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

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

**Minutes for Regular Meeting of November 9, 2004**

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16

**1. CALL TO ORDER**

17 The Assembly Meeting was convened by Chair Traini at 4:08 p.m. in the Assembly Chambers, Room 108 of the  
18 Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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

22 PRESENT: Anna Fairclough (*arriving at 4:45 p.m.*), Brian Whittle, Dan Sullivan, Dick Traini, Allan Tesche, Ken Stout  
23 (*arriving shortly after Roll Call*), Pamela Jennings, Debbie Ossiander, Janice Shamberg and Dan Coffey.  
24 ABSENT: Dick Tremaine, excused. (*Mr. Tremaine returned to Anchorage and joined the meeting at 6:57 p.m.*)  
25

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27

**3. PLEDGE OF ALLEGIANCE** Assemblymember Whittle led the pledge.

28

**4. MINUTES OF PREVIOUS MEETINGS**

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30

4.A. Regular Meeting – August 12, 2003

31 Mr. Tesche moved, to approve the Regular Meeting Minutes of August 12, 2003.  
32 Mr. Whittle seconded,  
33 and this motion was passed unanimously,  
34 with Jennings, Stout, Ossiander and Coffey abstaining,  
35 and Tremaine and Fairclough temporarily absent,

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4.B. Regular Meeting – August 17, 2004

38 Mr. Tesche moved, to approve the Regular Meeting Minutes of  
39 Mr. Coffey seconded, August 17, 2004, as amended.  
40 and this motion was passed unanimously,  
41 with Tremaine and Fairclough temporarily absent,

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4.C. Regular Meeting – September 7, 2004

44 Mr. Tesche moved, to approve the Regular Meeting Minutes of  
45 Mr. Coffey seconded, September 7, 2004, as amended.  
46 and this motion was passed unanimously,  
47 with Tremaine and Fairclough temporarily absent,

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**5. MAYOR'S REPORT**

50 Chair Traini announced that both Mayor Begich and Assemblymember Tremaine were returning that evening from the  
51 Alaska Municipal League Conference in Fairbanks.  
52

53  
54

**6. ASSEMBLY CHAIR'S REPORT**

55 Chair Traini welcomed newly appointed members of the Youth Advisory Board, including Cody Graham, Kelli  
56 Hallgrimson and Cullen Hayes. He thanked these young adults for their dedication and remarked how valued and  
57 important their services were to the city.  
58

59  
60

**7. COMMITTEE REPORTS**

61 Mr. Coffey, Co-Chair of the Budget Committee, reminded Assemblymembers that all final amendments to the Budget  
62 should be given to Assembly Budget Director Elvi Gray-Jackson by noon on Wednesday. To Mr. Tesche, Ms. Gray-  
63 Jackson responded that the Budget Worksession was scheduled for Friday, November 12<sup>th</sup> from 2:00 to 4:00 p.m.  
64

65 Chair Traini announced that the next Assembly Meeting, scheduled for November 16, 2004, would begin at 4:00 p.m.,  
66 to allow time to get through the long Agenda.  
67

68  
69

**8. ADDENDUM TO AGENDA**

70 Chair Traini called for a motion and read the Addendum items. He called for additional items and Ms. Shamberg  
71 requested AR 2004-295 be added. The Chair assigned this item Agenda Number 9.A.3. There being no additional  
72 Addendum items, he called for a vote to incorporate the Addendum into the Regular Agenda.  
73

74 Mr. Tesche moved, to approve the inclusion of the Addendum into the  
75 Ms. Ossiander seconded, Regular Agenda.  
76 and this motion was passed,  
77

1 AYES: Whittle, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.  
2 NAYES: None.  
3 ABSENT: Tremaine and Fairclough, temporarily absent.

4  
5 Chair Traini called for a motion on the Consent Agenda.

6  
7 Mr. Tesche moved, to approve the Consent Agenda.  
8 Ms. Ossiander seconded,

9  
10 Chair Traini called for Assemblymembers to request items be pulled and moved to the Regular Agenda for discussion.

11  
12 **9. CONSENT AGENDA**

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

14 9.A.1. Resolution No. AR 2004-272, a resolution of the Anchorage Municipal Assembly recognizing and  
15 honoring **Anna D. Traylor** for her 20 years of service with the Municipality of Anchorage; Mayor  
16 Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan,  
17 Tesche, Traini, Tremaine and Whittle.

18  
19 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See Item 10.A.1*)

20  
21 9.A.2. Resolution No. AR 2004-283, a resolution of the Anchorage Municipal Assembly recognizing  
22 Anchorage Water and Wastewater Utility for its **achievement of excellence** from the Association of  
23 Metropolitan Water Agencies; Mayor Begich, Assemblymembers Coffey, Fairclough, Jennings,  
24 Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (**Addendum**)  
25 a. Information Memorandum No. AIM 101-2004.

26  
27 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See Item 10.A.2*)

28  
29 9.A.3. Resolution No. AR 2004-295, a resolution of the Anchorage Municipal Assembly honoring and  
30 congratulating the board and staff of the **Safe Harbor Inn**; Mayor Begich, Assemblymembers  
31 Jennings, Coffey, Fairclough, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and  
32 Whittle. (**Laid on the Table**)

33  
34 Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (*See Item 10.A.3*)

35  
36 **9.B. RESOLUTIONS FOR ACTION - OTHER**

37 9.B.1. Resolution No. AR 2004-273, a resolution of the Anchorage Municipal Assembly appropriating  
38 \$47,000 from the State of Alaska, Department of Commerce, Community and Economic Development,  
39 to the State Categorical Grant Fund (231) for continuing implementation of the **Anchorage Coastal**  
40 **Management Program**; Planning Department.

41 a. Assembly Memorandum No. AM 810-2004.

42 9.B.2. Resolution No. AR 2004-282, a resolution of the Anchorage Municipal Assembly revising the 2004  
43 General Government Operating Budget by appropriating \$53,150 from Areawide General Fund (101)  
44 Balance to the Department of Assembly to cover the costs for the **2004 Independent Audit**;  
45 Assemblymember Shamberg. (**Addendum**)

46 a. Assembly Memorandum No. AM 825-2004.

47 9.B.3. Resolution No. AR 2004-284, a resolution of the Anchorage Municipal Assembly stating its temporary  
48 non-objection to a transfer of ownership and relocation of a beverage dispensary liquor license from  
49 H&H Development DBA Houlihans of Alaska to **El Tango Inc.** located at 4300 Old Seward Highway;  
50 Assembly Chair Traini. (**Addendum**)

51 9.B.4. Resolution No. AR 2004-285, a resolution of the Anchorage Municipal Assembly stating its temporary  
52 non-objection to a conditional use permit for a beverage dispensary liquor license for El Tango Inc.  
53 DBA **El Tango**, located at 4300 Old Seward Highway, Anchorage; Chair Traini. (**Addendum**)

54  
55 **9.C. BID AWARDS**

56 9.C.1. Assembly Memorandum No. AM 795-2004, recommendation of award to Pruhs Corporation for the  
57 **Viking Drive Water Intertie (Schedule A) and Viking Drive Miscellaneous Wastewater**  
58 **Improvements (Schedule B)** for the Municipality of Anchorage, Anchorage Water & Wastewater  
59 Utility (ITB 24-C048) (\$137,578.41); Purchasing.

60 9.C.2. Assembly Memorandum No. AM 796-2004, recommendation of award to Univar USA, Inc. for  
61 providing **liquid magnesium chloride and liquid potassium acetate** to the Municipality of  
62 Anchorage, Maintenance & Operations Department on an "as needed" basis (ITB 24-B059)  
63 (\$406,800/yr); Purchasing.

64  
65 Ms. Jennings requested this item be pulled for review on the Regular Agenda. (*See item 10.C.2*)

66  
67 9.C.3. Assembly Memorandum No. AM 797-2004, recommendation of award to Siemens Power T & D for  
68 providing 34.5 KV and 115KV **circuit breakers** to the Municipality of Anchorage, Municipal Light &  
69 Power (ITB 24-B050) (\$333,400); Purchasing.

70 9.C.4. Assembly Memorandum No. AM 826-2004, recommendation of award to Anchorage Roofing &  
71 Contracting, Inc. for **Transit Administration roof repair** for the Municipality of Anchorage,  
72 Maintenance & Operations Department (ITB 24-C057)(\$224,798); Purchasing. (**Addendum**)

73 9.C.5. Assembly Memorandum No. AM 827-2004, recommendation of award to Sterling & Western Star of  
74 Alaska and HME Alaska for furnishing **transfer tractors and trailers** to the Municipality of Anchorage,  
75 Solid Waste Services (ITB 24-B062) (\$469,255.50); Purchasing. (**Addendum**)

