

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of December 13, 2005, amended

1. CALL TO ORDER

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

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

PRESENT: Allan Tesche, Janice Shamberg, Debbie Ossiander, Dan Sullivan, Dan Coffey, Chris Birch, Ken Stout, Paul Bauer, Dick Traini and Pamela Jennings.
ABSENT: Anna Fairclough, excused.

3. PLEDGE OF ALLEGIANCE Assemblymember Jennings led the pledge.

4. MINUTES OF PREVIOUS MEETINGS None.

5. MAYOR'S REPORT

Mayor Begich announced the Administration had launched a new site on the front page of the Municipal website, called 'My Neighborhood,' which, within the first twelve hours, had received 77,000 hits. The site provided specific information regarding city services, including schools, parks, roads, shelters, fire departments and other detailed information.

Ms. Ossiander announced that Mayor Begich would be attending the Eagle River Chamber of Commerce Pancakes and Politics Breakfast, at the North Slope Restaurant, the following morning. Mayor Begich concurred.

6. ASSEMBLY CHAIR'S REPORT None.

7. COMMITTEE REPORTS

Chair Coffey reported that he, Ms. Jennings and Ms. Ossiander had attended the Title 21 Committee Meeting on Wednesday, completing the review of Chapter 7. The meetings would continue after the first of the year.

Mr. Birch reported that he and Ms. Ossiander, as representatives, had recently attended an AMATS Committee Meeting. They were finalizing the amendments to the Long Range Transportation Plan. They would meet again next week.

Mr. Tesche thanked Chair Coffey for his organization of the meeting schedule that evening, which he found helpful.

8. ADDENDUM TO AGENDA

Chair Coffey called for a motion and read the Addendum items. He called for additional items to be added and there being none, he called for a vote to incorporate the Addendum items into the Consent Agenda.

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

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

Chair Coffey called the Question on the Consent Agenda.

Mr. Bauer moved, to approve the Consent Agenda,
Mr. Traini seconded,

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

9. CONSENT AGENDA

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

9.B. RESOLUTIONS FOR ACTION - OTHER

- 9.B.1. Resolution No. AR 2005-310, a resolution of the Municipality of Anchorage appropriating \$60,000 in unappropriated debt issuance fees to the Finance Department, Fund 191, to provide for a **debt capacity study**; Finance.
a. Assembly Memorandum No. AM 876 -2005.
- 9.B.2. Resolution No. AR 2005-311, a resolution of the Municipality of Anchorage appropriating the sum of \$30,000 from the Alaska Department of Environmental Conservation as a pass through grant from the U.S. Environmental Protection Agency to the State Categorical Grants Fund (231) Department of Health and Human Services for **PM-2.5 monitoring**.
a. Assembly Memorandum No. AM 877 -2005.
- 9.B.3. Resolution No. AR 2005-312, a resolution of the Municipality of Anchorage appropriating \$5,000 from the **Skyranch Estates Limited Road Service Area** (LRSA) Fund Balance (Fund 114) to the Skyranch Estates LRSA BY2005 General Operating Budget (Fund 114) for year round road maintenance services; Maintenance & Operations Department.
a. Assembly Memorandum No. AM 878 -2005.
- 9.B.4. Resolution No. AR 2005-320, a resolution of the Municipality of Anchorage appropriating \$5,810 to the Miscellaneous Operational Grants Fund (261) from the **International Association of Mayors of Northern Cities (IAMNC) Grant** for related activities; Mayor's Office.
a. Assembly Memorandum No. AM 893-2005.
- 9.B.5. Resolution No. AR 2005-325, a resolution adopting Amendments #2 and #3 of the *2005 Action Plan*, appropriating \$30,000 of Community Development Block Grant Program income from the U.S. Department of Housing and Urban Development to the Federal Categorical Grants Fund (241), and awarding a grant of up to \$30,000 in said funds to Nine Star Enterprises for the **Hurricane Katrina and Rita victims case management project**; Department of Neighborhoods. **(Addendum)**
a. Assembly Memorandum No. AM 906-2005.

