO 2004-90, an ordinance approving the rezoning of 8.976 acres from R-3
41 (Multi-Family Residential) Zoning District to B-3 SL (General Business with Special Limitations) with
42 conditions for **Cook Subdivision, Tract B**, generally located in the southwest corner of East 40th
43 Avenue and Denali Street (Spenard Community Council) (Planning & Zoning Commission Case 2004-
44 004), Planning Department. *(Carried Over from 6-22-04)*
45 1. Assembly Memorandum No. AM 405-2004.
46

47 Chair Traini opened Public Hearing.

48
49 ROBERT AUTH, President of the Spenard Community Council, stated they had originally supported this issue, but
50 thought there had been too many changes. They had originally agreed with the decision that the property would be
51 purchased for a National Archives Building in conjunction with the park, allowing the rezone only for the government
52 building. But, this area now proposed a B-3 zoning with no limitations, which they opposed.

53
54 MARGRET AUTH, member of the Spenard Community Council, testified. She argued that their council had tried to
55 protect this area and was concerned the development's interests were now commercially driven. Their intent was to
56 maintain residential structures near commercial usage. To Ms. Ossiander, Ms. Auth responded that the amounts of
57 residential properties had lessened in the city, and this development may not be in compliance with the 2020 Plan.

58
59 TIM POTTER, of Dowl Engineers, had originally been involved with the rezone efforts with the community councils and
60 the Planning and Zoning Commission. He summarized that the National Archives had acquired the property as R-3,
61 with the anticipation that it might be rezoned to B-3. He explained the P&Z Commission had supported the rezone to
62 help meet their original design and development goals for that area, taking into consideration preservation of the park,
63 maintaining prohibited uses and setting requirements on size and construction of the proposed structure. To Ms.
64 Ossiander, Mr. Potter responded the Zoning Commission found it was inappropriate to have a single-use zoning
65 district and had dropped the limitation of only a government building. To Ms. Jennings, Mr. Potter responded that
66 while he was not before the Assembly representing the property owners, he was aware that the building was currently
67 in design, and it was not the owner's intent to deceive the residents of the area of their plans. To Ms. Shamberg, Mr.
68 Potter responded that the state legally could pursue, but had not, a PLI rezone because it would not have an impact on
69 their design or plans. Mr. Potter personally approved of the Archives location there, and thought it would be beneficial
70 to the community.

71
72 Chair Traini closed Public Hearing and called for a motion.

73
74 Ms. Jennings moved, to approve AO 2004-90.
75 Mr. Tesche seconded,
76

Mr. Tremaine stated he fully supported the National Archives investment and building on the property, but was not in favor of the B-3-SL zoning. He proposed postponement to allow further examine this issue. He proposed a change to make the property multiuse and rezoned to PLI.

Municipal Attorney Boness thought the title of the ordinance addressed the property as B-3 and there would be a conflict with the amendment changing it to a different zoning classification.

Mayor Begich stated the federal government was exempt from any zoning rules, but the Administration had been working closely with them and fully supported this development. And, while he understood Mr. Tremaine's intent, he thought it would conflict with the direction of the development and the park.

Chair Traini agreed that this development was a welcome addition to his district and he viewed it as an asset.

Assembly Attorney Gatti stated that if the zoning were to be changed again, it would have to be heard before the Planning Commission again. He thought that Mr. Potter and the Mayor were correct that the federal government was tax exempt.

Ms. Fairclough agreed with postponement, to be able to hear testimony of the property owner, but did not support the rezone to PLI. She welcomed bifurcation of Tremaine's proposed changes.

Mr. Tremaine moved, *to postpone* AO 2004-90 until July 20, 2004.
Ms. Shamberg seconded,
and this motion failed,

AYES: Fairclough, Tremaine and Stout.
NAYES: Whittle, Traini, Tesche, Jennings, Ossiander and Shamberg.
ABSENT: Sullivan and Coffey, excused.

Mr. Tremaine moved, *to amend* AO 2004-90, on Page 3, *by removing*
Ms. Shamberg seconded, ~~[special limitations]~~ and ~~[prohibited uses]~~ and on Page 1,
Line 12, *by changing* the preferred zoning to PLI.

Mr. Tremaine thought there were many benefits for the PLI zoning, which would help protect the park development, promote public use and put restrictions on business and industrial development that were unwanted.

and this motion failed,

AYES: Tremaine.
NAYES: Fairclough, Whittle, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.
ABSENT: Sullivan and Coffey, excused.

