

1
2
3
4
5
6
7
8
9
10
11
12
13
14

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of November 16, 2004

15 **1. CALL TO ORDER**

16
17 The Assembly Meeting was convened by Chair Traini at 4:05 p.m. in the Assembly Chambers, Room 108 of the
18 Loussac Library, 3600 Denali Street in Anchorage, Alaska.

19
20 **2. ROLL CALL** A Quorum was achieved with Assemblymembers present.

21
22 PRESENT: Anna Fairclough, Brian Whittle, Dick Tremaine, Dan Sullivan, Dick Traini, Allan Tesche, Pamela
23 Jennings, Debbie Ossiander, Janice Shamberg and Dan Coffey.

24 ABSENT: None. Ken Stout participated telephonically for the second portion of the meeting, beginning with the
25 budget items, and was an excused absence for the beginning of the meeting. (*Clerk's Note: His*
26 *attendance is reflected in the vote tallies.*)

27
28 **3. PLEDGE OF ALLEGANCE** Assemblymember Shamberg led the pledge.

29
30 **4. MINUTES OF PREVIOUS MEETING** None.

31
32 **5. MAYOR'S REPORT** None.

33
34 **6. ASSEMBLY CHAIR'S REPORT** None.

35
36 **7. COMMITTEE REPORTS**

37
38 Mr. Tremaine reported that he had recently attended the Alaska Municipal League (AML) Meeting in Fairbanks, as the
39 representative for Anchorage. The importance of a state fiscal plan was addressed, along with many other important
40 issues of communities across the state. He reported Assemblymembers Shamberg and Sullivan also attended and
41 that Mayor Begich was awarded the Elected Official of the Year by the AML. Chair Traini added that Municipal Clerk
42 Barbara Gruenstein also attended the meeting and that Mr. Sullivan gave a presentation on the proposed Natural Gas
43 Pipeline. Mr. Sullivan responded that it was a good meeting of representatives from many Alaskan communities,
44 working towards common and long term goals.

45
46 **8. ADDENDUM TO AGENDA**

47
48 Chair Traini read the Addendum items. He called for a motion and asked if there were additional items to be added.
49 Items AR 2004-296, AR 2004-297, AR 2004-298, AR 2004-299, AR 2004-300 and AR 2004-301 were added and he
50 assigned to these items Agenda Numbers 9.B.5, 9.B.6, 9.B.7, 9.B.8, 9.B.9 and 9.B.10, respectively. He then called for
51 additional Addendum items, and there being none, he called for a vote to incorporate the Addendum items into the
52 Regular Agenda.

53
54 Mr. Tesche moved, to approve the inclusion of the Addendum items into
55 Ms. Ossiander seconded, the Regular Agenda.
56 and this motion was passed,

57
58 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Jennings, Ossiander, Shamberg and Coffey.

59 NAYES: None.

60 ABSENT: Stout, excused.

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

63
64 Mr. Tesche moved, to approve the Consent Agenda.
65 Mr. Tremaine seconded,

66
67 Chair Traini called for Assemblymembers to request items be pulled and moved to the Regular Agenda for discussion.

68
69 **9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS** None.

70
71 **9.B. RESOLUTIONS FOR ACTION - OTHER**

- 72 9.B.1. Resolution No. AR 2004-286, a resolution adopting an alternative allocation method for the **FY05**
73 **Shared Fisheries Business Tax Program** and certifying that this allocation method fairly represents
74 the distribution of significant effects of fisheries business activity in the Cook Inlet Fisheries
75 Management Area; Office of Management & Budget.
76 a. Assembly Memorandum No. AM 843-2004.

- 1 9.B.2. Resolution No. AR 2004-287 a resolution of the Municipality of Anchorage appropriating \$10,000 from
2 AT&T Alascom to the Miscellaneous Operational Grants Fund (261) for the "**Good News, Great**
3 **Kids" Program**; Municipal Manager's Office.
4 a. Assembly Memorandum No. AM 844-2004.
- 5 9.B.3. Resolution No. AR 2004-288, a resolution of the Municipality of Anchorage appropriating \$50,000 as a
6 grant from the U.S. Department of Health and Human Services to the Federal Categorical Grants
7 Fund (241), Department of Health and Human Services to develop a **Volunteer Medical Reserve**
8 **Corps**.
9 a. Assembly Memorandum No. AM 845-2004.
- 10 9.B.4. Resolution No. AR 2004-289, a resolution of the Municipality of Anchorage (MOA) appropriating
11 \$35,000 from Glen Alps Service Area Fund Balance (Fund 105) as a contribution to the MOA
12 Miscellaneous Capital/Pass-Thru Fund (Fund 409) for **Glen Alps Service Area road and drainage**
13 **improvement projects** within the Glen Alps Service Area, Maintenance & Operations Department.
14 a. Assembly Memorandum No. AM 846-2004.
- 15 9.B.5. Resolution No. AR 2004-296, a resolution of the Anchorage Municipal Assembly endorsing and
16 supporting the construction of a **marine fiber optic cable** linking the city of Kodiak with the city of
17 Seward, Alaska to fulfill the need to establish a redundant communications capacity for Anchorage,
18 interior Alaska and South Central Alaska; Mayor Begich, Assemblymembers Coffey, Fairclough,
19 Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (**Laid on the**
20 **Table**)
- 21 9.B.6. Resolution No. AR 2004-297, a resolution of the Anchorage Municipal Assembly urging the National
22 League of Cities to approve a resolution during its Congress of Cities Conference November 30th
23 through December 4th, 2004, in support of opening the **Arctic National Wildlife Refuge** (ANWR) to oil
24 exploration, Assemblymembers Whittle, Traini, and Tesche, Tremaine, Fairclough, Sullivan, Jennings,
25 Ossiander, Shamberg, Coffey and Stout. (**Laid on the Table**)
26

27 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (See 10.B.6)

28
29 Mr. Coffey moved, *to introduce AR 2004-297.*
30 Mr. Tesche seconded,
31 Mr. Tremaine was the concurring third,
32

- 33 9.B.7. Resolution AR 2004-298, a resolution of the Anchorage Municipal Assembly stating its temporary
34 non objection to a conditional use permit to a restaurant/eating place liquor license for Good Eats LLC
35 DBA **Noble's Diner**, located at 4133 Mountain View Drive, Anchorage; Assemblymember Tesche.
36 (**Laid on the Table**)
- 37 9.B.8. Resolution AR 2004-299, a resolution of the Anchorage Municipal Assembly stating its temporary
38 non objection to a new restaurant/eating place liquor license for Good Eats LLC DBA **Noble's Diner**
39 Located at 4133 Mountain View Drive; Assemblymember Tesche. (**Laid on the Table**)
- 40 9.B.9. Resolution AR 2004-300, a resolution of the Anchorage Municipal Assembly supporting the revised
41 planning schedule for the **Title 21 rewrite project**, including the Anchorage Land Use Plan Map and
42 the Chugiak-Eagle River Comprehensive Plan Update; Assembly Chair Traini, Planning Department.
43 (**Laid on the Table**)
44

45 Mr. Tesche requested this item be pulled for review on the Regular Agenda. He requested the Administration supply
46 Exhibits A and B to accompany this resolution. (See 10.B.9)

- 47
48 9.B.10. Resolution No. AR 2004-301, a resolution of the Anchorage Municipal Assembly urging the National
49 League of Cities to adopt a resolution supporting construction of an **Alaskan Gas Pipeline**;
50 Assemblymembers Tesche, Coffey, Fairclough, Jennings, Ossiander, Whittle, Tremaine, Traini,
51 Shamberg, Sullivan and Stout. (**Laid on the Table**)
52

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

54
55 Mr. Tesche moved, *to introduce AR 2004-301.*
56 Mr. Sullivan seconded,
57 and this motion was unanimously approved,
58

59 9.C. BID AWARDS

- 60 9.C.1. Assembly Memorandum No. AM 859-2004, recommendation of award to Rain Proof Roofing, LLC for
61 Alaska Center for the Performing Arts **roof replacement, Phase 2** for the Municipality of Anchorage,
62 Maintenance & Operations Department (ITB 24-C060) (\$4,571,800); Purchasing. (**Addendum**)
- 63 9.C.2. Assembly Memorandum No. AM 860-2004, recommendation of award to Pederson Power Products
64 for furnishing **metal clad switchgears, outdoor non-segregated phase bus ducts, and associated**
65 **equipment** to the Municipality of Anchorage, Municipal Light & Power (ITB 24-B058) (\$665,900);
66 Purchasing. (**Addendum**)
67

68 The Administration requested this item be pulled for review on the Regular Agenda. (See item 10.C.2)

69 9.D. NEW BUSINESS

- 70
71 9.D.1. Assembly Memorandum No. AM 711-2004, **Assembly Meeting Schedule** (January – June 2005),
72 Chair Traini.
73

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

- 75
76 9.D.2. Assembly Memorandum No. AM 838-2004, recommendation of award to Sierra Research, Inc. for
77 providing **inspection/maintenance program evaluation design** for the Municipality of Anchorage,
78 Department of Health & Human Services (RFP 24-P034) (\$109,900); Purchasing.

1
2 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (See 10.D.2)

- 3
4 9.D.3. Assembly Memorandum No. AM 839-2004, Utility Relocation Agreement with Tesoro Refining and
5 Marketing Company (Tesoro) for the **West Northern Lights Boulevard Upgrade, Nathaniel Court to**
6 **Wisconsin Street**, Project No. 01-10 (\$800,000); Project Management & Engineering.
7 9.D.4. Assembly Memorandum No. AM 840-2004, recommendation of award to HDR Alaska, Inc. and MWH,
8 Inc. for providing professional **science and engineering services** for the Municipality of Anchorage
9 Project Management & Engineering (RFP 24-P051)(\$400,000/yr); Purchasing.
10 9.D.5. Assembly Memorandum No. AM 841-2004, Amendment No. 2 to professional engineering services
11 contract with CRW Engineering Group for the design study of the **84th Avenue/Spruce Street**
12 **Upgrade Project**, Project Nos. 02-02 & 02-08 (\$266,873); Project Management & Engineering.
13

14 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.5)

- 15
16 9.D.6. Assembly Memorandum No. AM 842-2004, recommendation of award to Ward North America, LP for
17 providing professional **claims adjusting services** to the Municipality of Anchorage, Risk Management
18 (RFP 24-P036)(\$425,000/yr); Purchasing.
19

20 **9.E. INFORMATION AND REPORTS**

- 21 9.E.1. Information Memorandum No. AIM 102-2004, Internal Audit Report 2004-12 – **Weatherization**
22 **Program**, Weatherization Section, Social Services Division, Health and Human Services, Internal
23 Audit.
24

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

- 26
27 9.E.2. Information Memorandum No. AIM 104-2004, **contracts awarded between \$50,000 and \$100,000**
28 **through formal competitive processes** for the month of October 2004, Purchasing. (**Addendum**)
29 9.E.3. Information Memorandum No. AIM 105-2004, **Sole Source Procurement Report** for the month of
30 October 2004; Purchasing. (**Addendum**)
31 9.E.4. Information Memorandum No. AIM 106-2004, **Monthly Financial Reports - September 2004**;
32 Finance. (**Addendum**)
33