76  
77 **9.D. NEW BUSINESS**

- 1 9.D.1. Assembly Memorandum No. AM 798-2004, **SRW Homeowners' Limited Road Service Area Board**  
2 **of Supervisors** appointments (Steve Dombrowski, Joe Lepley, Jeannie Molitor); Mayor's Office.  
3 9.D.2. Assembly Memorandum No. AM 820-2004, **Girdwood Board of Supervisors** appointment (Marcus  
4 Tingle); Mayor's Office.  
5 9.D.3. Assembly Memorandum No. AM 821-2004, **School Board Advisory Commission** appointment (Jan  
6 Gehler); Mayor's Office.  
7 9.D.4. Assembly Memorandum No. AM 822-2004, **Youth Advisory Commission** appointments (Cullen  
8 Hayes, Kelli Hallgrimson, Cody Graham); Mayor's Office.  
9 9.D.5. Assembly Memorandum No. AM 823-2004, **Cooperative Services Authority Director** appointment  
10 (Paul Wiltse); Mayor's Office.  
11 9.D.6. Assembly Memorandum No. AM 799-2004, **Tiffany's Café #4450 – New Restaurant/Eating Place &**  
12 **Restaurant Designation Liquor License** (Spenard, North Star, Roger's Park and Midtown Community  
13 Councils); Clerk's Office.  
14 9.D.7. Assembly Memorandum No. AM 800-2004, **Jalepenos Mexican Restaurant #3766 – Transfer of**  
15 **Ownership & Name Change for a Restaurant/Eating Place & Restaurant Designation Liquor License**  
16 (Eagle River & Chugiak Community Councils); Clerk's Office.  
17 9.D.8. Assembly Memorandum No. AM 801-2004, Change Order No. 1 to Purchase Order 240046 with  
18 Girdwood Volunteer Fire & Rescue, Inc. to provide **fire, rescue and emergency medical services** in  
19 the Girdwood Fire Service Area for the Municipality of Anchorage, Anchorage Fire Department  
20 (\$105,000); Purchasing.  
21 9.D.9. Assembly Memorandum No. AM 802-2004, proprietary purchase with CUES TV for providing a  
22 **retrofit and upgrade** for the existing vehicle mounted closed circuit television equipment to the  
23 Municipality of Anchorage, Anchorage Water & Wastewater Utility (\$52,370); Purchasing.  
24 9.D.10. Assembly Memorandum No. AM 803-2004, recommendation of award to Speedware Corporation, Inc.  
25 for providing **Hewlett Packard (HP) 3000 Migration Services** to the Municipality of Anchorage,  
26 Municipal Light & Power (RFP 24-P029) (\$518,345); Purchasing.  
27

28 Mr. Whittle requested this item be pulled for review on the Regular Agenda. (See item 10.D.10)

- 29  
30 9.D.11. Assembly Memorandum No. AM 804-2004, Change Order No. 1 to Vendor Contract 24MLP097 with  
31 Pre Cast Concrete Company, Inc. for furnishing **concrete products** to the Municipality of Anchorage,  
32 Municipal Light & Power (ML&P) (\$75,000); Purchasing.  
33 9.D.12. Assembly Memorandum No. AM 805-2004, approval of Amendment No. 4 to Anderson Brothers  
34 contract (P.O. No. 240154) increasing the contract amount by \$700,000 for an amount Not-To-Exceed  
35 (NTE) \$16,700,000 for maintenance, repair and improvement of rural roads within the **Chugiak**  
36 **Birchwood Eagle River Rural Road Service Area (CBERRRSA)**; Maintenance & Operations  
37 Department.  
38 9.D.13. Assembly Memorandum No. AM 806-2004, Amendment No. 3 to professional engineering services  
39 contract with DOWL Engineers, **West Northern Lights Boulevard Upgrade, Nathaniel Court to**  
40 **Wisconsin Street**, Project No. 01-10 (\$187,668); Project Management & Engineering.  
41 9.D.14. Assembly Memorandum No. AM 807-2004, Change Order No. 1 to Vendor Contract 24PDC086 with  
42 Anchorage Permit & Development Center for furnishing **miscellaneous building maintenance** to the  
43 Municipality of Anchorage, Project Management & Engineering (\$15,000); Purchasing.  
44 9.D.15. Assembly Memorandum No. AM 808-2004, contract Amendment No. 5 to Purchase Order 231576  
45 with Paratransit Services Inc. for providing a coordinated transportation system "**AnchorRIDES**" for  
46 the Municipality of Anchorage, Public Transportation Department (\$22,746); Purchasing.  
47 9.D.16. Assembly Memorandum No. AM 809-2004, proprietary purchase with Ecology & Environment, Inc. for  
48 providing professional technical support for **emergency management exercises** to the Municipality of  
49 Anchorage, Municipal Manager's Office (\$140,000); Purchasing.  
50

51 This item was approved on the Consent Agenda. Later in the meeting Mr. Coffey moved, it was seconded by Ms.  
52 Fairclough and was unanimously approved for reconsideration by the Assembly. (See item 10.D.15)

- 53  
54 9.D.17. Assembly Memorandum No. AM 824-2004, recommendation of award to KPMG LLP to perform an  
55 **Independent Financial Statement Audit, Federal Single Audit, and State Single Audit** for the  
56 Municipality of Anchorage, Anchorage Assembly, Budget Legislative Services (RFP 24-P049)  
57 (\$596,760); Purchasing. (**Addendum**)  
58

59 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.17)

- 60  
61 9.D.18. Assembly Memorandum No. AM 828-2004, Change Order No. 2 to Vendor Contract 22ASC148 with  
62 Downtown Legal Copies for furnishing **printing/reproduction services** to the Municipality of  
63 Anchorage; Purchasing Department (\$137,521.25). (**Addendum**)  
64 9.D.19. Assembly Memorandum No. AM 829-2004, recommendation of award to **Premera Blue Cross Blue**  
65 **Shield of Alaska** (Premera) for providing third party administration and preferred provider services to  
66 the Municipality of Anchorage, Employee Relations Department (RFP 24-P043) (\$1,633,585);  
67 Purchasing. (**Addendum**)  
68

69 Ms. Shamborg, on behalf of Mr. Tremaine, requested this item be pulled for review on the Regular Agenda. (See item  
70 10.D.19)

- 71  
72 9.D.20. Assembly Memorandum No. AM 830-2004, Calendar Year 2005 Change Orders with Aetna US Health  
73 Care and Life Wise Insurance Company for providing **employee life and long and short term**  
74 **disability coverage** for the Municipality of Anchorage, Employee Relations Department (\$1,263,871);  
75 Purchasing. (**Addendum**)  
76 9.D.21. Assembly Memorandum No. AM 831-2004, Contract Amendment No. 6 to Vendor Contract  
77 20CRS428 with Baker & Taylor, Inc. for providing **library materials** to the Municipality of Anchorage,

Office of Economic & Community Development, Library Department (\$320,000); Purchasing.  
**(Addendum)**

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.21)

- 9.D.22. Assembly Memorandum No. AM 832-2004, proprietary purchase with DOWL Engineers, Inc. to provide professional services for **surveying and platting of the fragment lot site plan** for the Municipality of Anchorage, Port of Anchorage (\$52,330); Purchasing. **(Addendum)**
- 9.D.23. Assembly Memorandum No. AM 833-2004, Amendment No. 3 (Purchase Order 240627) with Avail Technologies, Inc. for providing **advanced operating system integration services** for the Municipality of Anchorage, Public Transportation Department (\$110,800); Purchasing. **(Addendum)**
- 9.D.24. Assembly Memorandum No. AM 834-2004, proprietary purchase with Craig Taylor Company for furnishing a **Bobcat utility work machine** to the Municipality of Anchorage, Solid Waste Services (\$49,435); Purchasing. **(Addendum)**
- 9.D.25. Assembly Memorandum No. AM 835-2004, Assembly approval of Cooperative Service Authority's **lease** of 1,510 square feet of lease space located at 125 E. International Airport Road; Finance. **(Addendum)**

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (See item 10.D.25)

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

- 9.E.1. Information Memorandum No. AIM 95-2004, **contracts awarded between \$50,000 and \$100,000 through formal competitive processes** for the month of September 2004; Purchasing.
- 9.E.2. Information Memorandum No. AIM 96-2004, **Sole Source Procurement Report** for the month of September 2004; Purchasing.
- 9.E.3. Information Memorandum No. AIM 97-2004, Notice of Award for **97<sup>th</sup> Avenue Storm Drain Reconstruction at Minnesota Drive** for the Municipality of Anchorage, Project Management & Engineering; Purchasing.
- 9.E.4. Information Memorandum No. AIM 98-2004, **2<sup>nd</sup> and 3<sup>rd</sup> Quarter Bar Violation Report**; Anchorage Police Department.
- 9.E.5. Information Memorandum No. AIM 99-2004, Assembly Request for information regarding **Animal Care and Control Hearing Decisions**; Health and Human Services.
- 9.E.6. Information Memorandum No. AIM 100-2004, Notice of Award for Invitation to Bid (ITB) 24-C061 to Wilder Construction Company for **97<sup>th</sup> Avenue Storm Drain Reconstruction at Minnesota Drive** for the Municipality of Anchorage; Project Management & Engineering (ITB 24-C061 - \$498,660); Purchasing. **(Addendum)**