Chair Traini called for a vote on the main motion.

and this motion was passed,

AYES: Fairclough, Whittle, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.
NAYES: Tremaine.
ABSENT: Sullivan and Coffey, excused.

13.C. Resolution No. AR 2004-154, a resolution of the Municipality of Anchorage, Alaska adopting an
Unreserved Fund Balance Designation Policy, Office of Management & Budget.
1. Assembly Memorandum No. AM 479-2004. (*Carried Over from 6-22-04*)

Chair Traini opened Public Hearing.

ERIC BRITTEN, Chairman of the Municipal Budget Advisory Commission, spoke on the current fund balance policy. In the past the Advisory Commission had focused on fund balances in the major five areas, including Areawide, Fire, ARDSA, Police and Parks and Recreation. Over time the fund balances had been materially reduced to levels that have caused the commission concern. It was critically important for the levels not to decrease to cause rating agencies to decrease our bond ratings. He stated that the city had successfully found resourceful ways of stabilizing these funds, to not be so reliant on the oil industry. Mr. Britten summarized the commission's concern of the municipality's dependency on property taxes and the state as a safety net. The commission was concerned about the city's stability in the event of an unexpected occurrence, such as a hillside wildfire, an earthquake, a terrorist attack or unexpected winter snowstorms. The commission's proposal was to increase the general fund balance from the current 8.25% to a rate of 11% to 12%, as a percentage of total general fund revenues in the five major funds, to be able to mitigate unexpected revenue shortfalls or to pay for unexpected expenses.

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

Mr. Tesche moved, *to approve* AR 2004-154.
Mr. Tremaine seconded,

Mr. Tremaine thought it was important to maintain the savings account for security measures for the city and stated he would cast a YES-vote.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

1 NAYES: None.

2 ABSENT: Sullivan and Coffey, excused.

3
4 Mayor Begich thanked his Administration for their work on this policy, in particular Chief Fiscal Officer Jeff Sinz and his
5 staff.

6
7 Chair Traini called for a motion to change the order of the day to take up items 14.A through 14.D.

8
9 Mr. Tesche moved, to change the order of the day.

10 Mr. Stout seconded,

11 and this was unanimously approved,

12
13 13.D. Resolution No. AR 2004-153, a resolution of the Municipality of Anchorage appropriating \$3,859,746
14 of Unrestricted Net Assets as a contribution from the Equipment Maintenance Fund (601) to the
15 Areawide General Fund (101) Taxes and Reserves for \$64,608, the Anchorage Fire SA Fund (131)
16 Taxes and Reserves for \$1,359,722 and the Anchorage Metropolitan Police SA Fund (151) Taxes and
17 Reserves for \$2,435,416 to implement with the Municipality of Anchorage **Fund Balance Designation**
18 **Policy**, Office of Management & Budget.

19 1. Assembly Memorandum No. AM 478-2004. (*Carried Over from 6-22-04*)

20
21 Chair Traini opened Public Hearing. With no public testimony, he closed Public Hearing and called for a motion.

22
23 Ms. Fairclough moved, to approve AR 2004-153.

24 Mr. Tremaine seconded,

25
26 Ms. Ossiander stated that while she supported the Mayor's recommendation of maintaining healthy reserve funds, she
27 had hesitations of taking funding from the general fund and dispersing it into specific accounts which would only
28 benefit those people associated with those accounts. She proposed an amendment to help clarify this resolution, by
29 including additions to the outlying fire service areas.

30
31 Chair Traini requested legal advice if changes could be made to this resolution, which already listed specific
32 designations. Assembly Attorney Gatti responded that amendments should not be allowed which change the
33 designated funds already outlined in this resolution. Ms. Ossiander argued that her intent was not to change the first
34 section, dealing with the road districts. She was only addressing the definitions of fire service areas.

35
36 Ms. Ossiander moved, to amend AR 2004-153, by clarifying in Section 2, to read:
37 Mr. Tremaine seconded, "That sum of \$1,359,722 is appropriated Proportionately from
38 the Equipment Maintenance Fund (Fund 601) Unrestricted
39 Net Assets as a contribution to the Anchorage Fire SA Fund
40 (131), The Chugiak Fire SA Fund (0104), and the Girdwood
41 Valley SA (0106) Taxes and Reserves to implement the
42 Municipality of Anchorage Fund Balance Designation Policy."

43
44 Mayor Begich opposed this amendment. He stated their objective was to protect the five major funds which carried the
45 bond indebtedness. He stated that these service areas mentioned by Ms. Ossiander had already been established as
46 reserve accounts, and possessed their own taxing authority.