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

- 35 9.F.1. Ordinance No. AO 2004-155, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
36 providing for the borrowing from the State of Alaska Clean Water Fund of an aggregate amount not to
37 exceed \$15,778,000 for the purpose of financing a portion of the costs of various **AWWU sewer**
38 **improvement projects** in the Municipality, and providing for related matters; Anchorage Water &
39 Wastewater Utility. (*Public Hearing 12-7-04*)
40 a. Assembly Memorandum No. AM 847-2004.
41 9.F.2. Ordinance No. AO 2004-156, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
42 providing for the borrowing from the State of Alaska Drinking Water Fund of an aggregate amount not
43 to exceed \$7,643,000 for the purpose of financing a portion of the costs of various **water capital**
44 **improvement projects** in the Municipality, and providing for related matters; Anchorage Water &
45 Wastewater Utility. (*Public Hearing 12-7-04*)
46 a. Assembly Memorandum No. AM 848-2004.
47 9.F.3. Ordinance No. AO 2004-157, an ordinance authorizing a lease between the Municipality and **ACS**
48 **Wireless, Inc.** of space on a community interest tower and of ground space for a support building at
49 the Municipality's Ship Creek Water Treatment Facility site; Anchorage Water & Wastewater Utility.
50 (*Public Hearing 12-7-04*)
51 a. Assembly Memorandum No. AM 849-2004.
52 9.F.4. Resolution No. AR 2004-290, a resolution of the Municipality of Anchorage, Alaska, confirming and
53 levying sanitary sewer special assessments for improvements within **King Lateral Improvement**
54 **District A190**, setting date of payment and providing for penalties and interest in the event of
55 delinquency; Anchorage Water & Wastewater Utility. (*Public Hearing 12-7-04*)
56 a. Assembly Memorandum No. AM 850-2004.
57 9.F.5. Ordinance No. AO 2004-158, an ordinance authorizing an easement to the U.S. Forest Service to
58 construct and maintain the **Iditarod National Historic Trail** across municipal lands in the Upper
59 Girdwood Valley; Heritage Land Bank. (*Public Hearing 12-7-04*)
60 a. Assembly Memorandum No. AM 851-2004.
61 9.F.6. Ordinance No. AO 2004-159, an ordinance submitting to the qualified voters residing in the **Paradise**
62 **Valley South Limited Road Service Area** (LRSA), a ballot proposition at the Municipal Election of
63 April 5, 2005 to impose a maximum 2.00 mill levy rate for the Paradise Valley South LRSA, effective
64 retroactively as of January 1, 2005 and amending Anchorage Municipal Code Section 27.30.640;
65 Maintenance & Operations Department. (*Public Hearing 12-7-04*)
66 a. Assembly Memorandum No. AM 852-2004.
67 9.F.7. Ordinance No. AO 2004-160, an ordinance amending the zoning map and providing for the rezoning
68 of approximately 9.5 acres, from R-6 (Suburban Residential, Large Lot District) to R-1A (Single Family
69 Residential District), for all of **Tract 5, Gregory Subdivision** as per Plat P-395, including that area
70 described as the West 270 feet of the North 270 feet of the South 480 feet of the East 480 feet of said
71 Tract 5, Gregory Subdivision, generally located on the west side of Gregory Road, north of Huffman
72 Road (Huffman/O'Malley Community Council) (Planning and Zoning Commission Case 2004-133);
73 Planning Department. (*Public Hearing 12-14-04*)
74 a. Assembly Memorandum No. AM 853-2004.
75 9.F.8. Ordinance No. AO 2004-161, an ordinance amending the zoning map and providing for the rezoning
76 of approximately 4.6 acres from R-6 (Suburban Residential District, Large Lot) to R-1 (Single Family
77 Residential District) for **Lots 1 and 2, Stover Subdivision**, generally located at 2201 and 2237

Huffman Road (Huffman O'Malley Community Council) (Planning and Zoning Commission Case 2004-132); Planning Department. *(Public Hearing 12-14-04)*

a. Assembly Memorandum No. AM 854-2004.

9.F.9. Resolution No. AR 2004-291, a resolution of the Municipality of Anchorage appropriating \$500,000 from the U.S. Department of Justice, Office of Community Oriented Policing Services, COPS in Schools Grant and \$60,080 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 the **COPS in Schools Program**. *(Public Hearing 12-7-04)*

a. Assembly Memorandum No. AM 855-2004.

9.F.10. Resolution No. AR 2004-292, a resolution of the Municipality of Anchorage appropriating \$1,013,204 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 for the provision of **Women, Infants and Children Supplemental Nutrition Services**. *(Public Hearing 12-7-04)*

a. Assembly Memorandum No. AM 856-2004.

9.F.11. Resolution No. AR 2004-293, a resolution of the Anchorage Municipal Assembly appropriating \$2,000,000 to Municipal Light and Power 2004 Operating Fund (530) and revising the **2004 Municipal Light and Power Operating Budget**. *(Public Hearing 12-7-04)*

a. Assembly Memorandum No. AM 857-2004.

9.F.12. Resolution No. AR 2004-294, a resolution of the Municipality of Anchorage appropriating \$605,000 from the Federal Highway Administration (FHWA) to the Federal Categorical Grants Fund (241) for the Traffic Department, Transportation Planning Division, **Anchorage Metropolitan Area Transportation Solutions (AMATS)**; Traffic Department. *(Public Hearing 12-7-04)*

a. Assembly Memorandum No. AM 858-2004.

9.F.13. Resolution No. AR 2004-243, a resolution of the Municipality of Anchorage appropriating \$500,000 to the Public Transportation CIP Fund (485) from the Federal Highway Administration through the Alaska Department of Transportation and Public Facilities to provide funding for purchase of **automated operating systems**. This purchase will aid in congestion management and air quality mitigation through increased efficiencies in the delivery of public transportation service within the Municipality of Anchorage. *(Public Hearing 12-7-04)* **(Addendum)**

a. Assembly Memorandum No. AM 733-2004.

9.F.14. Ordinance No. AO 2004-162, an ordinance designating the **former Alaskan Village Mobile Home Park** as a deteriorated area, and setting the area boundaries, pursuant to Anchorage Municipal Code Sections 12.35.005 and 12.35.050; Office of Economic & Community Development. *(Public Hearing 12-7-04)* **(Addendum)**

a. Assembly Memorandum No. AM 861-2004.

9.F.15. Ordinance No. AO 2004-163, an ordinance amending Anchorage Municipal Code Section 4.50.070 to rename the **School Budget Advisory Commission**, have the Commission advise and report to the Mayor, School Board, and Superintendent of Schools in addition to the Assembly, to add additional powers and duties and for other purposes; Legal Department. *(Public Hearing 12-14-04)* **(Addendum)**

a. Assembly Memorandum No. AM 862-2004.

END OF CONSENT AGENDA

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

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

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

NAYES: None.

ABSENT: Stout, 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.B. RESOLUTIONS FOR ACTION - OTHER

10.B.6. Resolution No. AR 2004-297, a resolution of the Anchorage Municipal Assembly urging the National League of Cities to approve a resolution during its Congress of Cities Conference November 30th through December 4th, 2004, in support of opening the Arctic National Wildlife Refuge (ANWR) to oil exploration; Assemblymembers Whittle, Traini, and Tesche, Tremaine, Fairclough, Sullivan, Jennings, Ossiander, Shamberg, Coffey and Stout. **(Laid on the Table)**

Chair Traini read this resolution title and called for a motion. Ms. Fairclough and Mr. Tremaine requested that they be added as cosponsors and recommended that all Assemblymembers also be added. All members concurred.

Ms. Fairclough moved, to approve AR 2004-297, as amended.
Mr. Whittle seconded,
and this motion was passed,

1
2 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Jennings, Ossiander, Shamberg and Coffey.
3 NAYES: None.
4 ABSENT: Stout, excused.
5

6 10.B.9. Resolution AR 2004-300, a resolution of the Anchorage Municipal Assembly supporting the revised
7 planning schedule for the **Title 21 rewrite project**, including the Anchorage Land Use Plan Map and
8 the Chugiak-Eagle River Comprehensive Plan Update; Assembly Chair Traini, Planning Department.
9 **(Laid on the Table)**
10

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

12
13 Mr. Tesche moved, to approve AR 2004-300.
14 Ms. Jennings seconded,
15

16 Deputy Municipal Manager Michael Abbott stated that this was similar to the plan that had been discussed in the
17 recent worksession and reflected Assembly and Administration recommendations.
18

19 Mr. Coffey thanked Ms. Ossiander and the Administration for their work on this item, including creating the time-line.
20

21 and this motion was passed,
22

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

27 Chair Traini thanked the Administration for their hard work on this project and requested that this information be added
28 to the Municipal Web Site, with a "hot button," making it available for public review.
29

30 10.B.10. Resolution No. AR 2004-301, a resolution of the Anchorage Municipal Assembly urging the National
31 League of Cities to adopt a resolution supporting construction of an **Alaskan Gas Pipeline**;
32 Assemblymembers Tesche, Coffey, Fairclough, Jennings, Ossiander, Whittle, Tremaine, Traini,
33 Shamberg, Sullivan and Stout. **(Laid on the Table)**
34

35 Chair Traini called for a motion on AR 2004-301. Mr. Tesche first read the resolution and moved for approval.
36

37 Mr. Tesche moved, to approve AR 2004-301, as amended.
38 Mr. Sullivan seconded,
39

40 Mr. Whittle recommended administrative changes and Mr. Tesche responded that the reviser of ordinances would
41 make the necessary corrections.
42

43 and this motion was passed,
44

45 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
46 NAYES: None.
47

48 Chair Traini called to Change the Order of the Day to take up 14.A, 14.B, 14.H, 14.I and 14.J, items AO 2004-149, AO
49 2004-174, AR 2004-180, AR 2004-281 and AR 2004-145. Mr. Tesche so moved, seconded by Mr. Sullivan and there
50 were no objections.
51

52 **10.C. BID AWARDS**

53 10.C.2. Assembly Memorandum No. AM 860-2004, recommendation of award to Pederson Power Products
54 for furnishing **metal clad switchgears, outdoor non-segregated phase bus ducts, and associated**
55 **equipment** to the Municipality of Anchorage; Municipal Light & Power (ITB 24-B058) (\$665,900);
56 Purchasing. **(Addendum)**
57

58 Chair Traini read this memorandum title and called for a motion.
59

60 Mr. Tesche moved, to approve AM 860-2004.
61 Ms. Ossiander seconded,
62

63 Municipal Purchasing Officer Bart Mauldin stated the Purchasing Department had received a protest on this award.
64 He was not predicting the protest was significant and asked for the Assembly to proceed with consideration of the
65 award. He stated that the award would not be executed until the protest had satisfactorily been cleared.
66

67 and this motion was passed,
68

69 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Jennings, Ossiander, Shamberg and Coffey.
70 NAYES: None.
71 ABSENT: Stout, excused.
72

73 **10.D. NEW BUSINESS**

74 10.D.1. Assembly Memorandum No. AM 711-2004, **Assembly Meeting Schedule** (January – June 2005);
75 Chair Traini.
76

77 Chair Traini read this memorandum title and called for a motion.
78

1 Ms. Fairclough moved, to approve AM 711-2004.
2 Mr. Tremaine seconded,

3
4 Ms. Fairclough requested consideration of the meeting schedule in March and thought that taking public testimony
5 would be difficult during Spring Break when many people would be out of town. She proposed a date change.

6
7 Ms. Fairclough moved, to amend AM 711-2004 *by changing* the Assembly Meeting
8 Ms. Ossiander seconded, of [~~March 22~~] to "March 15," 2004.

9
10 Chair Traini stated that created a conflict with a National League of Cities meeting. Mr. Tremaine proposed to amend,
11 moving the meeting date to the 8th. Municipal Clerk Barbara Gruenstein stated there were deadlines to hear the
12 School Budget and the Public Hearing at the Assembly Meeting of the 22nd was to be extended to the 29th. To Ms.
13 Fairclough, Ms. Gruenstein responded it was a very tight schedule, governed by code, getting the School Budget items
14 to the Assembly and she would report back on those dates. Mr. Coffey concurred that the meeting on March 22nd
15 would conflict with his plans with his family during Spring Break. Ms. Fairclough stated she would accept the move to
16 the 8th as a friendly amendment.

17
18 Mr. Tremaine moved, to amend the Fairclough Amendment, *by changing*
19 Ms. Fairclough seconded, [~~March 15th~~] to "March 8th," 2004.
20 and there were no objections,

21
22 Ms. Fairclough moved, to approve AM 711-2004, as amended
23 Mr. Tremaine seconded,
24 and this motion was passed,

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

29
30 Mr. Sullivan recommended that if the School District did have time-certain dates to complete their budget the Assembly
31 could change the dates at a later time or call a Special Meeting. Chair Traini responded that if it were necessary to
32 have a meeting to accommodate a charter requirement he would call a Special Meeting.