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

- 9.F.1. Ordinance No. AO 2004-136, an ordinance amending Anchorage Municipal Code 3.20 relating to the **Organization of the Executive Branch**; Office of Economic & Community Development. (*Public Hearing set for 12-7-04*)
  - a. Assembly Memorandum No. AM 712-2004.
- 9.F.2. Ordinance No. AO 2004-137, an ordinance submitting to the qualified voters residing in the **South Goldenview Limited Road Service Area** (LRSA), a ballot proposition at the Regular Municipal Election of April 5, 2005 to impose a maximum 1.80 mill levy rate for the South Goldenview LRSA, effective retroactively as of January 1, 2005 and amending Anchorage Municipal Code Subsection 27.30.280; Maintenance & Operations Department. (*Public Hearing set for 12-7-04*)
  - a. Assembly Memorandum No. AM 811-2004.
- 9.F.3. Resolution No. AR 2004-274, a resolution of the Anchorage Municipal Assembly appropriating \$128,175 from the U.S. Department Justice, Office of Justice Programs, Local Law Enforcement Block Grant and \$21,862 as a contribution from the Anchorage Metropolitan Police Service Area Fund (151), Anchorage Police Department 2004 Operating Budget, to the Federal Categorical Grants Fund (241), Anchorage Police Department for the purpose of **underwriting projects** to reduce crime and improve public safety. (*Public Hearing set for 11-06-04*)
  - a. Assembly Memorandum No. AM 812-2004.
- 9.F.4. Resolution No. AR 2004-275, a resolution of the Municipality of Anchorage appropriating \$1,978,955 as a grant from the U.S. Department of Justice, Bureau of Justice Assistance, to the Federal Categorical Grants Fund (241), Department of Health and Human Services to fund the **Sexual Assault Response Team (SART) Program**. (*Public Hearing set for 11-16-04*)
  - a. Assembly Memorandum No. AM 813-2004.
- 9.F.5. Resolution No. AR 2004-276, a resolution of the Municipality of Anchorage appropriating \$1,006,000 as a grant award from the Alaska Department of Health and Social Services to the State Categorical Grants Fund (231) Department of Health and Human Services to fund the **Child Care Assistance Program**. (*Public Hearing set for 11-16-04*)
  - a. Assembly Memorandum No. AM 814-2004.
- 9.F.6. Resolution No. AR 2004-277, a resolution of the Municipality of Anchorage appropriating \$950,563 from the Alaska Department of Health and Social Services as a grant to the State Categorical Grants Fund (231), Department of Health and Human Services to fund **Community Health Nursing Services**. (*Public Hearing set for 11-16-04*)
  - a. Assembly Memorandum No. AM 815-2004.
- 9.F.7. Resolution No. AR 2004-278, a resolution of the Municipality of Anchorage accepting and appropriating \$1,740,000 as a grant from the Alaska Department of Fish and Game, to the Anchorage Roads and Drainage Service Area Fund (441) for the **Ship Creek Crossing Project**; Project Management & Engineering. (*Public Hearing set for 11-16-04*)
  - a. Assembly Memorandum No. AM 816-2004.
- 9.F.8. Resolution No. AR 2004-279, a resolution of the Municipality of Anchorage appropriating \$300,000 from the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Fund Balance (Fund 119)

1 to the CBERRRSA 2004 Operating Budget (FUND 119) for **CBERRRSA 2004 summer and winter**  
2 **road maintenance work**; Maintenance & Operations Department. (*Public Hearing 11-16-04*)

3 a. Assembly Memorandum No. AM 817-2004.

4 9.F.9. Resolution No. AR 2004-280, a resolution of the Municipality of Anchorage appropriating \$284,555 from  
5 the State of Alaska, Department of Transportation (DOTPF) to the Municipality of Anchorage (MOA),  
6 State Categorical Grants Fund 231 and authorizing the Transfer of Responsibility Agreement (TORA)  
7 with the DOTPF for the purpose of **PM 10 control**; Maintenance & Operations Department. (*Public*  
8 *Hearing set for 11-16-04*)

9 a. Assembly Memorandum No. AM 818-2004.

10 9.F.10. Resolution No. AR 2004-281, a resolution of the Municipality of Anchorage appropriating \$97,504 from  
11 the Anchorage Museum Foundation and \$6,360 as a contribution from the CY04 Museum Operating  
12 Budget, Areawide General Fund (101) for administrative fees to Miscellaneous Operational Grants  
13 Fund 261 to fund the **Curator of History** for the Anchorage Museum of History and Art (\$103,864);  
14 Office of Economic & Community Development. (*Public Hearing set for 11-16-04*)

15 a. Assembly Memorandum No. AM 819-2004.

16 9.F.11. Ordinance No. AO 2004-153, an ordinance of the Municipality of Anchorage amending Anchorage  
17 Municipal Code Section 11.60.200 to adjust **mandatory airport fees and charges** and supporting  
18 airport lease rate increases; Merrill Field Airport. (*Public Hearing set for 12-07-04*) (**Addendum**)

19 a. Assembly Memorandum No. AM 836-2004.

20 9.F.12. Ordinance No. AO 2004-154, an ordinance amending Anchorage Municipal Code Chapter 11.60 to  
21 add a new section setting the **Municipal Enterprise Service Assessment (MESA)** calculation for  
22 municipal airports; Office of Management & Budget. (*Public Hearing 12-07-04*) (**Addendum**)

23 a. Assembly Memorandum No. AM 837-2004.

24  
25 Chair Traini called for a motion to approve the remainder of Consent Agenda.

26  
27 Mr. Tesche moved, to approve the Consent Agenda, as amended.  
28 Ms. Ossiander seconded,  
29 and this was unanimously passed,  
30 with Tremaine and Fairclough temporarily absent,

31  
32 Chair Traini announced the unanimous approval of the amended Consent Agenda, with the exception of the pulled  
33 items and proceeded into discussion of those items.

#### 34 35 **END OF CONSENT AGENDA**

### 36 37 38 **10. REGULAR AGENDA**

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

40 10.A.1. Resolution No. AR 2004-272, a resolution of the Anchorage Municipal Assembly recognizing and  
41 honoring **Anna D. Traylor** for her 20 years of service with the Municipality of Anchorage; Mayor  
42 Begich, Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan,  
43 Tesche, Traini, Tremaine and Whittle.

44  
45 Chair Traini read this resolution title and called for a motion.

46  
47 Mr. Tesche moved, to approve AR 2004-272.  
48 Ms. Ossiander seconded,  
49 and this was unanimously passed,  
50 with Fairclough and Tremaine temporarily absent,

51  
52 Mr. Tesche read the resolution and Ms. Ossiander presented the award to Ms. Anna Traylor, honoring her for twenty  
53 years of service with the Municipality. Ms. Traylor thanked the Assembly, accepted the resolution and acknowledged  
54 AWWU General Manager Mark Premo for being a good supervisor.

55  
56 10.A.2. Resolution No. AR 2004-283, a resolution of the Anchorage Municipal Assembly recognizing  
57 Anchorage Water and Wastewater Utility for its **achievement of excellence** from the Association of  
58 Metropolitan Water Agencies; Mayor Begich, Assemblymembers Coffey, Fairclough, Jennings,  
59 Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (**Addendum**)

60 a. Information Memorandum No. AIM 101-2004.

61  
62 Chair Traini read this resolution title and called for a motion.

63  
64 Ms. Ossiander moved, to approve AR 2004-283, as amended.  
65 Mr. Tesche seconded,  
66 and this was unanimously passed,  
67 with Fairclough and Tremaine temporarily absent,

68  
69 Mr. Whittle read the resolution and Mr. Sullivan presented the award for outstanding achievement to Anchorage Water  
70 and Wastewater Utility. General Manager Mark Premo accepted the recognition on behalf of AWWU and thanked the  
71 Assembly and the Administration for their acknowledgement. Mr. Whittle stated that he had recently joined a national  
72 committee studying water and wastewater systems and Anchorage was known to have a superior system. He felt it  
73 was important for citizens to understand that the AWWU was recognized as a leader in the nation. Mr. Sullivan  
74 requested an administrative correction be made on Page 1, Line 26, to show "401" instead of "40."

75  
76 10.A.3. Resolution No. AR 2004-295 a resolution of the Anchorage Municipal Assembly honoring and  
77 congratulating the board and staff of the **Safe Harbor Inn**; Mayor Begich, Assemblymembers

1 Jennings, Coffey, Fairclough, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and  
2 Whittle.

3  
4 Chair Traini read this resolution title and called for a motion.

5  
6 Ms. Shamberg moved, to approve AR 2004-295.  
7 Mr. Tesche seconded,  
8 and this was unanimously passed,  
9 with Fairclough and Tremaine temporarily absent,

10  
11 Ms. Shamberg read the resolution and Ms. Jennings made the presentation, honoring the Safe Harbor Inn. Ms. Lynne  
12 Ballew, founder of the Safe Harbor Inn, accepted the award on behalf of the board and staff and thanked the Assembly  
13 for their support and recognition of their efforts of ending homelessness in Anchorage. She stated they still needed  
14 support and recommended issuing bus passes and tokens for their guests. Ms. Jennings and Chair Traini thanked  
15 Ms. Ballew for all of her work assisting families and children in the community, including starting Bean's Café.

16  
17 **10.C. BID AWARDS**

18 10.C.2. Assembly Memorandum No. AM 796-2004, recommendation of award to Univar USA, Inc. for  
19 providing **liquid magnesium chloride and liquid potassium acetate** to the Municipality of  
20 Anchorage, Maintenance & Operations Department on an "as needed" basis (ITB 24-B059)  
21 (\$406,800/yr); Purchasing.

22  
23 Chair Traini read this memorandum title and called for a motion.

24  
25 Ms. Jennings moved, to approve AM 796-2004.  
26 Mr. Stout seconded,

27  
28 Ms. Jennings stated there was a small discrepancy between the percentage of the bids listed in the document and  
29 what was listed in the attached memorandum. She had discussed this with the Purchasing Department and the  
30 abstract needed to be corrected to read three percent.

31  
32 Ms. Jennings moved, to amend AM 796-2004, on Page 1, of the attached  
33 Mr. Whittle seconded, memorandum, *by changing, to read:* "...as the responsible  
34 and this was unanimously approved, low and responsive bidder after applying the [5%] to "3%."

35  
36 Ms. Jennings moved, to approve AM 796-2004, as amended.  
37 Mr. Stout seconded,  
38 and this was unanimously passed,  
39 with Fairclough and Tremaine temporarily absent,

40  
41 **10.D. NEW BUSINESS**

42 10.D.10. Assembly Memorandum No. AM 803-2004, recommendation of award to Speedware Corporation, Inc.  
43 for providing **Hewlett Packard (HP) 3000 Migration Services** to the Municipality of Anchorage,  
44 Municipal Light & Power (RFP 24-P029) (\$518,345); Purchasing.

45  
46 Chair Traini read this memorandum title and called for a motion.

47  
48 Mr. Whittle moved, to approve AM 803-2004.  
49 Ms. Jennings seconded,

50  
51 To Mr. Whittle, Municipal Light and Power (MLP) General Manager James Posey and IT Division Manger Bill Smith  
52 responded that this was a major upgrade, moving all MLP data to a new computer system. They anticipated the move  
53 to be a smooth transition.