9.C. BID AWARDS

- 9.C.1. Assembly Memorandum No. AM 894-2005, recommendation of award to Feeney Wireless for furnishing **Panasonic CF-29 Toughbook Notebooks** with accessories and surplus sale of CF-27 Toughbooks, for the Municipality of Anchorage, Anchorage Police Department (ITB 25-B100) (\$1,269,600); Purchasing.
- 9.C.2. Assembly Memorandum No. AM 895-2005, recommendation of award to the Ace Building Maintenance for providing **custodial services** at the Z.J. Loussac Library for the Municipality of Anchorage; Maintenance & Operations Department (ITB 25-B098) (\$410,400); Purchasing.
- 9.C.3. Assembly Memorandum No. AM 896-2005, recommendation of award to City Electric, Inc. for the **Eklutna Transmission Line Rebuild Project** for the Municipality of Anchorage, Municipal Light & Power (ML&P) (ITB 25-C065) (\$10,919,118.61); Purchasing.

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

- 9.C.4. Assembly Memorandum No. AM 897-2005, recommendation of award to WESCO Distribution to furnish **conduit, elbows and connectors** to the Municipality of Anchorage, Municipal Light & Power Utility (ITB 25-B104) (\$169,498.25); Purchasing.

9.D. NEW BUSINESS

- 9.D.1. Assembly Memorandum No. AM 862-2005, **2006/2007 Liquor License Renewals**: Gaslight Lounge #437, Avenue Bar #1184 – Beverage Dispensary (Downtown Community Council); Clerk's Office.

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

- 9.D.2. Assembly Memorandum No. AM 863-2005, cooperative purchase of **computer software licenses and support/software updates** from ASAP Software Express, Inc. (ASAP) for the Municipality of Anchorage, Anchorage Water & Wastewater Utility (AWWU) (\$52,704); Purchasing.
- 9.D.3. Assembly Memorandum No. AM 864-2005, Change Order No. 1 to Purchase Order No. 250742 with Fuels Reduction of Alaska for providing **wildland fire fuel treatment services** to the Municipality of Anchorage, Anchorage Fire Department (\$159,450); Purchasing.

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

- 9.D.4. Assembly Memorandum No. AM 865-2005, amendment to contract with SMG of Alaska, Inc. for professional services for **operation and management of Ben Boeke/Dempsey Anderson Ice Arenas** to exercise the option to extend the contract term and to increase the annual fee (\$35,000); Office of Economic & Community Development.

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

- 9.D.5. Assembly Memorandum No. AM 866-2005, Change Order No. 1 to Purchase Order No. 251244 with Alaska Permanent Capital Management Company for providing **investment advisory services** to the Municipality of Anchorage; Finance Department (\$60,000); Purchasing.
- 9.D.6. Assembly Memorandum No. AM 867-2005, request for authorization for the Department of Health and Human Services to enter into a grant agreement with **Standing Together Against Rape (STAR)** (\$233,968).
- 9.D.7. Assembly Memorandum No. AM 868-2005, contract Amendment No. 20 to Purchase Order No. 250672 to the Anchorage Downtown Partnership, Ltd. for providing peak winter **Community Service Patrol and Transfer Station** for the Municipality of Anchorage; Department of Health & Human Services (\$107,028).