33
34 10.D.2. Assembly Memorandum No. AM 838-2004, recommendation of award to Sierra Research, Inc. for
35 providing **inspection/maintenance program evaluation design** for the Municipality of Anchorage;
36 Department of Health & Human Services (RFP 24-P034) (\$109,900); Purchasing.

37
38 Chair Traini read the memorandum title and called for a motion.

39
40 Ms. Fairclough moved, to approve AM 838-2004.
41 Ms. Ossiander seconded,

42
43 To Ms. Fairclough, Department of Health and Human Services Director Beverly Wooley responded their purpose for
44 the inspection was to provide an overall assessment of the program to evaluate cutting back, phasing out or
45 completely eliminating the emissions program. Ms. Fairclough stated the memorandum did not include possible
46 impacts to the private sector. Ms. Wooley stated the plan would first determine if the program was making a difference
47 with the carbon monoxide levels in the air and the study would include cold-starts and required repairs. She
48 responded there would be possible AMATS funding available for subsequent comprehensive programs, following
49 completion of this current pilot program.

50
51 To Mr. Sullivan, Ms. Wooley responded they were using the Dynamo Machine.

52
53 To Chair Traini, Ms. Wooley responded that Sierra Research had been involved with the IM Program since the early
54 1990's and there had been other bidders, but it was not a highly competitive bid area.

55
56 Speaking on the subject of air quality, Ms. Fairclough stated for the record that one of her constituents in Eagle River
57 had been denied a burn permit because of air quality, even though they were outside of the containment area. She
58 thought that if the Municipality was going to impose a burn-ban permit for air quality issues, she would recommend
59 talking with the Chugiak Volunteer Fire Department and Station Eleven, because they would issue burn permits. She
60 stated she would further discuss this matter at a later time with members of the Administration.

61
62 and this motion was passed,

63
64 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Jennings, Ossiander, Shamberg and Coffey.
65 NAYES: None.
66 ABSENT: Stout, excused.

67
68 10.D.5. Assembly Memorandum No. AM 841-2004, Amendment No. 2 to professional engineering services
69 contract with CRW Engineering Group for the design study of the **84th Avenue/Spruce Street**
70 **Upgrade Project**, Project Nos. 02-02 & 02-08 (\$266,873); Project Management & Engineering.

71
72 Chair Traini read this memorandum title and called for a motion.

73
74 Mr. Coffey moved, to approve AM 841-2004.
75 Ms. Ossiander seconded,

76
77 To Mr. Coffey, Chief Engineer Howard Holtan responded that this project, involving about seven hundred feet of
78 improvements, would complete the connection from 84th Avenue to Little Brook Subdivision. He stated there was a

1 subdivision under development that would help with the connection. Mr. Coffey stated that there were many driveways
2 at the South end of Spruce, at the last two blocks of the proposed project. He thought it would make sense to create
3 another collector street and not disrupt the homes on that street. Mr. Holtan agreed to discuss it and Mr. Coffey
4 moved to postpone until the research was completed.

5
6 Mr. Coffey moved, to postpone AM 841-2004 until December 7, 2004.
7 Mr. Tremaine seconded,
8 and there were no objections,
9

10 **10.E. INFORMATION AND REPORTS**

11 10.E.1. Information Memorandum No. AIM 102-2004, Internal Audit Report 2004-12 – **Weatherization**
12 **Program**, Weatherization Section, Social Services Division, Health and Human Services, Internal
13 Audit.
14

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

16
17 Ms. Ossiander moved, to accept AIM 102-2004.
18 Ms. Jennings seconded,
19

20 To Ms. Ossiander, Health and Human Services Director Beverly Wooley responded that this involved one half-time
21 warehouse inventory position that was becoming full time and there would be inventory training scheduled for this
22 month and next month.
23

24 Ms. Fairclough stated that from her review of the audit it appeared that staff productivity was low, and she wondered if
25 additional staff would fix the efficiency problem. Ms. Wooley responded the full-time position would increase efficiency.
26

27 Chair Traini requested that the initial report be completed for Assembly review sometime in February. Ms. Wooley
28 concurred.
29

30 and this motion was passed with no objections,
31

32 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION** None were pulled for review.
33

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

35 11.A. Ordinance No. AO 2004-151, an ordinance amending Anchorage Municipal Code Chapters 9.30, 9.48,
36 11.10, 11.70, 14.30, 14.50, 16.60 and 16.110, and Anchorage Municipal Code of Regulations
37 Chapters 15.05, 16.02, 21.20, and 25.10 to establish or adjust **fees, fines and/or penalties** to reflect
38 actual cost and reduce taxpayer subsidy of municipal programs in the Departments and Divisions of
39 Administrative Hearing Office (Law), Anchorage Fire Department, Anchorage Parking Authority,
40 Development Services, Health & Human Services, Parks & Recreation, Planning, Public
41 Transportation, and Transportation Inspection, Legal Department.
42 1. Assembly Memorandum No. AM 735-2004. *(Carried Over from 11-9-04)*
43 2. Assembly Memorandum No. AM 735-2004(A). **(Addendum)**
44

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

46
47 Mr. Tesche moved, to approve AO 2004-151.
48 Mr. Whittle seconded,
49

50 Mr. Tremaine questioned the document wording on Page 1, Line 34, "...a person who fails to resolve a notice of
51 violation within a specific time shall be subject to a civil penalty..." He thought the notice of appeal did not resolve the
52 issue by simply specifying a date, he did not think that was the intent and that the language needed correcting.
53 Municipal Attorney Fred Boness responded that he and Assembly Attorney Michael Gatti would review the entire
54 document and would respond back to Mr. Tremaine.
55

56 *(Clerk's Note: Mr. Stout joined the Assembly Meeting in process, via telephone.)*
57

58 To Ms. Fairclough, Mr. Stout responded that he would like to join all Assemblymembers in cosponsoring AR 2004-301,
59 supporting the Alaskan Natural Gas Pipeline.
60

61 Chair Traini called for discussion on the fines and fees ordinance. Mr. Coffey moved to amend.

62
63 Mr. Coffey moved, to amend AO 2004-151 on Page 4, Lines 23-24, Section C.,
64 Mr. Tesche seconded Fee, by deleting [1. Unless reauthorized by the Assembly,
65 this subsection C. will sunset automatically one year from
66 effective date without further Assembly action.]
67

68 Mr. Tesche agreed with Mr. Coffey that the clause needed to be removed. He stated there were still questions
69 remaining concerning who would be responsible for bringing this item back before the Assembly.
70

71 Mr. Sullivan stated that this was a very small issue concerning a non-refundable fee of \$25 in a large ordinance. He
72 thought would be a good policy for the Assembly to regularly review these fees. He stated that consideration of
73 removing the fee would be more appropriate than deleting the sunset clause.
74

75 Ms. Ossiander had heard from two different constituents who felt this fee of \$25 was unfair for their cases to be heard.
76

77 Chair Traini Called the Question.
78

1 and this motion was approved,
2

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

5
6 Mr. Coffey moved,
7 Mr. Sullivan seconded,

to amend AO 2004-151 on Page 14, Lines 2-4, *by deleting*
[~~B. Beginning in 2005 and annually thereafter, all zoning fees shall be adjusted on March 15 of each year by an amount equal to the increase in the Anchorage consumer Price index (all urban consumers) CPI-U from January 1 to December 31 of the prior year.~~]

8
9
10
11
12
13 Mr. Coffey stated that the Administration had proposed an amendment of the same nature, to be adjusted annually,
14 rounding to the nearest five dollars. He thought there were two problems with using the CPI, including taking the
15 control away from the Assembly when fee increases occurred and the resulting fees being set out in cents, not in
16 dollars.

17
18 To Mr. Tesche, Deputy Municipal Manager Michael Abbott responded that the Administration felt an annual CPI
19 adjustment was appropriate and they concurred with Mr. Coffey to simplify figures by rounding to the nearest dollar.
20

21 Mr. Sullivan stated that allowing an automatic increase without a corresponding review was a wrong process. He
22 thought the Assembly could periodically review the documents to ensure the public was being served properly. He
23 also thought there was an expectation of a set fee and the public would be surprised if the fees were raised. He stated
24 he would support the Coffey Amendment.

25
26 and this motion was passed,
27

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

30
31 Mr. Coffey moved,
32 Ms. Ossiander seconded,

to amend AO 2004-151 under Schedule of Fees, *by changing*
to read: An appeal to the Board of Adjustment shall require
33 payment of the following fees, (*table inset*) Notice of Appeal
34 "~~\$2500.00~~" [~~\$960.00~~]; Record preparation supporting
35 documents "~~\$2.50~~" [~~\$1.50~~] per page.
36

37 Mr. Coffey stated that the process was currently designed to delay appeals without merit. He stated that the boards
38 and commissions were appointed by the Administration and approved by the Assembly. He wanted to honor those
39 positions and that process by supporting their decisions and he wanted to retain the fees to deter frivolous appeals.
40

41 Mr. Sullivan opposed this amendment because this would eliminate the person who did not have the money for the
42 appeal and citizens should not be denied the right to appeal.
43

44 Mr. Tesche stated that an appeal with the MOA was twenty-five times more expensive than an appeal before the State
45 Superior Court. He thought the fees were unfair and he would not support the amendment.
46

47 Chair Traini stated it was an expensive process because the mediator was highly paid.
48

49 Mr. Fairclough favored the amendment because she had seen people who continually challenged the process and
50 created stall tactics. Mr. Coffey responded the denials of appeals exceeded 90%. Ms. Fairclough stated that a refund
51 should be considered. She proposed to lessen the fee amount, which was accepted as a friendly amendment.
52

53 Ms. Fairclough moved,
54 Ms. Ossiander seconded,

to amend the Coffey Amendment *by changing* the fee
55 amounts *to read:* "An appeal to the Board of Adjustment shall
56 require payment of the following fees, (*table inset*) Notice of
57 Appeal [~~\$2500.00~~] "\$1500.00."

58 Ms. Jennings stated she would not support the amendment.
59

60 Mr. Tesche stated the costs were still too high and he would not support the amendment.
61

62 Mr. Sullivan stated that the Assembly used to handle all the appeals and he could not recall a frivolous appeal that was
63 not tossed out.
64

65 and this motion failed,
66

67 AYES: Fairclough, Traini, Ossiander, Shamberg and Coffey.
68 NAYES: Whittle, Tremaine, Sullivan, Tesche, Stout and Jennings.
69

70 Ms. Jennings moved,
71 Mr. Coffey seconded,

to amend AO 2004-151 on Page 2, Line 39, *by changing, to*
72 *read:* 2. [~~One thousand five hundred dollars \$1500.00~~] "One
73 thousand four hundred twenty five (\$1425.00)" shall be paid
74 for the issuance or annual renewal of a taxicab, limousine or
75 vehicle for hire permit...
76

77 Ms. Jennings stated the Assembly had raised this fee last year and the Administration had lowered it. She stated it
78 was still five to ten percent over the permitting cost to the city. She thought this amendment would bring it in line.

1 Mr. Tremaine stated there were limited entries for taxi cabs, with costs related-to-profit to be made. He thought that
2 simply raising the fee would not have an effect other than a slight change in the value of the limited entry. He would
3 not support the amendment.
4

5 Mr. Coffey stated they needed to pay for the cost of the service and the tax payers should be protected from the
6 elimination of the cushion. Deputy Municipal Manager Michael Abbott responded that these types of funds largely
7 supported the transportation inspection program, with a reserve of ten to fifteen percent. The Administration had
8 proposed reducing the fund by five percent. Mr. Abbott supported the Assembly addressing the issue.
9

10 Ms. Shamberg supported the Jennings Amendment and thought it was a good compromise.

11 and this motion was passed,

12
13
14 AYES: Fairclough, Whittle, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
15 NAYES: Tremaine.