54  
55 and this was unanimously passed,  
56 with Fairclough and Tremaine temporarily absent,

57  
58 *(Clerk's Note: Ms. Fairclough joined the Assembly Meeting)*

59  
60 10.D.16. Assembly Memorandum No. AM 809-2004, proprietary purchase with Ecology & Environment, Inc. for  
61 providing professional technical support for **emergency management exercises** to the Municipality of  
62 Anchorage, Municipal Manager's Office (\$140,000); Purchasing.

63  
64 This item was originally passed on the Consent Agenda. Later in the meeting Mr. Coffey moved for reconsideration of  
65 this item, it was seconded by Ms. Fairclough and there were no objections. Chair Traini read this memorandum title.

66  
67 To Ms. Fairclough, Division of Community Preparedness Director Heather Handyside responded that Eagle River was  
68 included with the program. Ms. Handyside responded that the team was identifying gaps in their response and both  
69 Eagle River and Girdwood had been acknowledged. She responded that they would be addressing scenarios such as  
70 the loss of the bridge in Eagle River and access to Girdwood in the event of an earthquake or avalanche.

71  
72 To Mr. Stout, Ms. Handyside responded there were still emergency supply depots in the city but much of the provisions  
73 were outdated. The Division currently relied on the Blue Cross for shelters and supplies, geographically distributed  
74 across town. They were addressing amounts of supplies at these shelters, and felt that upgrades were needed. She  
75 responded that the Division did not have measures to protect these supplies and shelters, but thought the Division of  
76 Homeland Security might provide funding for security.

1 Chair Traini requested a report from Ms. Handyside's Division to the Assembly within the next thirty days, outlining the  
2 status of supplies of food and water for seventy-two hours, following an emergency. She responded they were  
3 addressing the issue for five days, and would supply a response. Chair Traini requested the Division also supply a list  
4 of supplies that would be needed for private citizens.  
5

6 Ms. Ossiander stated that the Anchorage School District (ASD) had identified regional emergency hubs that would  
7 have water purification systems, stocked water and food supplies. Ms. Handyside stated they were working with the  
8 ASD.  
9

10 Ms. Fairclough agreed with Mr. Stout and requested consideration be made to the importance of medical supplies.

11 and this motion was unanimously approved,  
12

13  
14 AYES: Fairclough, Whittle, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.

15 NAYES: None.

16 ABSENT: Tremaine, excused.  
17

18 10.D.17. Assembly Memorandum No. AM 824-2004, recommendation of award to KPMG LLP to perform an  
19 **Independent Financial Statement Audit, Federal Single Audit, and State Single Audit** for the  
20 Municipality of Anchorage, Anchorage Assembly, Budget Legislative Services (RFP 24-P049)  
21 (\$596,760); Purchasing. (**Addendum**)  
22

23 Chair Traini read the memorandum title and call for a motion.

24  
25 Mr. Coffey moved, to approve AM 824-2004.

26 Mr. Sullivan seconded,  
27

28 Mr. Coffey stated that he had received an email from an unsuccessful bidder, questioning the differentiation of the  
29 price between bidders. To Chair Traini, Municipal Purchasing Officer Bart Mauldin responded that the standard  
30 process and procedures in code had been followed to make this recommendation of award. He responded that no one  
31 had asked to review the winning proposal file, following a seven-day notice issued by their office and they had received  
32 no written protest or appeal. The protesting company had elected not to follow the process and had gone directly to  
33 the Assembly. Mr. Mauldin explained the protesting company was not the overall highest ranked bidder. If Purchasing  
34 thought the protest was merited, the issue could be given to the Mayor and heard before the Bidding Review Board.  
35

36 To Mr. Sullivan, Mr. Mauldin responded that the process had been followed and the bid price had been reduced. Mr.  
37 Mauldin responded that under an RFP process, the rating and rankings of the bidders were withheld until the  
38 Assembly completed action. If the Assembly chose to do so, the bid could be approved and reconsidered, and that  
39 would allow the files to become opened for public disclosure.  
40

41 To Mr. Tesche, Mr. Mauldin responded that a copy of the letter to Mr. Coffey had been received by the Administration.  
42

43 To Mr. Coffey, Mr. Mauldin responded that the process he had described would allow review of the appeal. Chair  
44 Traini stated that if the Assembly approved the memorandum and called for reconsideration and it was not heard at the  
45 next Assembly Meeting, the action for approval would go forward. To Mr. Coffey, Mr. Mauldin responded that  
46 Purchasing would respond to the protestor, but a week was probably not enough time to resolve the issue. Mr.  
47 Mauldin explained that if the appeal was denied the protestor could come back to ask the Administration or the  
48 Assembly to forward the complaint to the Bidding Review Board for consideration. He added that the Assembly could  
49 also choose to reject it and redo the proposals, or they could postpone the issue.  
50

51 Ms. Fairclough stated that the Assembly also had the option to remand the issue directly to the Bidding Review Board.  
52 Mr. Mauldin responded that a request for proposal had never gone before the Bidding Review Board and their function  
53 was not to review the ratings or rankings but rather to follow procedural aspects of a RFP process. He advised caution  
54 to question a Board's evaluation.  
55

56 Ms. Fairclough moved, to postpone AM 824-2004 until November 16, 2004.

57 Mr. Coffey seconded,  
58

59 Ms. Fairclough stated this would allow the protestor and the Administration the opportunity to address the issue and  
60 allow the Assembly time to make a decision. To Ms. Fairclough, Mr. Mauldin responded that he thought the audit  
61 contracts had been awarded to KPMG for the past fifteen or twenty years.  
62

63 Mr. Coffey stated that postponement would allow the review to take place and that had been his intention. He would  
64 be a YES-vote.  
65

66 Ms. Ossiander stated it was her understanding that an RFP was not the same as a bid process and thought that the  
67 price was not necessarily the only determinate factor. In her view, the Assembly should only become involved if  
68 procedures had not been followed correctly.  
69

70 To Ms. Ossiander, Al Bingham, representing the protestor, responded that they had heard of the bid last Friday. Mr.  
71 Mauldin responded that when complaints came to their office, they scheduled a debriefing which included the  
72 committee chairman. If the Assembly wanted all information to be disclosed, he recommended approval and  
73 reconsideration of the memorandum, otherwise the only disclosure would be the winning proposal and would not  
74 include the rating or ranking.  
75

76 To Mr. Sullivan, Mr. Mauldin responded that if the Assembly approved the memorandum and called for  
77 reconsideration, their department would do everything possible to complete the review in the next week. Mr. Sullivan

1 stated he would be a NO-vote on the Fairclough motion and would instead support Mr. Mauldin's recommendation of  
2 action. He urged the motion for postponement be withdrawn.  
3

4 Ms. Fairclough stated she would not withdraw her motion to postpone action until November 16, 2004.  
5

6 and this motion was passed,  
7

8 AYES: Fairclough, Whittle, Stout, Jennings, Shamberg and Coffey.

9 NAYES: Sullivan, Traini, Tesche and Ossiander.

10 ABSENT: Tremaine, excused.  
11

12 10.D.19. Assembly Memorandum No. AM 829-2004, recommendation of award to **Premera Blue Cross Blue**  
13 **Shield of Alaska** (Premera) for providing third party administration and preferred provider services to  
14 the Municipality of Anchorage, Employee Relations Department (RFP 24-P043) (\$1,633,585);  
15 Purchasing. (**Addendum**)  
16

17 Chair Traini read this memorandum title and called for a motion.  
18

19 Ms. Shamberg moved, to approve AM 829-2004.

20 Mr. Tesche seconded,  
21

22 Ms. Shamberg requested postponement until Mr. Tremaine could join the meeting.  
23

24 Ms. Shamberg moved, to postpone 829-2004 until later in the evening.

25 Mr. Tesche seconded,

26 and this was unanimously passed,

27 with Mr. Tremaine temporarily absent,  
28

29 (*Clerk's Note: The following discussion and action occurred following Mr. Tremaine's arrival.*)  
30

31 Mr. Tremaine wanted to make sure that performance measures were in place to alleviate the practice of stall tactics  
32 and ignoring claims of municipal employees. Health and Human Services Director Beverly Wooley responded that  
33 they had proposed performance guarantees that would be incorporated into the contract with the approval of this  
34 memorandum. It was their intention to hold Premera Blue Cross responsible for providing the best customer service to  
35 Municipal employees and their Department had hired a Plan Administrator, Joanne Hanscom, to address those issues.  
36 Ms. Wooley responded they had requested Premera to perform an employee satisfaction audit, to be completed by  
37 December and she would share the results with Assemblymembers. Chair Traini called for a vote on the main motion.  
38

39 and this motion was unanimously passed,  
40

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

42 NAYES: None.  
43

44 10.D.21. Assembly Memorandum No. AM 831-2004, Contract Amendment No. 6 to Vendor Contract  
45 20CRS428 with Baker & Taylor, Inc. for providing **library materials** to the Municipality of Anchorage,  
46 Office of Economic & Community Development, Library Department (\$320,000); Purchasing.  
47 (**Addendum**)  
48

49 Chair Traini read this memorandum title and called for a motion.  
50

51 Ms. Ossiander moved, to approve AM 831-2004.

52 Ms. Shamberg seconded,  
53

54 To Ms. Ossiander, Municipal Librarian Art Weeks responded the vendor's process of purchasing books included  
55 services that provided selection lists and recommendations of subject categories, book jackets, electronic ordering and  
56 marking the selection in the catalog records. Mr. Weeks responded the service provided lists of top rated books in  
57 each category and the Anchorage staff would determine what books would be purchased for local clientele.  
58

59 and this motion was unanimously passed,

60 with Mr. Tremaine temporarily absent,  
61

62 10.D.25. Assembly Memorandum No. AM 835-2004, Assembly approval of Cooperative Service Authority's  
63 **lease** of 1,510 square feet of lease space located at 125 E. International Airport Road; Finance.  
64 (**Addendum**)  
65

66 Chair Traini read this memorandum title and called for a motion.  
67

68 Ms. Ossiander moved, to approve AM 835-2004.

69 Mr. Coffey seconded,  
70

71 Ms. Ossiander stated that while reviewing the budget she found there were several municipal buildings that the  
72 Municipality was attempting to lease out and wondered if there was a possibility of the Cooperative Services Authority  
73 using these surplus areas. Municipal Heritage Land Bank Director Robin Ward stated that there was no available  
74 space that fit their needs. Director Paul Wiltse concurred.  
75

1 To Ms. Ossiander, Mayor Begich responded that the Dimond Data Center was a very specialized facility that would be  
2 underutilized if it were used by the city and could receive a higher value by renting it out. Ms. Ossiander stated she  
3 would support the memorandum.