47
48 Ms. Shamberg stated that while she supported the parity issue, she would not support the amendment after hearing
49 the legal opinion from Mr. Gatti.

50
51 To Ms. Jennings, Chief Fiscal Officer Sinz stated that currently the outlying fire service areas had in excess of what
52 was necessary to maintain the policy. The Chugiak Fire Service Area was in a high-fund balance position because
53 they were saving money to support capital expansion.

54
55 Mr. Tremaine supported the idea of equality of fund balances. He felt the Administration could make assurances that
56 those areas would be reevaluated, to redirect funding and allow more relief to the taxpayers in those areas.

57
58 Ms. Fairclough agreed with Ms. Ossiander that some service areas felt discrimination with this ordinance, but she
59 thought the Administration had honored service areas and taken them outside the tax cap to show fairness.

60
61 Mayor Begich did not support a substitute version and he would not support postponement. The Administration would
62 include presentations of fund balance with the budget presentation. He felt the item currently before the body was an
63 important element of their policy for long range financial stability.

64
65 Ms. Ossiander moved, to postpone AR 2004-153 until August 3, 2004.

66 Ms. Fairclough seconded,

67
68 Mr. Tesche opposed postponement. He felt the issue before the Assembly had been well thought out by the
69 Administration.

70
71 Chair Traini called for a vote on the Ossiander motion to postpone.

72
73 and this motion failed,

74
75 AYES: Fairclough, Tremaine and Ossiander.

76 NAYES: Whittle, Traini, Tesche Stout, Jennings and Shamberg.

77 ABSENT: Sullivan and Coffey, excused.

78

Chair Traini called for a vote on the Ossiander amendment to include Chugiak, Eagle River and Girdwood in the Anchorage Fire Service Area Fund.

and the motion failed,

AYES: Fairclough, Tremaine and Ossiander.

NAYES: Whittle, Traini, Tesche Stout, Jennings and Shamberg.

ABSENT: Sullivan and Coffey, excused.

Ms. Fairclough wanted to state for the record that she appreciated all support the Begich Administration had accomplished to establish service areas. Ms. Ossiander concurred.

Chair Traini called for a vote on the main motion.

Ms. Fairclough moved, to approve AR 2004-153.

Mr. Tremaine seconded,

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings and Ossiander.

NAYES: Shamberg.

ABSENT: Sullivan and Coffey, excused.

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

Mr. Tesche moved, for immediate reconsideration of AR 2004-153.

Ms. Jennings seconded,

and this motion failed,

AYES: Fairclough and Ossiander.

NAYES: Whittle, Tremaine, Traini, Tesche, Stout, Jennings and Shamberg.

ABSENT: Sullivan and Coffey, excused.

14. NEW PUBLIC HEARINGS

14.A. Resolution No. AR 2004-151, a resolution of the Municipality of Anchorage, Alaska, approving the **Viking Drive Water Intertie** and providing for assessment of benefited properties at time of service connection, Anchorage Water and Wastewater Utility.

1. Assembly Memorandum No. AM 471-2004.

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

Mr. Tesche moved, to approve AR 2004-151.

Mr. Jennings seconded,

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

14.B. Resolution No. AR 2004-160, a resolution authorizing the Municipality of Anchorage, Public Transportation Department to file for a Federal Transit Administration Section 5303 Metropolitan Planning Program grant, enter into a Transfer of Responsibilities Agreement in the amount of \$225,343 with the Department of Transportation and Public Facilities, State of Alaska, and to appropriate these funds along with \$56,336 for required local matching funds from the Public Transportation Department's 2004 Operating Budget to the State Categorical Grants Fund (231) for financing of the **Transit Planning Program**, Public Transportation Department.

1. Assembly Memorandum No. AM 498-2004.

Chair Traini opened Public Hearing. With no public testimony he closed Public Hearing and called for a motion.

Ms. Jennings moved, to approve AR 2004-160.

Ms. Ossiander seconded,

To Ms. Fairclough, Municipal Public Transportation Director Thomas Wilson responded that the route restructure mentioned in the memorandum was not a specific study but was the on-going, routine route structure analysis that was part of their planning process and part of their day-to-day functions. He summarized itemizations of the study.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

14.C. Resolution No. AR 2004-164, a resolution of the Municipality of Anchorage accepting when tendered \$3,709,750 from the Federal Aviation Administration Airport Improvement Program grant, and \$97,625 from the State of Alaska Department of Transportation and Public Facilities grant; and appropriating said grants and \$97,625 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement Fund for the **2004 Merrill Field Expand Aprons and Security Improvements** and revising the 2004 Merrill Field Capital Improvement Budget (581), Merrill Field Airport.