16
17 Ms. Ossiander moved, to amend AO 2004-151 on Page 4, *by deleting* Lines 19-21.
18 Mr. Sullivan seconded, [~~G. Fee. A request for hearing shall include a \$25 non-~~
19 ~~refundable fee. The fee may be waived by the administrative~~
20 ~~hearing officer where the requesting party is indigent, and a~~
21 ~~completed financial statement to that effect has been~~
22 ~~submitted.]
23~~

24 Ms. Ossiander stated there was a fundamental responsibility of a body which put a penalty in place, to include a
25 process for consideration of fairness. She felt there should be a chance for repeal at no cost.
26

27 To Ms. Shamberg, Municipal Attorney Fred Boness responded that while it was not designed for that reason, people
28 often appealed and did not show up. Mr. Boness responded it was fairly common to have filing fees.
29

30 To Mr. Coffey, Mr. Boness responded that this was not like traffic or parking tickets but was dealing with code
31 violations.
32

33 Mr. Tesche stated this involved an initial hearing where a person would be allowed to contest a charge. He sensed
34 some repugnance on the imposition of the \$25.00 fee.
35

36 To Ms. Fairclough, Mr. Boness stated the \$25.00 was a single fee for a single citation. Ms. Fairclough stated she had
37 dealt with code enforcement cases that repeatedly came before the hearing officer and she would support the
38 Ossiander Amendment.
39

40 and this motion was passed,

41
42 AYES: Fairclough, Whittle, Tremaine, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
43 NAYES: Sullivan and Traini.
44

45 Mr. Sullivan moved, to amend AO 2004-151 on Page 14, Section 14, (*Chart*),
46 Mr. Coffey seconded, beginning on Line 17, A.2, *by changing to read:* Abbreviated
47 plat that only eliminates an interior lot line [~~\$1840.00~~
48 "\$1200.00."
49
50

51 Mr. Sullivan thought that the simple process of eliminating an interior lot line should not cost this much money.
52

53 To Mr. Tesche, Deputy Municipal Manager Michael Abbott responded that the Administration had completed cost
54 allocations of platting details and this reduction would amount to a twenty-five thousand dollar revenue decrease.
55 Municipal Budget & Policy Analyst Linda Brooks responded that the goal in the Planning and Zoning Department had
56 been to eliminate property tax subsidies for those services. She explained that the costs related to the elimination of
57 an interior lot line involved reviews from many departments.
58

59 Mr. Sullivan added that during Public Hearing on this item, a professional engineer had testified that it took them three
60 or four hours to complete this work.
61

62 Mr. Coffey stated that this involved the simplest form of replatting and did not need to involve other departments.
63

64 and this motion passed,

65
66 AYES: Fairclough, Whittle, Sullivan, Traini, Tesche, Stout, Ossiander, Shamberg and Coffey.
67 NAYES: Tremaine and Jennings.
68

69 Mr. Sullivan moved, to amend AO 2004-151 on Page 15, Section 16, *by changing*
70 Mr. Coffey seconded, the effective date to read: This ordinance shall become
71 and this motion was later withdrawn, effective on "January 1, 2005," and *by adding* "with the
72 exception that the reduced fees in Section 14.A.2 (21.20.003)
73 shall apply to all current applications. Fees paid in excess of
74 the new fee amounts shall be refunded to the applicant."
75

76 Mr. Sullivan stated there were individuals who were currently in process who should benefit by this change.
77

1 To Mr. Tesche, Ms. Brooks responded that the adjusted fee for elimination of an interior involved an anticipated
2 reduction in revenue of \$25,600.00. She stated there were approximately forty cases per year involving short plats
3 eliminating interior lot lines. Mr. Tesche stated he would not support the amendment because it did not indicate its
4 retroactivity and the effects on the budget had not been determined. Municipal Attorney Fred Boness responded the
5 amendment would require a change to the Municipal Code of Regulation, Section 340.50, which stated regulations
6 adapted under this chapter may be applied only prospectively from the effective date and could not apply to situations
7 or activities of persons occurring prior to that date.

8
9 Ms. Fairclough stated she would not support the Sullivan Amendment for those reasons.

10
11 Mr. Sullivan thought provisions could be made to apply to current applicants, who would qualify for the lower amount.
12 Mr. Boness thought it would not involve activities that had occurred before the established date. Mr. Sullivan withdrew
13 his amendment and the second concurred. *(Clerk's Note: Action shown with motions, above)*

14
15 Mr. Coffey moved, to amend AO 2004-151 on Page 15, in the Chart, *by deleting*
16 Mr. Tremaine seconded, Schedule I: [~~Beginning in 2005 and annually thereafter, all~~
17 ~~plating fees shall be adjusted on March 15 of each year by~~
18 ~~an amount equal to the increase in the Anchorage Consumer~~
19 ~~Price index (all urban consumers) CPI-U from January to~~
20 ~~December 31 of the prior year.]~~

21
22 Mr. Coffey stated this reference to the Consumer Price Index had previously been approved for deletion.

23
24 Ms. Jennings stated that the Administration's stand made more sense to her, and she would not support it.

25
26 and this motion was approved,
27 with a vote of ten to one,

28
29 Mr. Coffey clarified that if an appeal was filed, no permit would be issued as a matter of department practice. He
30 proposed reconsideration of that matter.

31
32 Ms. Fairclough clarified that the \$25.00 fee and the sunset clause had already been eliminated and in the attached
33 memorandum, on Page 2, Section 5, it mentioned a fee and a sunset clause for an indigent waiver, which was not
34 consistent with the main document. Mr. Abbott responded those clauses existed already and they were not being
35 considered for change. Chair Traini called for a vote on the main motion.

36
37 Mr. Tesche moved, to approve AO 2004-151, as amended.
38 Mr. Whittle seconded,
39 and this motion was passed,

40
41 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
42 NAYES: None.

43
44 Ms. Fairclough moved and Ms. Jennings urged a NO-vote for immediate reconsideration.

45
46 Ms. Fairclough moved, for immediate reconsideration of AO 2004-151, as amended.
47 Mr. Coffey seconded,
48 and this motion failed,

49
50 AYES: None.

51 NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Shamberg and Coffey.
52 *(Clerk's Note: Ossiander was temporarily out of the room at the time of the vote.)*

- 53
54 11.B. Ordinance No. AO 2004-143(S), an ordinance adopting and appropriating funds for the **2005 General**
55 **Government Operating Budget** for the Municipality of Anchorage, Office of Management & Budget.
56 *(First Public Hearing held 10-26-04; Second Public Hearing held 11-9-04; Carried Over from 11-9-04)*
57 1. Assembly Memorandum No. AM 734-2004.
58 2. Ordinance No. AO 2004-143, an ordinance adopting and appropriating funds for the 2005
59 General Government Operating Budget for the Municipality of Anchorage, Office of
60 Management & Budget.

61
62 Chair Traini called for a motion to introduce the substitute version of AO 2004-143.

63
64 Mr. Tesche moved, to introduce AO 2004-143(S).
65 Mr. Tremaine seconded,
66 and there were no objections,

67
68 Chair Traini called for a motion.

69
70 Mr. Tesche moved, to approve AO 2004-143(S).
71 Mr. Tremaine seconded,

72
73 Mr. Tesche explained there were two documents of Assembly Amendments that had been prepared. The blue copy
74 had shaded areas, indicating Administration approval of items which had been included in the Substitute Version
75 introduced that evening.

76
77 Mr. Tremaine stated that police officers were currently performing office duties which were taking away from their time
78 on the streets. He requested to review this again during the first quarter of 2005. Municipal Manager Denis LeBlanc

1 responded it was their commitment to add ninety-three officers over the next five years and the current budget under
2 review included twenty-eight new positions. Mr. Tremaine also addressed the reduced budget of the State Fish and
3 Game officer who addressed problems bears in the Municipality and the anticipated need for municipal police officers
4 to help with wildlife problems. He stated that he would readdress this issue later in the meeting.

5
6 Ms. Ossiander added that when she and Assemblymember Jennings were at the police station they had addressed
7 the need for additional positions to cover clerical issues and problem wildlife, along with additional staff needed for the
8 Eagle River Substation.

9
10 Ms. Fairclough stated that she had not yet addressed the matching grant needed to support the Eagle River-Chugiak
11 Bear Paw Festival.

12
13 Mayor Begich responded that the Administration would address both the Bear Paw Festival and the need for dealing
14 with problem wildlife.

15
16 Mr. Tesche commented that the appropriations of \$9850.00 for bus tokens to the Safe Harbor Inn and \$12,800 for
17 monthly bus passes to the Child In Transition Program were expenses that previously had been eliminated when
18 money was more scarce and he was delighted that the funds were now available to assist these specific needs.

19
20 To Mr. Coffey, Mayor Begich responded that this support for transportation of the homeless needed to remain
21 appropriations because the Transit Facility's revenue was based on ridership.

22
23 Mr. Coffey moved,
24 Ms. Fairclough seconded,
25 and there were no objections,

to amend AO 2004-143(S) *by including* under Employee Relations Department: "Prior to the expenditure of the funds approved in the budget for the three (3) new personnel in this department, the Administration shall present a plan of reorganization of this department which shall be approve by the Assembly."

26
27
28
29
30 The Administration concurred with Mr. Coffey's Amendment.

31
32 Mr. Coffey moved,
33 Ms. Fairclough seconded,
34 and there were no objections,

to amend AO 2004-143(S) *by including* under Parks & Recreation Department: "Prior to the expenditure of the funds approved in the budget for the three (3) new personnel (Item #5), the Administration shall present through an AM, proof of secured funding."

35
36
37
38 Mr. Coffey moved,
39 Ms. Ossiander seconded,
40 and there were no objections,

to amend AO 2004-143(S) *by including* under the Department of the Assembly: "Prior to the expenditure of the funds approved in the budget for Community Councils (Item 24) develop a plan to serve the needs of the Councils which may involve moving certain functions in to Municipal Government or which may require Request for Proposals from third parties and have that plan approved by the Assembly."

41
42
43
44
45
46 Mr. Coffey stated that if the resolution was passed he was hopeful that Community Councils needs would be
47 addressed.

48
49 Mr. Tesche stated that this addressed the Community Councils and their need to restore funding for their important
50 functions and he would support the Coffey Amendment.

51
52 Ms. Jennings concurred and stated she would be interested in being on the task force, addressing this issue. She
53 stated that meeting the needs of the Community Councils was very important.

54
55 Mr. Whittle stated he supported the Community Councils and the Coffey Amendment and thought it was important to
56 address the timeline for the appropriations so their business would not be interrupted. Mr. Coffey concurred and had
57 communicated about the implementation of the plan with the Administration, hoping to have it resolved by the first of
58 the year. (*Clerk's Note: Assembly approval shown with motions, above.*)

59
60 Mr. Coffey moved,
61 Ms. Ossiander seconded,
62 and there were no objections,

to amend AO 2004-143(S) *by including* under Economic and Community Development: "Prior to the expenditure of the additional funds (\$84,440.00) approved in the budget for added staff to increase branch library hours, the Administration shall present an AIM to indicate what additional hours/staffing will be at the branch libraries."

63
64
65
66
67 To Mr. Tesche, Mayor Begich responded that he supported the Coffey Amendment.

68
69 Ms. Shamberg stated that she supported the Coffey Amendment.

70
71 Chair Traini stated that he supported the amendment and urged a YES-vote. (*Clerk's Note: Assembly approval
72 shown with motions, above.*)

73
74 Mr. Coffey moved,
75 Ms. Fairclough seconded,
76 and there were no objections,

to amend AO 2004-143(S) *by including* under Traffic: "Reduce the amount in the Budget for traffic calming from \$143,530.00 to \$133,000.00 per the worksession presentation to the Assembly."

1 Mr. Coffey stated there was much support for traffic calming, and wanted to make sure there was an appropriate plan
2 in place, and not simply pull two other line items out of the original budget. This process would save \$10,530.00.

3
4 Ms. Jennings stated there was much interest for traffic calming and supported the Coffey Amendment. She thanked
5 the Administration for including this in the Budget.

6
7 Deputy Municipal Manager Michael Abbott stated the Coffey Amendment was satisfactory with the Administration.
8 *(Clerk's Note: Assembly approval shown with motion, above.)*

9
10 Mr. Coffey moved, to amend AO 2004-143(S) *by reducing* the Assembly travel
11 Ms. Fairclough seconded, budget by "\$9,730.00."