- 1 9.D.8. Assembly Memorandum No. AM 869-2005, True-Up order to the **Microsoft Desktop Enterprise**
2 **Software Agreement** from Software Spectrum, Inc. for the Municipality of Anchorage, Information
3 Technology Department (ITD) (\$234,190); Purchasing.
- 4 9.D.9. Assembly Memorandum No. AM 870-2005, change order authority for Purchase Order No. 241275
5 with Rain Proof Roofing Company, LLC for **roof replacement** at the Alaska Center for the Performing
6 Arts for the Municipality of Anchorage; Maintenance & Operations Department (\$250,000),
7 Purchasing.
- 8 9.D.10. Assembly Memorandum No. AM 871-2005, approval of Amendment No. 2 to Alyeska Land Services,
9 LLC contract (PO No. 250779) increasing the contract by \$290,000 to an amount Not-To-Exceed
10 (NTE) \$560,000 for year round road maintenance services within **South Goldenview Limited Road**
11 **Service Area** (LRSA); Maintenance & Operations Department.
- 12 9.D.11. Assembly Memorandum No. AM 872-2005, proprietary contract with Southeastern Data Cooperative
13 to provide **credit card processing services** for the Municipality of Anchorage; Municipal Light &
14 Power (ML&P) (\$175,000); Purchasing.
- 15 9.D.12. Assembly Memorandum No. AM 873-2005, Amendment No. 2 to professional engineering services
16 contract with DOWL Engineers for the **Arctic Boulevard Surface Rehabilitation Project, Fireweed**
17 **Lane to Tudor Road**, Project No. 02-10 (\$17,758); Project Management & Engineering.
- 18 9.D.13. Assembly Memorandum No. AM 874-2005, contract Amendment No. 3 to professional services
19 contract with Trawver Land Services providing **right of way land acquisition services** (\$150,000);
20 Project Management & Engineering.
- 21 9.D.14. Assembly Memorandum No. AM 875-2005, Amendment No. 4 to 2004 professional **civil engineering**
22 **services** contract with CRW Engineering Group, LLC, RFP 23-P046 (\$100,000); Project Management
23 & Engineering.
- 24 9.D.15. Assembly Memorandum No. AM 898-2005, recommendation of award to R&M Consultants, Inc. for
25 providing professional engineering services for the **Dimond Blvd. Upgrade Project - Jodhpur Road**
26 **to Sand Lake Road**, (Project E), for the Municipality of Anchorage, Project Management &
27 Engineering (RFP 25-P015) (\$482,000); Purchasing.
- 28 9.D.16. Assembly Memorandum No. AM 904-2005, **2006/2007 Liquor License Renewals**: 515 Club #398,
29 Buckaroo Club #185, Sullivan's Steakhouse #3412 – Beverage Dispensary; The Lions Den #658 –
30 Beverage Dispensary-Tourism; Buckaroo Club Liquor Store #186 – Package Store; Shine's Sushi
31 Restaurant #4345, Tofu House Restaurant #4190 – Restaurant/Eating Place (Spenard, North Star,
32 Midtown, Downtown, Chugiak, Eagle River, Tudor Area Community Councils); Clerk's Office.
33 **(Addendum)**
- 34 9.D.17. Assembly Memorandum No. AM 907-2005, contract Amendment No. 9 to Purchase Order 231576
35 with Paratransit Services, Inc. for providing a coordinated transportation system "**AnchorRIDES**" for
36 the Municipality of Anchorage, Public Transportation Department (\$4,966,322); Purchasing.
37 **(Addendum)**
- 38 9.D.18. Assembly Memorandum No. AM 908-2005, proprietary contract with USKH, Inc. to provide
39 professional engineering services for the **Yosemite Drive Pedestrian and Drainage Improvements**
40 **Project** for the Municipality of Anchorage, Project Management and Engineering Department
41 (\$132,809); Purchasing. **(Addendum)**

42
43 Ms. Ossiander requested this item be pulled for review on the regular agenda. (See item 10.D.18)

44
45 **9.E. INFORMATION AND REPORTS**

- 46 9.E.1. Information Memorandum No. AIM 96-2005, Internal Audit Report 2005-13 – **Billing Process,**
47 **Anchorage Fire Department**; Internal Audit.