4  
5 and this motion was passed,

6  
7 AYES: Fairclough, Whittle, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.

8 NAYES: None.

9 ABSENT: Tremaine, excused.

10  
11 To Chair Traini, Mayor Begich requested an Executive Session to discuss Waste Management, in particular the  
12 proposal to franchise Solid Waste Services. Chair Traini called for a motion for an Executive Session.

13  
14 *(Clerk's Note: See Agenda Item Number 19 for additional discussion and action on the Executive Session.)*

15  
16 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS** None.

17  
18 **12. APPEARANCE REQUESTS** None.

19  
20 **13. CONTINUED PUBLIC HEARINGS**

21 13.A. Ordinance No. AO 2004-126(S), an ordinance amending Anchorage Municipal Code Chapters 21.20  
22 and 21.30 to clarify **procedures** for the Planning and Zoning Commission, Board of Adjustment, and  
23 Zoning Board of Examiners and Appeals regarding filing appeals, new evidence, changed  
24 circumstances, remands, preparation of appeals by Municipal staff, issuance of decisions, appeals to  
25 Superior Court and related matters. *(Carried Over from 9-21-04; Continued from 10-12-04; Carried*  
26 *Over from 10-26-04; Carried Over to 11-16-04)*

27 1. Ordinance No. AO 2004-126(S), an ordinance amending Anchorage Municipal Code Chapters  
28 21.20 and 21.30 to clarify procedures for the Planning and Zoning Commission, Board of  
29 Adjustment., and Zoning Board of Examiners and Appeals regarding filing appeals, new  
30 evidence, changed circumstances, remands, preparation of appeals by Municipal staff,  
31 issuance of decisions, appeals to Superior Court and related matters.

32 13.B. Resolution No. AR 2004-215(S), a resolution amending Anchorage Municipal Code of Regulations  
33 Chapters 21.10, 21.11 and 21.12 to establish **uniform procedures** for Planning and Zoning  
34 Commission, Platting Board, Zoning Board of Examiners and Appeals and Urban Design Commission  
35 for issuing decisions and modifying procedures regarding allegations of new evidence or changed  
36 circumstances. *(Carried Over from 9-21-04; Continued from 10-12-04; Carried Over from 10-26-04;*  
37 *Carried Over to 11-16-04)*

38 1. Resolution No. AR 2004-215, a resolution amending Anchorage Municipal Code of  
39 Regulations Chapters 21.10, 21.11 and 21.12 to establish uniform procedures for Planning  
40 and Zoning Commission, Platting Board, Zoning Board of Examiners and Appeals and Urban  
41 Design Commission for issuing decisions and modifying procedures regarding allegations of  
42 new evidence or changed circumstances.

43  
44 **14. NEW PUBLIC HEARINGS**

45 14.A. **SECOND PUBLIC HEARING:** Resolution No. AR 2004-241, a resolution approving the **2005-2010**  
46 **Municipal Utilities Capital Improvement Program**, Office of Management and Budget.

47 1. Assembly Memorandum No. AM 731-2004. *(Continued to 11-16-04)*

48  
49 Chair Traini called for a motion to combine Public Hearing.

50  
51 Mr. Tesche moved, to combine Public Hearing on items 14.A and 14.B,  
52 Mr. Stout seconded, AR 2004-241 and AO 2004-141.  
53 and there were no objections,

54  
55 Chair Traini read the resolution and ordinance titles and opened combined Public Hearing. There being no one to  
56 testify, he closed Public Hearing and announced these items would be continued to the next Assembly Meeting of  
57 November 16, 2004.

58  
59 14.B. **SECOND PUBLIC HEARING:** Ordinance No. AO 2004-141, an ordinance adopting and appropriating  
60 funds for the **2005 Municipal Utilities Operating and Capital Budgets** for the Municipality of  
61 Anchorage, Office of Management & Budget. *(Continued to 11-16-04)*

62 1. Assembly Memorandum No. AM 731-2004.

63  
64 *(Clerk's Note: See item 14.A, above, for details of Combined Public Hearing and Assembly action for this item)*

65  
66 14.C. **SECOND PUBLIC HEARING:** Ordinance No. AO 2004-143, an ordinance adopting and appropriating  
67 funds for the **2005 General Government Operating Budget** for the Municipality of Anchorage, Office  
68 of Management & Budget. *(Continued to 11-16-04)*

69 1. Assembly Memorandum No. AM 734-2004.

70  
71 Chair Traini read this ordinance title and opened Public Hearing.

72  
73 ELAINE JANIAC, with the Public Transit Advisory Board and "Transit Works for Anchorage," supported the budget  
74 proposed for the Transit System. She urged Assembly consideration of not cutting bus service during holidays  
75 because retailers normally worked on those days and relied on bus services. Mr. Sullivan thanked her for her support  
76 of improved transit and being the spokesperson. To his question, Ms. Janiak responded that other cities operated on  
77 funding sources other than property tax, including a percentage of sales tax, parking revenues or motor vehicle excise

1 tax. To Ms. Ossiander, Ms. Janiak responded that she worked closely with the transit authority on bus routing and Ms.  
2 Ossiander requested that the reduction of service in Chugiak-Peters Creek area be reviewed.  
3

4 MERTEN BANGENMANN-JOHNSON, President of the Chugiak Community Council and the 2004 Chair of the  
5 Federation of Community Councils (FCC), requested consideration for full funding of the Federation. To Ms. Jennings,  
6 he responded that the FCC office was important to their operations and was locked into a lease until May of 2005. Ms.  
7 Jennings stated that she understood the importance of the Federation and would support additional funding to their  
8 budget. To Mr. Tesche, he responded the office was responsible for mass mailings of the community councils and an  
9 executive director was needed to coordinate all of the efforts, to educate the volunteers and to answer calls.

10  
11 DIANNE HOLMES, testifying as an individual and as a delegate from her community council, spoke in support of  
12 maintaining an FCC office. She stated that mass mailings were important because there were members who did not  
13 use computers but it was still important to maintain a good web site for those who did. She added it was important that  
14 the office and director be maintained to coordinate and teach volunteers.  
15

16 FATHER FRED BUGARIA of Saint Anthony's Catholic Church spoke of their involvement with the community,  
17 including a recent meeting with Assemblymembers Whittle and Tesche and 450 local citizens to address increased  
18 crime in their neighborhoods. He urged consideration of incorporating more police officers to practice a philosophy of  
19 community policing. Chair Traini responded that they were in full support of the twenty new positions proposed by the  
20 Administration and the Assembly was requesting an increase to twenty-eight. Mr. Tesche understood the importance  
21 of community policing. To his question, Father Bugaria responded they were in partnership with the Anchorage Police  
22 Department (APD) to help incorporate this new philosophy. He responded that his Parish included the areas of  
23 Russian Jack, South Mountain View, Boniface, College Gate, Airport Heights and Dowling. Mr. Whittle stated that  
24 Father Bugaria and members of his Parish were making a difference in the community and agreed that the main  
25 concern in the neighborhoods was public safety. Ms. Ossiander stated that Chugiak had many similarities to his  
26 neighborhood and understood the importance of the officers' personal relationships in the communities, which she and  
27 Ms. Jennings had also discussed with the APD. Ms. Jennings thanked them for all their hard work and stated the  
28 Assembly was in full support of community policing. With APD Chief Walt Monegan's assistance, Ms. Jennings  
29 reported ratios of officers for 1000 citizens in Anchorage were 1.5, and in order to incorporate community policing,  
30 those numbers needed to be 2.3 or 2.5. To Mr. Stout, Father Bugaria introduced Nina Rivera, to answer his questions.  
31

32 NINA RIVERA, with Saint Anthony's Catholic Church, had recently attended a three-day consortium on community  
33 policing, studying national police force statistics on using the philosophy. To Mr. Whittle, Ms. Rivera responded they  
34 had already met with the Officers in the Schools and she urged consideration of long-term funding of those positions.  
35 Mr. Whittle responded that the Administration and the Assembly were in support of continued funding for those  
36 programs.  
37

38 PAT PETRIVELLI, with Saint Anthony's Catholic Church, spoke in support of the new policing philosophy,  
39 incorporating officers to deal directly with the community. She outlined the seven-part philosophy that would allow  
40 officers to become personally knowledgeable and involved directly with neighborhoods, which had proven to be  
41 extremely successful across the nation.  
42

43 NEIL KOENIGER, Chair of the Animal Control Advisory Board, spoke in support of funding and continuing the off-leash  
44 dog areas. He stated that all requirements and conditions had been met since the ordinance had passed in  
45 December. To Mr. Coffey, he responded they would raise revenue with increased user fines and fees. To Mr. Tesche,  
46 he responded the board had considered fees but they had found user fees would be appropriate only if the areas were  
47 strictly off-leash. He explained that the areas selected for off-leash were established multi-use areas, and they would  
48 have to charge fees to the other activity groups.  
49