12
13 Mr. Coffey stated this was a reduction of the Assembly travel budget of twenty percent. He thought the Assembly
14 needed to demonstrate to other Municipal departments a willingness to hold the line on expenditures.

15
16 Mr. Tremaine stated that it was important for members to attend the functions of the Alaska Municipal League (AML)
17 and the National League of Cities (NLC) and travel to Capitol Hill for lobbying.

18
19 Ms. Fairclough supported the Coffey Amendment and urged consideration of a travel policy for Assemblymembers.
20 She thought it was very important for members to travel and lobby issues important to the city and the state, but had
21 witnessed six or seven members travel and attend the same function. She urged a YES-vote.

22
23 Mr. Tesche stated that travel was not a luxury for members, with additional personal expenses and time away from
24 their homes and offices. He stated that Anchorage Assemblymembers offered an important and unique view to the
25 NLC and the AML, and thought there were many benefits from their close relationships. He would not support the
26 amendment and urged a NO-vote.

27
28 Mr. Sullivan stated it was important for members to travel to find support for issues of our city and state but he
29 supported the travel budget reduction because he felt it was not necessary for multiple Assemblymembers and staff to
30 attend those functions. He stated that while the proposed cut was a small one, many small cuts would lead up to
31 significant savings in the Budget and he felt the Assembly should be setting an example on how money was spent.

32
33 Mr. Coffey stated that he recognized the importance of travel, particularly with the upcoming lobbying that would be
34 needed for the proposed Natural Gas Pipeline.

35
36 Mr. Whittle stated that he supported reviewing the Assembly's travel budget, but thought it was critically important for
37 Assemblymembers to maintain communications with Washington D.C. and Juneau. He would not support the Coffey
38 Amendment.

39
40 To Ms. Jennings, Assembly Budget Director Elvi Gray-Jackson responded that the proposed nine thousand dollars
41 would cover approximately three trips with all expenses, to Washington D.C.

42
43 Mr. Sullivan stated the Assembly Budget had proposed an increase of \$41,000 and this would help balance the
44 proposed cut to travel expenses.

45
46 Ms. Shamberg stated that the travel budget was important and she would instead like to consider cutting the expenses
47 of Assemblymembers' administrative and legal aides.

48
49 Chair Traini stated that Assemblymembers had been very effective with their involvement with the NLC, with four
50 members in leadership positions. He thought that Anchorage and Alaska being represented was making a difference.
51 He would not support the amendment.

52
53 Mr. Stout stated he would be supporting the Coffey Amendment and thought that examining a travel plan was a good
54 idea that the travel budget could be revised at a later time if additional funds were needed.

55
56 and this motion was approved,

57
58 AYES: Fairclough, Tremaine, Sullivan, Stout, Ossiander, Shamberg and Coffey.
59 NAYES: Whittle, Traini, Tesche and Jennings.

60
61 Mr. Coffey moved, to amend AO 2004-143(S) on Page 7 in the attached AM,
62 Mr. Sullivan seconded, under the Summary of the Chief Fiscal Officer, Reduction in
63 Business Process Improvement Funds, *by changing* from
64 [~~\$421,000.00~~] to "\$471,000.00," *(Increasing the reduction)*

65
66 Mr. Coffey stated this amendment would further increase the reduction.

67
68 Chief Fiscal Officer Jeff Sinz responded this reduction had been discussed in the Assembly Worksession and this
69 money was the residual funds remaining from the Department of Efficiency. The total amount available after the
70 amendment would be \$450,000 and he thought this amount would be adequate for their operating budget. If
71 significant money was needed to cover additional opportunities, he would request consideration from the Assembly in
72 the first quarter budget revision. He stated that he supported this amendment.

73
74 and this motion was unanimously passed,

75
76 To Ms. Fairclough, Mr. Abbott responded that all corresponding changes, as required by the approved amendments to
77 the fee ordinance, would be made in the revenue calculations.

1 Mr. Sullivan moved, to amend AOP 2004-143(S), by reinstating a proposed
2 Mr. Coffey seconded, amendment, found on Page 1 (*Blue*) by deleting item three,
3 [~~Reinstate funding for additional Juvenile Probation Officer to~~
4 ~~conduct formal intake after hours and weekends at~~
5 ~~McLaughlin Youth Center.~~]
6

7 Mr. Sullivan explained that the position involved a State employee and the State of Alaska had surplus moneys to pay
8 for it. While he agreed it served a great function for the city and this position was valuable, it still involved a State
9 employee and he urged a YES-vote.
10

11 Mr. Tesche stated that this cut should not be approved. This probation officer position served Anchorage Youth and
12 rightfully should be funded by the city. He urged a NO-vote.
13

14 Mr. Coffey summarized the benefits of this program, of how young offenders who participated with this program had
15 high degrees of success in preventing repetitive, continued bad behavior.
16

17 Mayor Begich stated that this position was designed to intervene with the first-time offender and there were high
18 statistics of success. It was a model program that was making a difference in the youth across the nation and in our
19 community. It had been understood that the funding was one-time money that would be gone in 2006. He felt it was a
20 good investment to protect the youth in Anchorage. He felt the city needed to take responsibility in this area.
21

22 Ms. Jennings, as the Chair of the Public Safety Committee, the Assembly Representative to the Youth Violence Task
23 Force and a member of the Juvenile Justice Working Group, felt that consideration of the removal of this very
24 important position was wrong. This was an opportunity to intercede when kids first went wrong and 90% of first-time
25 offenders in this program had no recidivism. She would not support this amendment.
26

27 Mr. Tremaine stated that the city should not count on the state for funding and gave examples of state appropriations
28 that never happened. He thought that supporting the officer position would save taxpayers money in the long run
29 because they were interceding with youth criminals who would no longer repeat crimes. He stated he would not
30 support this amendment.
31

32 Mr. Sullivan acknowledged that the probation officer position was important. His concern remained on the fact that this
33 was a budget amendment for a State of Alaska employee and he asked for consideration of asking them to take
34 responsibility and provide funding for this position. Ultimately, if the Assembly were to provide funds, they should
35 make this position a city employee.
36

37 Chair Traini and Mr. Tesche mentioned important issues when the state had refused to provide funding. Mr. Sullivan
38 responded that the Administration had never addressed the funding of this particular position with the State of Alaska.
39

40 Ms. Fairclough moved to Call the Question. It was seconded by Mr. Sullivan and was unanimously approved.
41

42 and this motion failed unanimously,
43

44 AYES: None.
45 NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
46

47 Mr. Sullivan moved, to amend AO 2004-143(S), by reinstating the reduction -
48 Mr. Coffey seconded, Travel Budget of all Departments by 10%. (Blue, Page 2)
49

50 Mr. Sullivan stated this amendment would reinstate the reduction of travel costs of \$53,416.00.
51

52 To Mr. Tesche, Mayor Begich responded that the travel costs of his Administration had led to successfully negotiating
53 millions of dollars of grant money. He stated the travel budget also included covering costs of bringing professionals to
54 Anchorage to train municipal employees, rather than sending employees to training. He stated he would not support
55 this reduction. Mr. Tesche concurred. He encouraged members to review the Administration's Travel Budget, to find
56 there was no frivolous spending.
57

58 Mr. Coffey stated that he had reviewed the large travel budgets cuts for 2002 and 2003 and he agreed with the Mayor
59 that the moneys spent on travel paid off with the grants and other things received.
60

61 Mr. Sullivan thought the Assembly should be diligent to find additional savings for the taxpayers.
62

63 Mr. Stout stated that if more travel money was needed, they could appropriate additional funding at a later time.
64

65 and this motion failed,
66

67 AYES: Fairclough, Sullivan, Ossiander and Coffey.
68 NAYES: Whittle, Tremaine, Traini, Tesche, Stout, Jennings and Shamberg.
69

70 Mr. Sullivan moved, to amend AO 2004-143(S), by reinstating the reduction (*Blue,*
71 *Page 2, item 8)* - Overtime to all Departments by 10%, except
72 for Police and Fire.
73

74 This amendment failed for a lack of a second.
75

76 Mr. Sullivan moved, to amend AO 2004-143(S), by reinstating the reduction (*Blue,*
77 *Page 2, item 16)* - Eliminate Grant to Downtown Partnership.
78

1 Mr. Sullivan stated the Downtown Partnership was adequately funded via assessments of the downtown businesses
2 and did not agree that additional funding was appropriate.

3
4 Mayor Begich stated the Administration was asking the business community and individuals to participate with this
5 partnership and stated that there were enough city facilities in the downtown zone receiving police and fire protection
6 to be assessed.

7
8 Mr. Tesche stated thirty percent of the properties downtown were exempt, including federal and state agencies and the
9 Downtown Partnership provided the same services to those exempt agencies. He stated they were continually
10 encouraging exempt agencies to make payments in lieu of assessments. He thought it was important for the
11 Municipality to set an example of making a contribution and he recommended a NO-vote on the amendment.

12
13 To Mr. Coffey, Mayor Begich responded that the dollar amount of municipal assessments was calculated by comparing
14 buildings and facilities in the downtown zone.

15
16 Mr. Sullivan stated that a business district often had government buildings with paid staff for security and maintenance.

17
18 and this motion failed,

19
20 AYES: Sullivan.

21 NAYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.

22
23 Mr. Sullivan moved,

24 Ms. Fairclough seconded,

to amend AO 2004-143(S) *by deleting (Blue, Page 6, No. 2)*

NEW – [~~Add funding to provide a contribution to the Small
Business Development Center (\$50,000.00).]~~]

25
26
27 Mr. Sullivan stated this was a federally-funded program, administered through the University of Alaska, and while
28 Anchorage benefited from this program, he did not want it paid for by local taxpayers.

29
30 Mr. Tesche stated he would not support the Sullivan Amendment because it was important to support small
31 businesses and it was our responsibility to support the Small Business Development Center.

32
33 Ms. Shamberg, the sponsor, stated that supporting small businesses helped to make the United States what it was
34 today, with creating opportunities for many Americans to work in their own businesses. She added that, under
35 requirements set by the Federal Government, this group was not allowed to ask for any contributions in return for their
36 services and she thought it was very important to give support. She urged a NO-vote.

37
38 To Mr. Coffey, Ms. Shamberg responded that the Small Business Development Center was a group which helped
39 people to begin small businesses through education, by answering questions, setting up procedures for business
40 maintenance such as bookkeeping and understanding tax laws. The Mayor added that the Administration worked
41 directly with the University and the city had benefited from their working association. He gave the example of the
42 Logistics Center, which was now a world-class training facility originally started from the Small Business Development
43 Center. He stated it was a small organization which had enormous impact on helping business becoming established.

44
45 Ms. Jennings supported funding to the Small Business Development Center and felt it was an important group.

46
47 Mr. Sullivan stated that he was responding to his constituents and would continue addressing ways to reduce property
48 taxes.

49
50 and this motion failed,

51
52 AYES: Fairclough, Sullivan, Stout and Coffey.

53 NAYES: Whittle, Tremaine, Traini, Tesche, Jennings, Ossiander and Shamberg.

54
55 Mr. Sullivan moved,

56 Mr. Coffey seconded,

to amend AO 2004-143(S) *(in main ordinance)* on Page 5,
Line 23, Section 9, *by adding* a sentence at the end, to read:
...Police Department 2005 Operating Budge as a contribution
for the required third year Municipal match of the COPS in
Schools Grant. "It is the intention of the Municipality of
Anchorage to seek funding in the amount of fifty percent
(50%) from the Anchorage School District."

57
58
59
60
61
62
63 Mr. Sullivan stated this was a program which had operated with federal funding and as that grant wound down the
64 responsibility of funding now fell on the city. He felt there was opportunity for the Municipality and the School District to
65 benefit from this program and stated they should share the costs.

66
67 To Mr. Tesche, Mr. Sullivan responded that School Superintendent Carol Comeau had expressed her appreciation of
68 the program and acknowledged the value it provided to the School District. Mr. Tesche stated that the amendment
69 changed a significant policy direction of funding. He recommended that this item first be discussed with the
70 Superintendent and the School Board before it was addressed by the Assembly and he would be a NO-vote.