48
49 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

- 50 9.F.1. Ordinance No. AO 2005-180, an ordinance of the Municipality of Anchorage authorizing and providing
51 for the borrowing of an additional \$1,000,000 from the State of Alaska Clean Water Fund for the
52 purpose of the **construction of Cell 7** at the Anchorage Regional Landfill and providing for related
53 matters; Solid Waste Services. *(Public Hearing 1-10-06)*
54 a. Assembly Memorandum No. AM 892-2005.
- 55 9.F.2. Ordinance No. AO 2005-182, an ordinance submitting to the qualified voters residing in the **Section**
56 **6/Campbell Airstrip Road Limited Road Service Area** (LRSA) at the Regular Municipal Election on
57 April 4, 2006, a ballot proposition to annex Campbell Canyon Subdivision to the Section 6/Campbell
58 Airstrip Road LRSA and to amend the Section 6/Campbell Airstrip Road LRSA boundaries in Anchorage
59 Municipal Code Section 27.30.700, effective retroactively as of January 1, 2006; Maintenance &
60 Operations Department. *(Public Hearing 1-10-06)*
61 a. Assembly Memorandum No. AM 879-2005.
- 62 9.F.3. Ordinance No. AO 2005-183, an ordinance submitting to the qualified voters residing in the **South**
63 **Goldenview Limited Road Service Area** (LRSA) at the Regular Municipal Election on April 4, 2006,
64 a ballot proposition to annex the Views at Prominence Pointe Subdivision to the South Goldenview
65 LRSA and amend the South Goldenview LRSA boundaries in Anchorage Municipal Code Section
66 27.30.700, effective retroactively as of January 1, 2006; Maintenance & Operations Department.
67 *(Public Hearing 1-10-06)*
68 a. Assembly Memorandum No. AM 880-2005.
- 69 9.F.4. Ordinance No. AO 2005-184, an ordinance submitting to the qualified voters residing in a portion of
70 **Upper O'Malley Limited Road Service Area** (LRSA), namely Lot 1A, Block 1, Panorama Terrace
71 Subdivision (Tax Parcel 015-092-35-000-06); Lot 3, Hillside Heights Subdivision (Tax Parcel 015-092-
72 76-000-06); and Lot 1, Hillside Heights Subdivision (Tax Parcel 015-092-74-000-06), and to the Upper
73 O'Malley LRSA at the Regular Municipal Election on April 4, 2006, a ballot proposition to amend the
74 Upper O'Malley LRSA boundaries by removing Lot 1A, Block 1, Panorama Terrace Subdivision (Tax
75 Parcel 015-092-35-000-06); Lot 3, Hillside Heights Subdivision (Tax Parcel 015-092-76-000-06); and
76 Lot 1, Hillside Heights Subdivision (Tax Parcel 015-092-74-000-06) from the Upper O'Malley LRSA
77 and amending the Upper O'Malley LRSA boundaries in Anchorage Municipal Code Section 27.30.700,

effective retroactively as of January 1, 2006; Maintenance & Operations Department. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 881-2005.

9.F.5. Ordinance No. AO 2005-189, an ordinance submitting to the qualified voters residing in the **Lakehill Limited Road Service Area** and to Lot 3, Block 1, Stony Brook Subdivision (Tax Parcel 015-511-09-000-18); Lot 2, Block 2, Stony Brook Subdivision (Tax Parcel 015-511-18-000-19); Lot 3, Block 2, Stony Brook Subdivision (Tax Parcel 015-511-19-000-17); and Lot 1, Block 2, Stony Brook Subdivision (Tax Parcel 015-511-17-000-11) a ballot proposition to annex the Stony Brook Subdivision parcels above-referenced to Lakehill LRSA, and to amend the Lakehill LRSA boundaries in Anchorage Municipal Code Section 27.30.700, effective as of January 1, 2007; Maintenance & Operations Department. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 902-2005.

9.F.6. Ordinance No. AO 2005-185, an ordinance amending Chapters 21.35, 21.40, 21.45 and 21.50 of the Anchorage Municipal Code regarding zoning districts, supplementary district standards and standards for conditional uses and site plans for Child Care Facilities and amending Anchorage Municipal Code Section 14.60.030 to add **child care facility violations** to the fine schedule (Planning and Zoning Commission Case 2003-143); Planning Department. *(Public Hearing 1-10-05)*

a. Assembly Memorandum No. AM 882-2005.