50 DEIRDRE FORD, member of the Library Advisory Board, spoke in support of the Library budget. She stated the two  
51 most common complaints they received were that facilities needed to be opened more often and they needed more  
52 and current books and periodicals. She requested consideration for two new staff members and to increase the hours  
53 at the Dimond and Muldoon Libraries.  
54

55 ED EARNHART spoke in support of the budget as it was and stated that no changes were needed.  
56

57 KARIN HAVE, member of the North Star Community Council, spoke in support of the safety improvements proposed  
58 to Fireweed Lane. She spoke of needed lighting, lower speed limits, turn lanes, dedicated crossings and better  
59 sidewalks. Mr. Sullivan stated that all Assemblymembers had received many letters from citizens in support of  
60 improvements to Fireweed Lane. To Mr. Sullivan, a show of hands from the audience showed a large group of citizens  
61 who were in support of the improvements. To Mr. Tremaine, Ms. Have responded that she was interested in  
62 improvements for non-motorized safety.  
63

64 VIC MOLLOZI spoke in support of the budget for the Division of Parks and Recreation. They were developing and  
65 implementing long-range improvements to their Division, including the appointment of Jeff Dillon as the new Director  
66 and opening Kincaid Park seven days a week. To Ms. Ossiander, Mr. Mollozi responded that there were ten part-time  
67 positions that would collapse into six full-time positions and that four of those positions would be funded by private  
68 dollars, donations, grants and increased user fees, with the goal of decreasing the reliance on real estate tax. To Mr.  
69 Tremaine, he responded that a good marketing program was important for customer service. To Mr. Coffey, Mr.  
70 Mollozi responded that their goal was to rebuild the division. To Chair Traini, he responded they had reviewed the  
71 groups and organizations that were dependent upon the Division and he would report back to the Assembly with the  
72 assessments of those grants.  
73

74 DIANE ETTER spoke in support of the Parks and Recreation Budget and stated their goal was to issue grant money  
75 as "seed money" for new innovative programs to add to the health and quality of life in our city. As President of the  
76 Tudor Community Council, Ms. Etter also spoke in support of continued funding for the FCC executive position and  
77 their office. She urged the Assembly to find money for additional Animal Control staff. She stated that all of her

1 requests had to do with improving the quality of life in Anchorage. To Mr. Tesche, she responded that the Parks and  
2 Recreation grants supported activities with long-standing groups including the Boys and Girls Club, Alaska Injury  
3 Prevention Center, Alaska Swim America, Alpine Alternatives, American Diabetes Association, Covenant House, the  
4 Multiple Sclerosis Society, Rainbow Program, Special Olympics, SPYDER, Salvation Army, Kings Lake Camp,  
5 Twenty-first Century Learning Centers, UAA and the YWCA. To Mr. Sullivan, Ms. Etter responded that the non-profit  
6 groups heavily relied on their funding.

7  
8 SANDY TRAINI, a member of and spokesperson for Campbell Park Community Council, spoke in support of the  
9 requested funding for the FCC. To Mr. Coffey, she responded that the Federation needed a knowledgeable person to  
10 organize things and resolve issues, maintain networking, train volunteers and she added that doing the mailings was  
11 only a small portion of the job. Ms. Jennings agreed that the councils needed support and she would be supporting  
12 the Federation. Ms. Traini, as a member of the Animal Control Board, also urged consideration of adding funding for  
13 an additional enforcement officer with Animal Control. As a member of the Parks and Recreation Commission, Ms.  
14 Traini spoke in favor of dog parks, but stated that an enforcement officer was needed. To Ms. Jennings, she  
15 responded that there had been an increase of loose neighborhood dogs and dog bites and encounters, but not in the  
16 dog parks. To Mr. Whittle, she responded that the commission disagreed with user fees in the off-leash dog parks  
17 because there were other users for those areas. She recommended using a fenced area exclusively for loose dogs.

18  
19 STEVE LEVI, FCC Director, stated the bulk of the Federation's expense was for mailings and emails. His job  
20 description included answering calls, diffusing many "hot" situations and educating volunteers. Mr. Tesche questioned  
21 why the Municipal Ombudsman did not take the calls. To Mr. Stout, Mr. Levi responded that the office rental was \$450  
22 per month with a lease extended until next April. He worked at the pleasure of the board and it was their decision to  
23 propose \$132,000 for their 2005 budget. To Ms. Jennings, Mr. Levi responded that if the funding came through, they  
24 wanted to move ahead, making more information available electronically and improving their FCC web site.

25  
26 LORI JOHNSTON recommended a ballot proposition to let the voters decide if moneys should be used out of the  
27 Operating Budget to fund tax abatements. To Ms. Fairclough, she responded that tax abatements would divert  
28 moneys needed for important community city projects. Ms. Fairclough and Mr. Sullivan requested to speak with her at  
29 a later time, to better explain the process of abatement and how their support to projects like the Creekside Mall would  
30 create many jobs and much community development in the future.

31  
32 MIKE MITCHELL, President of the Anchorage Trails and Greenways Coalition, spoke in support of the Parks and  
33 Recreation Budget.

34  
35 RYAN STENCEL, Vice President of the Huffman-O'Malley Community Council, spoke of the importance of the FCC.  
36 She also urged consideration for supporting the Animal Control Officer position. To Mr. Coffey, she stated the  
37 councils' dues paid for their copying and a part of the rental for the FCC office. To Ms. Jennings, Ms. Stencel  
38 responded that with more support community councils could have the opportunity to do much more for city, including  
39 working with the Planning Department.

40  
41 With no further public testimony, Chair Traini closed Public Hearing.

- 42  
43 14.D. **SECOND PUBLIC HEARING:** Resolution No. AR 2004-242, a resolution of the Municipality of  
44 Anchorage adopting the **2005-2010 General Government Capital Improvement Program**, Office of  
45 Management and Budget. *(Continued to 11-16-04)*  
46 1. Assembly Memorandum No. AM 732-2004.

47  
48 Chair Traini called for a motion to combine Public Hearing on Agenda items 14.D and 14.E. Ms. Fairclough so moved,  
49 seconded by Mr. Whittle and it was approved. The Chair read the titles of AR 2004-242 and AO 2004-142, and  
50 opened Public Hearing.

51  
52 BARBARA PENPECK, Chair of Northstar Community Council spoke in support of the safety improvements for  
53 Fireweed Lane. Their council had been studying the proposed upgrades for the past four years. They had turned  
54 down many of the design plans, but she wanted to clarify it did not mean they did not want improvements, but rather  
55 that they had other safety issues in mind.

56  
57 SAM O'CONNOR spoke in favor of the Fireweed improvements and recommended the changes be focused on  
58 pedestrian safety.

59  
60 MIKE BOOTS, 25-year owner of Junior Towne, a Fireweed Lane business, testified that he supported pedestrian  
61 safety improvements and would not support the three-lane road proposal. To Ms. Fairclough, Mr. Boots responded  
62 they had reviewed many plans but had not yet seen any designs that they would support. Mr. Sullivan stated that  
63 Assemblymembers had reviewed studies that indicated a three-lane design would eliminate eighty percent of the  
64 accidents and it would be easier to control speed. Mr. Boots responded that 15<sup>th</sup> Avenue was a good example of an  
65 ineffective three-lane road. Mr. Sullivan thought the Municipal Traffic Department would identify the current traffic and  
66 pedestrian situation. Ms. Jennings responded that she had been assured by Municipal Engineer Howard Holtan that  
67 this study would be redone. To Mr. Coffey, Municipal Engineer Howard Holtan responded that this project would be  
68 funded by municipal, state and federal money. He responded that Lounsbury and Associates had been selected to  
69 complete the design study, which would be reviewed by the Administration and the Assembly and the final plan  
70 decision would be made by the AMATS Policy Committee. To Chair Traini, Mr. Holtan responded that he would  
71 provide the Assembly with the projected costs of this improvement project. Mr. Whittle stated AMATS would be  
72 listening to public comments.

73  
74 MIKE MITCHELL, a 15-year resident of Fireweed Lane, spoke in support of the needed safety improvements. He  
75 stated the intersection of Arctic and Fireweed was the highest-rated site for vehicle crashes in the city. He spoke of  
76 the needs for traffic signaling, pedestrian crossings and bike trails. He did not want the disagreements over the type of  
77 improvements to derail the need for safety improvements. To Mr. Tremaine, Mr. Mitchell responded that he had been

1 involved with the Northstar Community Council and it was the consensus of the members to keep the design funding in  
2 for improvements to Fireweed Lane.

3  
4 GLENN GAINO, with Lewis & Lewis Computer Store on Fireweed Lane, spoke of their concern for the loss of parking  
5 space in the proposed design. They wanted safety improvements and did not support the bike trail improvements. To  
6 Mr. Coffey, he urged the Assembly to participate in an open, fair and impartial process. Mr. Holtan responded that  
7 their goal was to preserve the current parking access and focus on pedestrian safety and he remained optimistic there  
8 would be some resolution with finding enhancements that supported pedestrians and businesses. To Chair Traini, Mr.  
9 Holtan responded that he would find out if bike trail improvements were mandatory with acceptance of the  
10 appropriated moneys. Upon request from Ms. Jennings, Chair Traini also requested Mr. Holtan to find out the plan for  
11 changes in business parking. Mr. Holtan stated he would respond in writing.

12  
13 KATHLEEN PLUNKETT, President of the Russian Jack Community Council, spoke in support of traffic calming,  
14 specifically by reducing vehicle speed.

15  
16 LYNN BOOTS spoke of the improvements to Fireweed Lane and felt that the business had never been informed.