71
72 Mr. Sullivan stated that it would be appropriate to have it initially included in the Budget as a recommendation that the
73 Assembly was seeking the School District's support with the funding of the program. He stated it could be
74 readdressed in March when the Assembly reviewed the School District's Budget.

75
76 Chair Traini stated federally-funded programs like this one initially began with 100% funding and was reduced over a
77 three-year timeframe and then it was up to the city to assume responsibility. He stated the city knew the conditions
78 when they accepted the grant funds.

1
2 Mayor Begich stated that his Administration had made every effort to build a working relationship with the School
3 District, based on open communications and sharing plans and ideas. He stated that offering undiscussed changes at
4 the last minute did not contribute to that working relationship. The Mayor encouraged Mr. Sullivan to set up a
5 worksession with the School District and the Police Department to discuss the issue.

6
7 Ms. Ossiander, a former member of the Anchorage School Board, stated they had always supported the Officers in
8 Schools Program but the large cuts of state appropriations had left the School District with big problems to resolve.

9
10 Mr. Sullivan stated this had been discussed at the worksession. He viewed it as simply a method of introducing it for
11 consideration and that the School District Budget would not be prepared until March of 2005.

12
13 and this motion failed,

14
15 AYES: Sullivan.

16 NAYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.

17
18 Chair Traini called for a short recess to allow time for the Administration to calculate the changes that the Assembly
19 had made to the Budget that evening. The Administration soon responded that they were ready for passage.

20
21 Ms. Ossiander thought that this budget process had been productive and she expressed her appreciation to the
22 Administration for remaining flexible and being responsive. While this was not the ideal budget, she had been pleased
23 with many things in the document, including the support given to public safety, the efforts by the Administration of
24 cutting costs in the Department of Efficiency and their efforts of addressing health insurance costs. She stated she
25 was feeling more comfortable with the changes that had been made and she would be a YES-vote.

26
27 Chair Traini thanked Mr. Coffey, being a newly-elected Assemblymember, for acting as Assembly Budget Co-chair.

28
29 Mr. Coffey thanked Mr. Tesche, as the Budget Co-chair, for his assistance. He thanked the Mayor and his staff for
30 their easy-to-read Budget which was clear to understand and he thanked them for their prompt and precise responses
31 to Assemblymembers' questions. Through this process it had become clear to him that there were difficulties
32 associated with the way in which the Charter related to the Tax Cap, where there was incentive to spend money to the
33 level of the cap, because of the continued effects on future spending, rather than being based on the Budget. He
34 thanked the Administration and the Assembly for the opportunity to serve and he would be a YES-vote.

35
36 Chair Traini thanked Mr. Tesche for his outstanding job as Budget Co-chair and for achieving consensus on the
37 Budget.

38
39 Mr. Tesche stated that it was important to recognize the efforts of Assembly Budget Director Elvi Gray-Jackson for her
40 outstanding guidance, her institutional memory, professional budget experience, her competence and her
41 cheerfulness.

42
43 Mayor Begich stated they had done a good job with the completion of this Operating Budget and he thanked his staff
44 for all their hard work, spending a lot of time on the documentation, giving detailed answers to the sixty pages of
45 questions. He was pleased with the Budget, adding more to public safety and achieving their goals with an increased
46 Police Department, additional neighborhood-based elements, increases to the Parks and Recreation Department, an
47 improved Traffic Calming Program, increased library hours, improved snow removal projects and continuing the effort
48 of creating a more sustainable Budget. He stated it was their goal to present a two-year Budget in the future, moving
49 toward a more efficient process, allowing them to focus on the bigger issues and more long-term planning and creating
50 more stability for the finances of the city. He thanked the Assembly for working with them so closely on particular
51 budget items and their concerns. He acknowledged the comments from Ms. Ossiander and assured her that he and
52 his Administration would be fully accountable for resolving her concerns. He stated it would be their continued goal to
53 successfully reduce the city's dependency on property taxes. With the Assembly's assistance he felt they were
54 heading in the right direction.

55
56 Mr. Sullivan thanked the Municipal Budget Staff, with many new members, for their data review. He was particularly
57 pleased that the Budget included a repeated emphasis on snow removal from sidewalks, a renewed emphasis on
58 Code enforcement and increasing the staff of the Fire Department and the Police Department, which he hoped would
59 address the backlog in some crime areas. He would continue to express his concerns with the overall growth of the
60 budget and felt savings and efficiencies needed to be addressed to continue to cut non-essential expenditures.

61
62 Ms. Fairclough thanked the Assembly Office and the Administration for an open process that had built-in flexibility.
63 She thanked the Budget Co-chairs Mr. Tesche and Mr. Coffey for a controlled process. She thanked Chair Traini for
64 allowing constituents to come before the Assembly. She also acknowledged her appreciation of the efforts of Mr.
65 Sullivan, with his intentions to improve the Budget, working for the best interest of Anchorage. She stated she
66 supported the Budget and would be a YES-vote.

67
68 Mr. Whittle thanked the Budget Co-chairs and the Assembly staff for their time and hard work developing the Budget.
69 He thought the Budget was balanced, with Anchorage and the State of Alaska poised to achieve great things in the
70 coming years, allowing for good opportunities for future planning and control and he would be a YES-vote.

71
72 Mr. Tremaine stated the Budget was balanced but remained inadequate on many fronts, including the numbers of
73 Police Officers, the high numbers of homeless, trash along the roads, the high dependency upon property taxes for city
74 revenue and the loss of revenue sharing from the State of Alaska. He thanked the Administration for their
75 organization.

76
77 Mr. Stout stated he was pleased with the response from the Administration, the Budget Co-chairs and the
78 Assemblymembers and he was pleased with the Budget.

1
2 Chair Traini thanked Assembly Budget Director Elvi Gray-Jackson for all the work and organization she offered
3 through the Budget process. He thanked the Budget Chairmen for balancing the needs with a limited amount of
4 money. He thanked the Administration for their support of increasing Public Safety in the city.

5
6 Ms. Gray-Jackson thanked Assembly Utility Analyst Michael Gutierrez for being such a wonderful addition to the
7 Assembly Office, helping her do a great job for the Assembly.

8
9 Chair Traini called for a vote on the main motion.

10 Mr. Tesche moved, to approve AO 2004-143(S), as amended.
11 Mr. Tremaine seconded,
12 and this motion was passed,
13

14
15 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
16 NAYES: None.

17
18 Mr. Tesche moved for immediate reconsideration and urged a NO-vote.

19
20 Mr. Tesche moved, for immediate reconsideration of AO 2004-143(S).
21 Mr. Coffey seconded,
22 and this motion failed,

23
24 AYES: None.
25 NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.

26
27 Ms. Fairclough moved to Change the Order of the Day to take up 14.G, Ms. Ossiander seconded and there were no
28 objections.

- 29
30 11.C. Resolution No. AR 2004-242(S), a resolution of the Municipality of Anchorage adopting the **2005-2010**
31 **General Government Capital Improvement Program**; Office of Management and Budget.
32 1. Assembly Memorandum No. AM 732-2004.
33 2. Resolution No. AR 2004-242, a resolution of the Municipality of Anchorage adopting the 2005-
34 2010 General Government Capital Improvement Program; Office of Management and Budget.
35 (*First Public Hearing held 10-26-04; Second Public Hearing held 11-9-04; Carried Over from 11-9-04*)
36

37 Chair Traini called for a motion to Change the Order of the Day to first take up Agenda Item 11.D. Mr. Tesche moved,
38 it was seconded by Ms. Fairclough and there were no objections. After the completion of that item, Chair Traini
39 returned the body to 11.C and called for a motion.

40
41 Mr. Tesche moved, to introduce AO 2004-242(S).
42 Mr. Tremaine seconded,
43 and this motion was unanimously passed,
44

45 Mr. Tesche moved, to approve AO 2004-242(S).
46 Mr. Tremaine seconded,
47

48 Mayor Begich moved to include into AO 2004-242(S) all amendments that were previously made to 11.D, AO 2004-
49 142. He urged unanimous approval on adding the amendments.

50
51 Mayor Begich moved, to amend AO 2004-242(S) by adding all amendments
52 Mr. Tesche seconded, that were made to 11.D, AO 2004-142.
53 and there were no objections,
54

55 Chair Traini called for a vote on the main motion.

56
57 Mr. Tesche moved, to approve AO 2004-242(S), as amended.
58 Mr. Tremaine seconded,
59 and the motion was passed,
60

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

63
64 Mayor Begich requested a motion for immediate reconsideration and he urged a NO-vote.

65
66 Mr. Tesche moved, for immediate reconsideration of AO 2004-242(S).
67 Ms. Jennings seconded,
68 and this motion failed,
69

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

- 72
73 11.D. Ordinance No. AO 2004-142(S), an ordinance adopting the **2005 General Government Capital**
74 **Improvement Budget**; Office of Management & Budget. (*First Public Hearing held 10-26-04; Second*
75 *Public Hearing held 11-9-04; Carried Over from 11-9-04*)
76 1. Assembly Memorandum No. AM 732-2004.
77 2. Ordinance No. AO 2004-142, an ordinance adopting the 2005 General Government Capital
78 Improvement Budget; Office of Management & Budget.

1
2 Chair Traini called for a motion to introduce the substitute version of AO 2004-142.

3
4 Mr. Tesche moved, *to introduce* AO 2004-142(S).
5 Mr. Tremaine seconded,
6 and there were no objections,

7
8 Mayor Begich moved, *to approve* AO 2004-142(S).
9 Mr. Sullivan seconded,

10
11 Chair Traini called for amendments to the Capital Improvement Budget.

12
13 Ms. Fairclough moved, *to amend* AO 2004-142(S) in the AM, Line 40, Substation
14 Ms. Ossiander seconded, Relocation to the Town Center, *by adding* "Eagle River
15 and this was unanimously passed, Substation."

16
17 Ms. Fairclough moved, *to amend* AO 2004-142(S) in the AM, Line 42, Emergency
18 Ms. Ossiander seconded, Operation Center – Planning, *by adding* "E.R./Chugiak."
19 and this was unanimously passed,

20
21 Mr. Coffey stated that Mr. Tremaine had help prepare the amendments summarized on the orange sheets and he
22 requested his name be added as a cosponsor to Page 1, of the Assembly Amendments.

23
24 Mr. Tesche stated that in order to make the memorandum consistent with the orange summary sheets, he requested
25 an administrative correction on Page 1, Line 14 of the memorandum, by inserting "Fairview."

26
27 Mr. Sullivan moved, *to amend* AO 2004-142(S) *by adding* each of the Sullivan
28 Ms. Ossiander seconded, Amendments for the Department of Parks and Recreation,
29 listed on Page 5 (*Orange sheets*).

30
31 Mr. Sullivan stated this would allow a modest parks bond, unlike the past poor allocations which had left projects
32 unfinished and left the parks suffering. His intention was to have this appropriation used to complete already started
33 projects and not to be used for new park land acquisition.

34
35 Mayor Begich stated that he and the Administration were not in favor of a parks bond at this time because they were in
36 the process of finishing a parks plan which included reorganization, creating six new districts, increasing efficient
37 management and creating a parks foundation. He thought they would be better prepared in 2006 to approach this
38 issue. He stated the Administration was trying to keep the ballot light for the April Municipal Election because there
39 were so many other significant items that needed addressing, including the new Convention Center. He understood
40 there were parks needs, but thought the department reorganization needed to happen first.

41
42 Chair Traini Called the Question on the Sullivan Amendment.

43
44 and this motion failed,

45
46 AYES: Sullivan.

47 NAYES: Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
48 (*Clerk's Note: Fairclough was temporarily away from her seat at the time of the vote.*)

49
50 Chair Traini Called the Question on the main motion.

51
52 Mayor Begich moved, *to approve* AO 2004-142(S), as amended.
53 Mr. Sullivan seconded,
54 and this motion was passed,

55
56 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.