1. Assembly Memorandum No. AM 500-2004.

Chair Traini opened Public Hearing. With no public testimony he closed Public Hearing and called for a motion.

Ms. Fairclough moved, to approve AR 2004-164.
Mr. Tremaine seconded,

To Chair Traini, Mayor Begich responded the funds for this item were not currently using Homeland Security moneys. He stated that, of the \$36 million dollars allocated to Alaska from the Federal Division of Homeland Security, only \$4 million had actually had been received by the city. Chair Traini responded that this issue had been addressed at the Mayor's Conference to encourage the federal government bypass the state and to fund directly to large cities.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

14.D. Ordinance No. AO 2004-102, an ordinance of the Anchorage Municipal Assembly authorizing the long term lease between the Municipality of Anchorage as lessor and **Executive Hangars Owners Association**, an Alaska Non-Profit Corporation, as lessee of Lot 1 Block 8, Merrill Field Replat, located between Runway 15/33 and Merrill Field Drive, Merrill Field Airport.

1. Assembly Memorandum No. AM 497-2004.

Chair Traini opened Public Hearing. With no public testimony he closed Public Hearing and called for a motion.

Ms. Fairclough moved, to approve AO 2004-102.
Mr. Tremaine seconded,

Ms. Fairclough requested that a new summary of economic effects would be included in the old ordinance.

and this motion was passed,

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

15. SPECIAL ORDERS None.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION

CODY DOWNS, resident of the Bayshore Area, thanked the Assembly for passage of the recent ordinance controlling the dog noise. The ordinance had helped out his neighborhood.

LORI JOHNSTON testified that the Northeast Community Council District did not have access to the democratic process as compared with the rest of the city. Because the district had over 25,000 residents, there were too many people to achieve a local, productive forum. She urged the Assembly to reduce the size of the district so Muldoon residents would have a better opportunity to be involved on the local level and have their questions answered. She also argued that citizens of Muldoon were not given the chance to vote on tax bond issues for their area. Ms. Ossiander assured her that she was addressing the issue of citizen involvement. She invited Ms. Johnston to attend a worksession on the Creekside Town Center, scheduled on July 16, 2004, at City Hall Assembly Conference Room. Mr. Stout thanked her for addressing the size of the community council, and would review her concern.

Ms. Fairclough explained the tax increment financing (TIF) was a method that a developer could institute in preparing a project to go forward. Mayor Begich explained the Municipality's role with TIFs involved setting up the ordinance process. Municipal Attorney Boness added that the process applied to limited sets of parcels, but the particular parcel and the size depended on the project. The ordinance was ultimately adapted to implement the specifics of the project. Assembly Attorney Gatti stated that Alaska State Statute 29.47.460, which addressed debt for improvement area projects, involved the Municipality issuing bonds to finance the various projects in the improvement areas. Mr. Tremaine requested that the Administration present an explanation at the worksession, scheduled on the 16th, so the public would be able to have some of their questions answered. Mr. Tremaine explained there were approximately five property owners in the area of the Creekside Town Center and it was his assumption that those were five properties would be involved with the TIF.

To Ms. Jennings, Chair Traini explained the process changing council district lines involved drafting an ordinance, which was reviewed by the Planning and Zoning Commission, then approved by the Assembly. Ms. Fairclough reminded the Chair of the most recent district boundary change, which was a very extensive process.

18. ASSEMBLY COMMENTS

Ms. Jennings thanked the students, staff and families of the Muldoon Elementary School for the clip-organizer.

Ms. Ossiander announced a public invitation to the upcoming Bear Paw Festival. This event, hosted by her district, would be held in Eagle River the next weekend. Ms. Fairclough would be judging the stinky feet contest and Ms. Ossiander would be parade security.

Ms. Fairclough thanked the Administration and Elmendorf Air Force Base for the recent Air Show, featuring the Blue Angels. She mentioned her participation, along with Ms. Ossiander's, in the Chugiak 4th of July Parade.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Traini called for a motion to adjourn the meeting.

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

AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander and Shamberg.

NAYES: None.

ABSENT: Sullivan and Coffey, excused.

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

ATTEST:

DICK TRAINI, Assembly Chair

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