17  
18 JERRY WOLF, business and real estate owner on Fireweed, testified in opposition of the proposed improvements. He  
19 was disappointed with the lack of information about the process and thought that the current design would hurt  
20 businesses. To Ms. Ossiander, Chair Traini responded that Mr. Holtan would also find out if there was a beautification  
21 project included with the proposed improvements. Mr. Stout, Ms. Jennings and Mr. Coffey thanked Mr. Wolf for his  
22 testimony and for his contributions to the community for the past thirty years. Mr. Coffey, whose law offices were a  
23 block from this area, stated he would not support improvements that would be detrimental to the businesses  
24 community.

25  
26 DEVERY PRINCE, a business owner, spoke against the proposed three-lane road improvements. Mr. Sullivan  
27 responded that the Assembly needed to review the facts and figures of the design before responding on the project.

28  
29 DELLA COLVER BERRY, long-time business owner and member of the Northstar Community Council, encouraged  
30 the Assembly to continue with the plans for safety improvements with both businesses and pedestrians in mind.

31  
32 STUART HALL, member of the Community Council Boundary Review Committee, spoke of the improvements needed  
33 for the Government Hill area, including playground equipment and drainage of the Al Miller Memorial Alliance Park. To  
34 Mr. Tesche, Mr. Hall responded there were other important issues they were supporting, including the completion of  
35 the Ship Creek Trail and the traffic access to the Port of Anchorage.

36  
37 With no further public testimony, Chair Traini closed Public Hearing.

- 38  
39 14.E. **SECOND PUBLIC HEARING: Ordinance No. AO 2004-142**, an ordinance adopting the **2005 General**  
40 **Government Capital Improvement Budget**; Office of Management & Budget. *(Continued to 11-16-04)*  
41 1. Assembly Memorandum No. AM 732-2004.

42  
43 *(Clerk's Note: Public Hearing was combined for 14.D and 14.E. See Agenda Item 14.D for details of public testimony*  
44 *and Assembly and Administration comment.)*

45  
46 Mr. Tesche moved, to Change the Order of the Day to take up 14.G  
47 Mr. Coffey seconded, through 14.L.  
48 and this motion was passed,  
49

50 Chair Traini noted one objection to Changing the Order of the Day and stated they would take up those items after first  
51 completing item 9.D.19, scheduled for discussion and action upon Mr. Tremaine's arrival to the Assembly Meeting.  
52 *(Clerk's Note: Mr. Tremaine returned from attending the Alaska Municipal League Conference in Fairbanks and*  
53 *arrived at the Assembly Meeting in progress at 6:57 p.m. See item 10.D.19)*

- 54  
55 14.F. Ordinance No. AO 2004-151, an ordinance amending Anchorage Municipal Code Chapters 9.30, 9.48,  
56 11.10, 11.70, 14.30, 14.50, 16.60 and 16.110, and Anchorage Municipal Code of Regulations  
57 Chapters 15.05, 16.02, 21.20, and 25.10 to establish or adjust **fees, fines and/or penalties** to reflect  
58 actual cost and reduce taxpayer subsidy of municipal programs in the Departments and Divisions of  
59 Administrative Hearing Office (Law), Anchorage Fire Department, Anchorage Parking Authority,  
60 Development Services, Health & Human Services, Parks & Recreation, Planning, Public  
61 Transportation and Transportation Inspection; Legal Department. *(Continued to November 16, 2004)*  
62 1. Assembly Memorandum No. AM 735-2004.

63  
64 Chair Traini read this ordinance title and opened Public Hearing.

65  
66 ERWIN DAVIS stated that he and Bob Bell had previously addressed the process of short platting an interior lot line of  
67 a private residential lot before the Assembly. He urged consideration of making the fees retroactive to allow refunds to  
68 those who were still in the system but had not yet completed the filing. Mr. Sullivan requested the Municipal Legal  
69 Department research the issue to determine retroactivity and report back to the Assembly.

70  
71 With no additional public testimony, Chair Traini closed Public Hearing. He stated there was a two-hour worksession  
72 scheduled to discuss the Operating Budget and this issue could be addressed at that time or the Assembly could  
73 choose to take action on this item that evening. Mr. Sullivan proposed to postpone and Chair Traini responded that  
74 the item would be continued to the next regularly scheduled Assembly Meeting of November 16, 2004.

75  
76 Mr. Coffey stated that he would propose an amendment, adding a new fee for modifications of conditional uses.  
77

1 To Ms. Ossiander, Deputy Municipal Manager Michael Abbott responded that he and members of the Administration  
2 would be at the worksession to answer questions.

- 3  
4 14.G. Ordinance No. AO 2004-148, an ordinance authorizing the Municipality to enter into a **long term**  
5 **ground lease** with Bean's Café, Inc., a Non-Profit Organization, for less than fair market value;  
6 Heritage Land Bank/Real Estate Services Division.  
7 1. Assembly Memorandum No. AM 773-2004.

8  
9 Chair Traini read this ordinance title and opened Public Hearing. There being no one to testify, he closed Public  
10 Hearing and called for a motion.

11 Ms. Fairclough moved, to approve AO 2004-148.  
12 Mr. Coffey seconded,  
13

14  
15 To Mr. Coffey, Heritage Land Bank Director Robin Ward responded that there were provisions in the lease agreement  
16 if the business did not stay in compliance. She responded this agreement involved a long-term land lease with Bean's  
17 Café and was similar to the contract with the Brother Francis Shelter.

18 and this was unanimously passed,  
19

20  
21 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.  
22 NAYES: None.

- 23  
24 14.H. Resolution No. AR 2004-263, a resolution approving the acceptance and appropriation of State of  
25 Alaska grant funds in the amount of \$2,000,000 from the Department of Environmental Conservation  
26 Matching Grants Program to be applied toward the **Anchorage Loop Water Transmission Main**  
27 **Phase IV Project** (SB 283); Anchorage Water & Wastewater Utility.  
28 1. Assembly Memorandum No. AM 784-2004.

29  
30 Chair Traini read this resolution title and opened Public Hearing. There being no one to testify, he closed Public  
31 Hearing and called for a motion.

32 Ms. Ossiander moved, to approve AR 2004-263.  
33 Mr. Coffey seconded,  
34 and this was unanimously passed,  
35

36  
37 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.  
38 NAYES: None.

- 39  
40 14.I. Resolution No. AR 2004-264, a resolution of the Municipality of Anchorage appropriating \$1,978,955  
41 from the U.S. Department of Justice, Bureau of Justice Assistance to the Federal Categorical Grants  
42 Fund (241) for response to **illegal drugs and alcohol use for homeless veterans** in the Department  
43 of Health and Human Services and authorizing the Administration to contract with Southcentral  
44 Counseling, Inc.  
45 1. Assembly Memorandum No. AM 785-2004.

46  
47 Chair Traini read this resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
48 called for a motion.

49 Mr. Tesche moved, to approve AR 2004-264.  
50 Mr. Tremaine seconded,  
51 and this motion was passed,  
52

53  
54 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.  
55 NAYES: None.

- 56  
57 14.J. Resolution No. AR 2004-265, a resolution of the Municipality of Anchorage appropriating \$1,217,000  
58 from the Alaska Department of Health and Social Services and a cash contribution of \$109,000 from  
59 the Municipal General Government Operating Budget Fund (101) to the State Categorical Grants Fund  
60 (231) for the **Child Care Licensing Program** in the Department of Health and Human Services.  
61 1. Assembly Memorandum No. AM 786-2004.

62  
63 Chair Traini read this resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and  
64 called for a motion.

65 Ms. Ossiander moved, to approve AR 2004-265.  
66 Ms. Fairclough seconded,  
67

68  
69 To Ms. Ossiander, the Administration responded there was not yet a set of local regulations and there was no funding  
70 increase established with the change of child care licensing from state to city.

71 and this motion was passed,  
72

73  
74 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.  
75 NAYES: None.

1 14.K. Resolution No. AR 2004-266, a resolution of the Municipality of Anchorage accepting, when tendered,  
2 \$569,900 as a grant from the Alaska Department of Health and Social Services to the Department of  
3 Health and Human Services and appropriating said grant to the State Categorical Grants Fund (231)  
4 for the provision of **public health preparedness and response for bioterrorism**; Department of  
5 Health and Human Services.

6 1. Assembly Memorandum No. AM 787-2004.

7  
8 Chair Traini read this resolution title and opened Public Hearing.

9  
10 LORI JOHNSTON testified that in 2003 the Northeast Community Council had passed a resolution addressing the  
11 need for precautionary measures to deal with an attack from North Korea. She stated it had never been addressed by  
12 the Assembly and she thought it should be included with this resolution. Ms. Fairclough asked Ms. Johnston to contact  
13 Director Heather Handyside with the Division of Community Preparedness.

14  
15 With no further public testimony, Chair Traini closed Public Hearing and called for a motion.

16  
17 Mr. Tremaine moved, to approve AR 2004-266.  
18 Ms. Ossiander seconded,

19  
20 Mr. Stout stated that he had requested additional information on this project and had received a review from Mr.  
21 Johnson with Health and Human Services, which he had found very complete and satisfactory. He was convinced that  
22 this project was on track and he was satisfied with the plans.

23  
24 and this motion was passed,

25  
26 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.  
27 NAYES: None.