57 NAYES: None.

58
59 Ms. Fairclough moved for immediate reconsideration and urged a NO-vote.

60
61 Ms. Fairclough moved, *for immediate reconsideration* of AO 2004-142(S),
62 Mr. Coffey seconded, as amended.
63 and this motion failed,

64
65 AYES: None.

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

67
68 11.E. **Resolution No. AR 2004-241**, a resolution approving the **2005-2010 Municipal Utilities Capital**
69 **Improvement Program**, Office of Management and Budget.

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

71 (*First Public Hearing held 10-26-04; Second Public Hearing held 11-9-04; Carried Over from 11-9-04*)

72
73 Chair Traini called for a motion to change the Order of the Day to take up Agenda Item 11.F, AO 2004-141. Mr.
74 Tesche move, it was seconded by Ms. Fairclough and there were no objections. After completion of that item, the
75 Chair returned the body to discussion and action of 11.E. He read this resolution title and called for a motion.

76
77 Mr. Tesche moved, *to approve* AR 2004-241.
78 Ms. Jennings seconded,

1
2 Deputy Municipal Manager Michael Abbott requested that Ms. Jennings amend, making the same conforming motion
3 to include the same language, as she did for item AO 2004-141, Agenda item 11.F.
4

5 Ms. Jennings moved, to amend AR 2004-241 *by adding* to the Anchorage Water
6 Mr. Coffey seconded, Utility, "\$150,000.00;" and to the Anchorage Wastewater and
7 there were no objections, Utility *by adding* "\$150,000.00."
8
9

10 With no further Assembly discussion, Chair Traini called for a vote on the main motion.
11

12 Mr. Tesche moved, to approve AR 2004-241, as amended.
13 Ms. Jennings seconded,
14 and this motion was passed,
15

16 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
17 NAYES: None.
18

19 11.F. Ordinance No. AO 2004-141, an ordinance adopting and appropriating funds for the **2005**
20 **Municipal Utilities Operating and Capital Budgets** for the Municipality of Anchorage, Office of
21 Management & Budget. (*First Public Hearing held 10-26-04; Second Public Hearing held 11-9-04;*
22 *Carried Over from 11-9-04*)
23 1. Assembly Memorandum No. AM 731-2004.
24

25 Chair Traini read the ordinance title and called for a motion.
26

27 Mr. Tesche moved, to approve AO 2004-141.
28 Ms. Jennings seconded,
29

30 Ms. Jennings moved, to amend AO 2004-141 *by adding* to the Anchorage Water
31 Mr. Coffey seconded, Utility, "\$150,000.00;" and to the Anchorage Wastewater and
32 Utility *by adding* "\$150,000.00."
33

34 Ms. Jennings stated her intention with this amendment was to support water and sewer planning in West Anchorage.
35 She stated this was a very important to the Sand Lake District, especially with the predicted expansion and
36 development, which was creating many issues dealing with the availability of water and wastewater. This increase
37 would allow the city to plan for this growing part of town.
38

39 Mayor Begich stated they had no objections to this amendment.
40

41 and there were no objections to the Jennings Amendment,
42

43 With no further Assembly discussion, Chair Traini called for a vote on the main motion.
44

45 Mr. Tesche moved, to approve AO 2004-141, as amended.
46 Ms. Jennings seconded,
47 and this motion was passed,
48

49 AYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
50 NAYES: None.
51

52 Ms. Fairclough moved for immediate reconsideration and urged a NO-vote.
53

54 Ms. Fairclough moved, *for immediate reconsideration* of AO 2004-141,
55 Mr. Coffey seconded, as amended.
56 and this motion failed,
57

58 AYES: None.
59 NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
60

61 11.G. Assembly Memorandum No. AM 824-2004, recommendation of award to KPMG LLP to perform an
62 **Independent Financial Statement Audit, Federal Single Audit, and State Single Audit** for the
63 Municipality of Anchorage, Anchorage Assembly, Budget Legislative Services (RFP 24-P049)
64 (\$596,760), Purchasing.
65 (*Postponed from 11-9-04*)
66

67 To Chair Traini, Assembly Budget Director Elvi Gray-Jackson responded that the Municipal Attorney had
68 recommended that this item be postponed until the Assembly Meeting of December 7, in order for the Municipal Audit
69 Committee to review some information.
70

71 Mr. Coffey moved, *to postpone* AM 824-2004 until December 7, 2004.
72 Mr. Tesche seconded,
73

74 Mr. Tremaine requested the Administration prepare a list of the people on the Audit Committee with their past audit
75 relationships with firms and prepare a list of the other proposals that were submitted for this contact.
76

77 and this motion was approved without objection,
78

1 **12. APPEARANCE REQUESTS**

2 12.A. **Reverend Fran Dearman**, Unitarian Universalist Fellowship, to present payment in lieu of taxes.

3
4 Reverend Fran Dearman and Church President Bill Jameson presented a check for \$1648.00 to the Municipality of
5 Anchorage in lieu of taxes from the Unitarian Universalist Fellowship, currently celebrating their fiftieth year. Mr.
6 Jameson thanked the Assembly and Administration for the things in the city they benefited from, including schools, fire
7 and police protection, police prevention and response, maintenance of roads and drainage, the parks and the
8 oversight that kept their building safe. Chair Traini thanked them for their presentation and stated they were setting a
9 good example for the worshipping congregations in the city.

10
11 Mayor Begich moved, to Change the Order of the Day to take up
12 Mr. Coffey seconded, item 11.C, AR 2004-242.
13 and there were no objections,
14

15 **13. CONTINUED PUBLIC HEARINGS**

16 13.A. Ordinance No. AO 2004-150, an ordinance amending the Hillside Wastewater Management Plan,
17 Anchorage Municipal Code 21.05.030.D.4., to remove from the area recommended for public
18 sewerage approximately 52 acres of Tract A-2, The Villages Subdivision, and Tract A-1E, Villages
19 View Estates (**Proposed Villages View Estates**) (Planning and Zoning Commission Case 2002-208),
20 Assemblymembers Shamberg, Tesche, Whittle. (*Carried Over from 11-09-04*)
21

22 Chair Traini read this ordinance title and opened Public Hearing.

23
24 TOM DREYER, with Land Tech, representing the petitioners on the case involving Village View Estates, summarized
25 the chronology of events, including their past involvement with homeowners, public testimony at community councils
26 and Zoning Commission meetings, the completed tests, the process of working septic systems, the size of the lots and
27 the septic locations. He was joined by DAVE GREENER, Land Tech Chief Engineer, MIKE ANDERSON, an engineer
28 specializing in on-site septic and water systems and JIM JENSEN, a representative for a process of producing low-
29 nitrate septic systems. To Mr. Tremaine, Mr. Dreyer responded his intention with the layout of curved streets in the
30 subdivision was for esthetics and traffic calming purposes.
31

32 DENINE BARBA, Hillside homeowner supporting a well and septic system, spoke in support of septic systems in that
33 area. Even though they had numerous homes and a horse stables on the uphill side of their property, their water
34 continued to surpass FDA standards. She explained that a functioning septic system surpassed the quality that a
35 public system could offer. She thought the type of underlying ground material in that area would require blasting to
36 install a public system and would botch the land.
37

38 BILL BROBRICK testified that this issue was an important one, and he hoped the professionals involved would act
39 responsibly, protecting the water quality of this area. He urged Assemblymembers to examine records and thought the
40 history was clear that the development did not pose a danger to the drinking water in that area.
41

42 WAYNE WESTBERG, thirty-five year owner and operator of M-W Drilling, spoke in support of the successful drilling for
43 efficient septic and well systems for this area. He spoke of water rights included in the Alaska State Statutes. He did
44 not know of any instance of well contamination on the hillside due to septic systems, except for one single incident
45 where drilling and blasting had occurred and the well system had not been constructed with current standards of
46 casings. To Mr. Tremaine, Mr. Westberg responded the safe distance between wells and discharge from septic was
47 based on national standards of one hundred feet. He responded he had completed the test wells in this subdivision
48 and there had been no indications of effects on neighboring wells. He responded the wells were typically low-yield
49 wells, but the flow was consistent. To Ms. Shamberg, Mr. Westberg responded there was consistent water pressure
50 and spoke of the two known areas on the hillside where water shortages where based on shallow aquifers, and re-
51 drilling deepened the wells into new water zones to resolve the problems. He was not concerned with the volume or
52 the purity of the water in this subject area with the proposed addition of new wells and septic systems.
53

54 With no additional public testimony, Chair Traini closed Public Hearing and call for a motion.

55
56 Ms. Ossiander moved, to approve AO 2004-150.
57 Ms. Shamberg seconded,
58

59 Ms. Shamberg stated it was an important issue but she thought the reliance upon professionals and the clear history of
60 septic systems and wells in the Hillside area would ensure safety and unlimited water supplies. She felt confident her
61 constituents were safe from the possibility of losing their water or having their water contaminated.
62

63 To Mr. Tremaine, Municipal On-Site Water & Sewer Supervisor Dan Roth agreed that sand and gravel allowed a
64 slower filtering system and a shattered bedrock system would allow for a greater flow. He responded the well-flow,
65 pump tests and aquifer study showed very adequate, high-production wells with an infinite water source from the
66 mountains. He responded that nitrates came from many sources, included septic systems and natural vegetation. He
67 was not aware of any high-nitrate concentrations in this area.
68

69 Mr. Tremaine stated this issue involved property that was currently zoned R-3, surrounded by land which was zoned
70 R-10, which meant high-density and the developer was asking to change it to low-density. Mr. Dreyer responded his
71 client was not currently involved with additional development in that area, but assumed additional development would
72 occur. The Administration responded that the R-3 zoned area to the north of this area would be subject to the same
73 requirements of the Potter Creek Master Plan. Mr. Tremaine stated there was concern remaining with concentrated
74 wells and septic systems for R-3 zoned areas. While he would support the development, he stated continued study of
75 water flow and the effects of septic systems were needed for further development of this area.
76

77 Mr. Sullivan stated he would be supporting the exemption, following the findings and recommendations of the Planning
78 Department. He stated their findings were based on conditions and he assumed those conditions would be part of the

1 Assembly approval of this ordinance. His review of the land contour maps indicated to him that septic systems would
2 continue to flow downhill and he was confident it would be a workable system. He urged Assembly approval.
3

4 Chair Traini called for a vote on the main motion.

5
6 and this motion was passed,
7

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

10
11 Fairclough moved for immediate reconsideration and urged a NO-vote.

12
13 Ms. Fairclough moved, *for immediate reconsideration of AO 2004-150.*
14 Mr. Coffey seconded,
15 and this motion failed,
16

17 AYES: Tremaine.
18 NAYES: Fairclough, Whittle, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
19

20 13.B. Ordinance No. AO 2004-126(S), an ordinance amending Anchorage Municipal Code Chapters 21.20
21 and 21.30 to clarify **procedures** for the Planning and Zoning Commission, Board of Adjustment, and
22 Zoning Board of Examiners and Appeals regarding filing appeals, new evidence, changed
23 circumstances, remands, preparation of appeals by Municipal staff, issuance of decisions, appeals to
24 Superior Court, and related matters.

25 1. Ordinance No. AO 2004-126, an ordinance amending Anchorage Municipal Code Chapters
26 21.20 and 21.30 to clarify procedures for the Planning and Zoning Commission, Board of
27 Adjustment., and Zoning Board of Examiners and Appeals regarding filing appeals, new
28 evidence, changed circumstances, remands, preparation of appeals by Municipal staff,
29 issuance of decisions, appeals to Superior Court, and related matters.

30 *(Carried Over from 9-21-04; Continued from 10-12-04; Carried Over from 10-26-04 and 11-9-04;*
31 *Postponed until 12-07-04)*
32

33 Chair Traini read this ordinance title and explained this involved a substitute version. He opened Public Hearing.
34 There being no one to testify he closed Public Hearing and called for a motion.

35
36 Mr. Coffey moved, *to approve AO 2004-126(S).*
37 Mr. Tesche seconded,
38

39 Mr. Coffey stated the original concern involved the desire for written findings to be prepared for every decision of the
40 boards and provisions needed to be created to deal with the question of new evidence. Having served on several
41 public bodies where findings were appropriate he did not think written findings were necessary for every decision. He
42 had worked with the Administration to find a workable solution and he felt the new provisions successfully addressed
43 both of those issues. He urged for both to be approved.
44

45 Ms. Jennings stated this was a very involved document addressing problems in the system. She respected Mr.
46 Coffey's decision and she appreciated the need for developers wanting resolution but she still questioned the balance.
47 She felt this reduced the amount of time allowed for an appeal and reduced the ability to add new evidence to a case.
48 She recommended changes that would increase the time allowed.
49

50 Ms. Jennings moved, *to amend AO 2004-126(S) on Page 1, Line 35, by deleting*
51 *[ten (10)] and by adding "twenty (20)"*
52

53 Chair Traini requested Ms. Jennings submit her amendment in written form, and called for a motion to Change the
54 Order of the Day to take up the new resolution dealing with the Natural Gas Pipeline, Agenda Item 9.B.10. *(Clerk's*
55 *Note: Refer to Item 10.B.10)*
56

57 Ms. Jennings moved, *to postpone AO 126(S) until December 7, 2004.*
58 Mr. Sullivan seconded,
59 and there were no objections,
60

61 13.C. Resolution No. AR 2004-215, a resolution amending Anchorage Municipal Code of Regulations
62 Chapters 21.10, 21.11 and 21.12 to establish **uniform procedures** for Planning and Zoning
63 Commission, Platting Board, Zoning Board of Examiners and Appeals and Urban Design Commission
64 for issuing decisions and modifying procedures regarding allegations of new evidence or changed
65 circumstances.

66 1. Resolution No. AR 2004-215(S), a resolution amending Anchorage Municipal Code of
67 Regulations Chapters 21.10, 21.11 and 21.12 to establish uniform procedures for Planning
68 and Zoning Commission, Platting Board, Zoning Board of Examiners and Appeals and Urban
69 Design Commission for issuing decisions and modifying procedures regarding allegations of
70 new evidence or changed circumstances.

71 *(Carried Over from 9-21-04; Continued from 10-12-04; Carried Over from 10-26-04 and 11-9-04;*
72 *Carried Over to 12-07-04)*
73

74 14. NEW PUBLIC HEARINGS

75 14.A. Ordinance No. AO 2004-149, an ordinance of the Anchorage Municipal Assembly amending
76 Anchorage Municipal Code Chapter 12.40, Excise Tax on Cigarettes and Tobacco Products, to add a
77 new Section 12.40.022 to annually dedicate five percent of the gross revenue of the tax to **tobacco**

1 **cessation and education programs** as identified by the Municipal Department of Health and Human
2 Services, Assemblymember Sullivan. (*Postponed Indefinitely*)

- 3 1. Assembly Memorandum No. AM 776-2004.
- 4 2. Information Memorandum No. AIM 103-2004, **dedicating 5% of the tobacco tax revenues to**
5 **cessation and education programs**, Assemblymember Sullivan. (**Addendum**)

6
7 Chair Traini read this ordinance title and opened Public Hearing. There being no one to testify, he closed Public
8 Hearing and called for a motion.

9
10 Mr. Sullivan moved, *to postpone indefinitely* AO 2004-149.
11 Mr. Coffey seconded,
12 and this motion was passed,
13

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

- 16
17 14.B. Resolution No. AR 2004-274, a resolution of the Anchorage Municipal Assembly appropriating
18 \$128,175 from the U.S. Department Justice, Office of Justice Programs, Local Law Enforcement Block
19 Grant and \$21,862 as a contribution from the Anchorage Metropolitan Police Service Area Fund (151),
20 Anchorage Police Department 2004 Operating Budget, to the Federal Categorical Grants Fund (241),
21 Anchorage Police Department for the purpose of **underwriting projects** to reduce crime and improve
22 public safety.
23 1. Assembly Memorandum No. AM 812-2004.

24
25 Chair Traini read this resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
26 and called for a motion.

27
28 Ms. Fairclough moved, *to approve* AR 2004-274.
29 Mr. Coffey seconded,
30 and this motion was passed,
31

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

- 34
35 14.C. Resolution No. AR 2004-275, a resolution of the Municipality of Anchorage appropriating \$1,978,955
36 as a grant from the U.S. Department of Justice, Bureau of Justice Assistance, to the Federal
37 Categorical Grants Fund (241), Department of Health and Human Services to fund the **Sexual**
38 **Assault Response Team (SART) Program**.
39 1. Assembly Memorandum No. AM 813-2004.

40
41 Chair Traini read this resolution title and opened Public Hearing. There being no one to testify, he closed Public
42 Hearing and called for a motion.

43
44 Ms. Ossiander moved, *to approve* AR 2004-275.
45 Ms. Jennings seconded,
46

47 Ms. Fairclough disclosed a possible conflict of interest with this item, due to her serving as Director of STAR (*Standing*
48 *Together Against Rape*). She stated that STAR was one of the teams that responded as a part of the SART Program
49 and it appeared that STAR would be a recipient of \$50,000 per year for a period of three years. She stated that none
50 of this would fund her position. Chair Traini ruled that, because this money was not funding her position, she did not
51 have a conflict and directed her to participate with the discussion and action on this issue.

52
53 and this motion was passed,

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

- 57
58 14.D. Resolution No. AR 2004-276, a resolution of the Municipality of Anchorage appropriating \$1,006,000
59 as a grant award from the Alaska Department of Health and Social Services to the State Categorical
60 Grants Fund (231) Department of Health and Human Services to fund the **Child Care Assistance**
61 **Program**.
62 a. Assembly Memorandum No. AM 814-2004.

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

66
67 Ms. Jennings moved, *to approve* AR 2004-276.
68 Ms. Ossiander seconded,
69 and this motion was passed,
70

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

- 73
74 14.E. Resolution No. AR 2004-277, a resolution of the Municipality of Anchorage appropriating \$950,563
75 from the Alaska Department of Health and Social Services as a grant to the State Categorical Grants
76 Fund (231), Department of Health and Human Services to fund **Community Health Nursing**
77 **Services**.
78 1. Assembly Memorandum No. AM 815-2004.

1
2 Chair Traini read this resolution title and opened Public Hearing. There being no one to testify, he closed Public
3 Hearing and called for a motion.

4
5 Ms. Fairclough moved, to approve AR 2004-277.
6 Ms. Ossiander seconded,
7 and this motion was passed,
8

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

11
12 14.F. Resolution No. AR 2004-278, a resolution of the Municipality of Anchorage accepting and
13 appropriating \$1,740,000 as a grant from the Alaska Department of Fish and Game, to the Anchorage
14 Roads and Drainage Service Area Fund (441) for the **Ship Creek Crossing Project**, Project
15 Management & Engineering.
16 1. Assembly Memorandum No. AM 816-2004.

17
18 Chair Traini read this resolution title and opened Public Hearing. There being no one to testify, he closed Public
19 Hearing and called for a motion.

20
21 Ms. Fairclough moved, to approve AR 2004-278.
22 Mr. Coffey seconded,
23 and this motion was passed,
24

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

27
28 Ms. Fairclough moved to change the Order of the Day to take up items 14.C, 14.D. and 14.E, it was seconded by Mr.
29 Tremaine and there were no objections.

30
31 14.G. Resolution No. AR 2004-279, a resolution of the Municipality of Anchorage appropriating \$300,000 from
32 the Chugiak, Birchwood, Eagle River Rural Road Service Area (CBERRRSA) Fund Balance (Fund 119)
33 to the CBERRRSA 2004 Operating Budget (FUND 119) for **CBERRRSA 2004 summer and winter**
34 **road maintenance work**, Maintenance & Operations Department.
35 1. Assembly Memorandum No. AM 817-2004.

36
37 Chair Traini read this resolution title and opened Public Hearing. There being no one to testify, he closed Public
38 Hearing and called for a motion.

39
40 Ms. Fairclough moved, to approve AR 2004-279.
41 Ms. Ossiander seconded,
42 and this was unanimously passed,
43

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

46
47 14.H. Resolution No. AR 2004-280, a resolution of the Municipality of Anchorage appropriating \$284,555 from
48 the State of Alaska, Department of Transportation (DOTPF) to the Municipality of Anchorage (MOA),
49 State Categorical Grants Fund 231 and authorizing the Transfer of Responsibility Agreement (TORA)
50 with the DOTPF for the purpose of **PM 10 control**, Maintenance & Operations Department.
51 1. Assembly Memorandum No. AM 818-2004.

52
53 Chair Traini read this resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
54 and called for a motion.

55
56 Ms. Jennings moved, to approve AR 2004-280.
57 Mr. Tremaine seconded,
58

59 Ms. Ossiander stated she had heard much controversy about the defined parameter of the PM-10 problem. Deputy
60 Municipal Manager Michael Abbott responded that it pertained only to the Anchorage Bowl, and he did not know for
61 certain if the services would include Eagle River, Chugiak or Girdwood. She hoped the State would be able to address
62 the problem wherever it existed within the entire Municipality. Mr. Abbott fully concurred and stated the only concern
63 would be the matching funds from the Municipality were funded through ARTSA. He recommended that Municipal
64 Maintenance and Operations Director Alan Czajkowski be contacted for further details.

65
66 and this motion was passed,
67

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

70
71 14.I. Resolution No. AR 2004-281, a resolution of the Municipality of Anchorage appropriating \$97,504 from
72 the Anchorage Museum Foundation and \$6,360 as a contribution from the CY04 Museum Operating
73 Budget, Areawide General Fund (101) for administrative fees to Miscellaneous Operational Grants
74 Fund 261 to fund the **Curator of History** for the Anchorage Museum of History and Art (\$103,864),
75 Office of Economic & Community Development.
76 1. Assembly Memorandum No. AM 819-2004.
77

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

3
4 Mr. Sullivan moved, to approve AR 2004-281.
5 Mr. Whittle seconded,
6 and this motion was passed,
7

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

10
11 14.J. Ordinance No. AO 2004-145, an ordinance of the Anchorage Municipal Assembly amending
12 Anchorage Municipal Code Section 21.50.160, **Conditional Use Standards – Use Involving Sale of**
13 **Alcoholic Beverages**, and amending Anchorage Municipal Code Section 21.15.030, Approval of Site
14 Plans and Conditional Uses, Assemblymember Coffey.

15
16 Chair Traini read this resolution title and opened Public Hearing. There being no one to testify, he closed Public
17 Hearing and called for a motion.

18
19 Mr. Coffey moved, to postpone indefinitely AR 2004-145.
20 Ms. Fairclough seconded,
21 and this motion was passed,
22

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

25
26 **15. SPECIAL ORDERS**

27
28 Chair Traini requested Scouts from the audience introduce themselves before the Assembly. Ms. Shamberg stated
29 these two boys were from Boy Scout Den Four, Pack 121, from O'Malley School. The den leader stated the Scouts
30 were in attendance of the Assembly Meeting to earn their citizenship achievement awards.

31
32 Ms. Fairclough announced that members were invited to Chuck E. Cheese, celebrating Ronnie James Williams'
33 birthday. She stated it was a Spiderman party, and encouraged members to attend and share with the celebration.

34
35 **16. UNFINISHED AGENDA** None.

36
37 **17. AUDIENCE PARTICIPATION** None.

38
39 **18. ASSEMBLY COMMENTS** None.

40
41 **19. EXECUTIVE SESSIONS** None.

42
43 **20. ADJOURNMENT**

44
45 Chair Traini called for a motion to adjourn the meeting.

46
47 Mr. Tremaine moved, to adjourn the Regular Assembly Meeting.
48 Ms. Shamberg seconded,
49 and this motion was unanimously passed,
50

51 The Regular Assembly Meeting was adjourned at 10:55 p.m.

52
53
54
55
56
57
58 _____
59 DICK TRAINI, Assembly Chair

60 ATTEST:

61
62
63
64 _____
65 BARBARA GRUENSTEIN, Municipal Clerk
66 Date Minutes Approved: January 11, 2005
67 MC/BG