28  
29 14.L. Resolution No. AR 2004-267, a resolution adopting the **Housing and Community Development**  
30 **2005 Annual Action Plan** of the Municipality of Anchorage, which constitutes the application to the  
31 U.S. Department of Housing and Urban Development (HUD) for the Community Development Block  
32 Grant (CDBG), the Home Investment Partnerships Program (HOME), the American Dream  
33 Downpayment Initiative (ADDI) and the Emergency Shelter Grant (ESG). Also this resolution seeks to  
34 appropriate the annual entitlement grants from HUD, program income, and recaptured funds in the  
35 amount of \$2,269,000 of 2005 CDBG Entitlement and \$20,000 of anticipated CDBG program income;  
36 \$1,114,000 of 2005 HOME entitlement, \$330,850 of HOME recaptured funds, not previously  
37 appropriated, and \$135,150 of anticipated HOME recaptured funds; \$70,000 of 2005 ADDI entitlement  
38 and \$85,247 of 2005 ESG entitlement and appropriating said funds to the Federal Categorical Grants  
39 Fund (241); and to appropriate a grant from the Alaska Mental Health Trust Authority in the \$50,000 to  
40 the Miscellaneous Operating Grants Fund (261); Office of Economic & Community Development.  
41 1. Assembly Memorandum No. AM 788-2004.

42  
43 Chair Traini read this resolution title and opened Public Hearing.

44  
45 LORI JOHNSTON testified that this was allowing the Municipality to take more money away from people who needed  
46 housing. She thought the money would to be used to pay developers for municipal improvements and she questioned  
47 many appropriations in the resolution.

48  
49 With no additional public testimony, Chair Traini closed Public Hearing and called for a motion.

50  
51 Ms. Ossiander moved, to approve AR 2004-267.  
52 Mr. Tremaine seconded,  
53 and this motion was passed,

54  
55 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.  
56 NAYES: None.

57 *(Clerk's Note: Mr. Tesche was temporarily away from his seat at the time of the vote.)*

58  
59 14.M. Ordinance No. AO 2004-133, an ordinance of the Anchorage Municipal Assembly amending  
60 Anchorage Municipal Code Section 21.55.020, **Nonconforming Lots of Record**; Assemblymember  
61 Coffey. *(Continued to 12-07-04)*

62  
63 Chair Traini read this ordinance title and opened Public Hearing. He reminded persons interested in testifying that Mr.  
64 Coffey had proposed changes to this ordinance and they may want to wait until the ordinance was before the  
65 Assembly on December 7, 2004.

66  
67 A gentleman who failed to state his name thanked Mr. Coffey for creating this ordinance and explained changing the  
68 use of the word "each" clarified the definition of nonconforming lots of record. He presented examples of varying  
69 appraisals and described the lots with degrees of dependencies, inconsistencies, common-use driveways and septic  
70 systems.

71  
72 Mr. Coffey explained that this had been approved by the Planning and Zoning Commission and the Assembly was still  
73 waiting for the final, signed document. He moved for continuing the Public Hearing to December 7<sup>th</sup>.

74  
75 Mr. Coffey moved, to continue Public Hearing of AO 2004-133 to  
76 Ms. Ossiander seconded, December 7, 2004.  
77 and there were no objections,

- 1  
2 14.N. Ordinance No. AO 2004-150, an ordinance amending the Hillside Wastewater Management Plan,  
3 Anchorage Municipal Code 21.05.030.D.4., to remove from the area recommended for public  
4 sewerage approximately 52 acres of Tract A-2, The Villages Subdivision, and Tract A-1E, Villages  
5 View Estates (**Proposed Villages View Estates**) (Planning and Zoning Commission Case 2002-208),  
6 Assemblymembers Shamberg, Tesche and Whittle.

7  
8 Chair Traini read this ordinance title and opened Public Hearing.

9  
10 BRET COBURN spoke against the ordinance, which was proposing to allow uphill, on-site septic systems close to his  
11 home. He thought his home would always be protected from development under the Hillside Wastewater  
12 Management Plan. He described the unique geological soil formation and described shallow and highly-permeable  
13 soils, a fractured-bedrock aquifer and high groundwater flows in the area and he urged the Assembly not to approve  
14 this ordinance because it would put the neighborhood at risk. Mr. Tremaine summarized options for resolving this  
15 issue, including rezoning and stated the issues of potential water flow or contamination remained. Mr. Coburn  
16 responded that there were several water-flow tests which showed there was water to support the three lots but there  
17 had been no study completed to show there would be a continuation of flow to the surrounding wells. He stated the  
18 contamination studies only tested for chloroform and nitrate. Ms. Shamberg stated she had attended the worksession  
19 and many of her questions had been answered to her satisfaction. Mr. Coburn responded that he did not believe his  
20 water supply should have to suffer by a developing subdivision above him in what he referred to as poor ground  
21 materials. He proposed an independent party study this issue and complete water testing.

22  
23 DIANNE HOLMES, on behalf of the Rabbit Creek Community Council, spoke against the ordinance and in favor of  
24 lower density and larger lot size and requested consideration of this subdivision being connected to the public sewer  
25 system. She urged the Assembly to request additional studies for water and on-site systems for this area and urged  
26 that blasting to bedrock be avoided. To Ms. Ossiander, Ms. Holmes responded that the costs of water and sewer  
27 improvements per individual lot had not been discussed. To Mr. Tesche, Ms. Holmes responded it was the wish of the  
28 council that the lots stay within the Hillside Wastewater Management Plan.

29  
30 RICK ABBOTT spoke against this development. He lived directly below this parcel and testified in support of  
31 responsible development. He spoke against additional wells and septic systems because it would affect residents'  
32 quantity of water. He spoke of the fractured bedrock aquifer and thought the tests completed to-date were inadequate  
33 to determine the impact of development on the water quality of this fragile, instable ground structure. He personally  
34 had hired experts who reported that irresponsible development was ill-advised for that area and thought more  
35 consideration was needed to address health and safety. To Chair Traini, Mr. Abbott responded that he was on a well  
36 and septic system but that there was no one downhill from his home. He responded that blasting the surface bedrock  
37 would be a way to put in water and sewer lines, but it was not known how the strata would change or shift and the long  
38 term effects were not known.

39  
40 Mr. Tesche moved to continue the meeting until midnight to complete testimony and debate on this item. It was  
41 seconded by Mr. Tremaine, but there were numerous verbal objections from members and the motion did not pass.

42  
43 Ms. Fairclough stated that water was a natural resource to be used by everyone and felt that often property owners  
44 became established and expected to preclude the rights for future developments of other properties. She stated that  
45 compromises were left up to the Assembly and homeowners could be mandated to hook up.

46  
47 JIM JENSEN, with Anchorage Tank and Welding, testified that his company had new technology for on-site septic for  
48 this area. He referred to AvanTex, a new effective nitrate-reducing septic system, which adhered to Municipal Code  
49 and DEC requirements. To Ms. Shamberg, he responded the new system required a leaching method and that he did  
50 not know what happened to chemicals that were added to the system by the homeowner.

51  
52 To Ms. Jennings, Mr. Coburn responded that it was unclear if pathogens or chemicals would survive the nitrate-  
53 reducing system, described in the previously heard testimony. He thought contaminants could potentially pass through  
54 the aquifer and cause contamination to surrounding areas. He responded that professionals had conducted studies  
55 which determined there was enough water flow for development of three lots, not the proposed twenty-two lots, but the  
56 tests did not determine water quality. To Ms. Ossiander, Mr. Coburn responded that the reason communities use  
57 public sewerage was because on-site septic systems often failed and were not the best choice. He stated that the  
58 decisions reached by the Assembly that evening could effect the scheduled development in the Upper Potter Valley,  
59 and could potentially adversely affect the watershed.

60  
61 *(Clerks Notes: This Item was Continued to November 16, 2004.)*

62  
63 **15. SPECIAL ORDERS** None.

64  
65 **16. UNFINISHED AGENDA** None.

66  
67 **17. AUDIENCE PARTICIPATION** None.

68  
69 **18. ASSEMBLY COMMENTS**

70  
71 Chair Traini acknowledged the new Administrative appointments approved by the Assembly that evening, including  
72 Steve Dombrowski, Joe Lepley and Jeannie Molitor to the LRSA Board of Supervisors; Marcus Tingle to the Girdwood  
73 Board of Supervisors; Jan Gehler to the School Board Advisory Commission and Paul Wiltse as Director of the  
74 Cooperative Services Authority.

75  
76 **19. EXECUTIVE SESSIONS**

77

1 Mayor Begich moved, to have an Executive Session, to discuss the proposal to  
2 Ms. Fairclough seconded, franchise Solid Waste Services, with **the implementations of**  
3 **a financial impact** on the city.  
4

5 Ms Ossiander requested the motion be rephrased to specifically emphasize the impact on the finances of the city.  
6 Mayor Begich accepted the Ossiander wording as a friendly amendment.  
7

8 To Chair Traini, Municipal Attorney Fred Boness responded it was justified to have an Executive Session if there were  
9 issues to discuss that may have a financial impact on the city.

10 and there were no objections,  
11

12 *(Clerk's Note: Executive Session began at 5:27 p.m. and ended at 6:27 p.m..)*  
13

14  
15 Upon the return of six Assemblymembers to constitute a quorum, Chair Traini called for a motion for a date when the  
16 recordings of the Executive Session could be made public.  
17

18 Mr. Tesche moved, to maintain confidentiality of the issue discussed in the  
19 Mr. Sullivan seconded, Executive Session, and to keep confident the taped-recorded  
20 and this was unanimously approved, materials of the Executive Session for a period of *twelve*  
21 *years* from today's date.  
22

23 **20. ADJOURNMENT** Chair Traini adjourned the meeting at 11:00 p.m.  
24  
25  
26  
27  
28  
29  
30

31 \_\_\_\_\_  
32 DICK TRAINI, Assembly Chair

33 ATTEST:  
34  
35  
36  
37  
38  
39

40 \_\_\_\_\_  
41 BARBARA GRUENSTEIN, Municipal Clerk  
42 Date Minutes Approved: January 11, 2005  
43 MC/BG  
44

45 Agenda Published in the ANCHORAGE CHRONICLE  
46 P.O. 52464-508-04  
47  
48  
49