9.F.7. Ordinance No. AO 2005-186, an ordinance amending the zoning map and providing for the rezoning of approximately 1.88 acres, from PLI (Public Lands and Institutions District) to R-O (Residential Office District), for **Providence-Chester Creek Subdivision, Tract D-2**; generally located at the southwest corner of Providence Drive and Piper Street (University Area Community Council) (Planning and Zoning Commission Case 2005-127); Planning Department. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 883-2005.

9.F.8. Ordinance No. AO 2005-187, an ordinance amending the zoning map and providing for the rezoning of **Lot 1A, Raspberry Center Subdivision** from B-1B SL (Community Business District with Special Limitations) to B-1B SL (Community Business District with Special Limitations) and to repeal AO 91-174 in its entirety as applied to Lot 1A, Raspberry Center Subdivision, generally located at 6820 Northwood Drive (Sand Lake Community Council) (Planning and Zoning Commission Case 2005-129); Planning Department. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 884-2005.

9.F.9. Ordinance No. AO 2005-188, an ordinance amending Anchorage Municipal Code Title 12 to enact a **sales and use tax** on the sale of goods and services within the Municipality for the exclusive purpose of reducing property taxes proportionately throughout the Municipality, with certain exemptions, with a cap and with reimbursement for collection, all within the tax cap, and submitting the question of whether or not to approve a sales tax to the qualified voters of the Municipality at its next Regular Election on April 4, 2006; Assemblymember Sullivan. *(Public Hearing 1-24-06)*

9.F.10. Resolution No. AR 2005-321, a resolution of the Municipality of Anchorage appropriating \$1,025,000 in additional projected program revenues to the Anchorage Fire Department 2005 Operating Budget Areawide Fund (101), and \$287,000 in additional projected program revenues to the Anchorage Fire Department 2005 Operating Budget; **Anchorage Fire Service Area Fund (131)**. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 899-2005.

9.F.11. Resolution No. AR 2005-313, a resolution of the Municipality of Anchorage appropriating \$112,420 in insurance recovery revenues, received pursuant to the settlement of a vehicular accident property damages claim, to the Anchorage Fire Service Area Fund (131), Anchorage Fire Service Area Operating Budget, to pay the costs of **repairing the damaged emergency response fire apparatus**; Anchorage Fire Department. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 885-2005.

9.F.12. Resolution No. AR 2005-314, a resolution of the Anchorage Assembly appropriating \$270,000 from the Areawide General Fund (101) Real Estate Services Department 2005 Operating Budget as a contribution to the Areawide Capital Fund (401) for **City Hall capital maintenance and improvements**; Office of Economic & Community Development. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 886-2005.

9.F.13. Resolution No. AR 2005-315, a resolution of the Municipality of Anchorage accepting and appropriating \$286,790 as a grant from the Alaska Department of Fish and Game Southeast Sustainable Salmon Fund, to the Project Management & Engineering Department within the Anchorage Roads and Drainage Service Area Fund (441), for the **Ship Creek Crossing Project**. *(Public Hearing 1-10-06)*.

a. Assembly Memorandum No. AM 887-2005.

9.F.14. Resolution No. AR 2005-316, a resolution of the Municipality of Anchorage accepting and appropriating a State of Alaska Clean Water Fund loan in the amount of \$6,600,000 for partial closure of the **Anchorage Regional Landfill**; Solid Waste Services. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 888-2005.

9.F.15. Resolution No. AR 2005-317, a resolution of the Municipality of Anchorage appropriating \$545,000 to the State Categorical Grants Fund (231), Department of Public Transportation from the Alaska Department of Health and Social Services to assist in the funding of **coordinated transportation services** for senior citizens within the Municipality of Anchorage; Public Transportation Department. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 889-2005.

9.F.16. Resolution No. AR 2005-318, a resolution appropriating \$261,659 from a Transfer of Responsibilities Agreement (TORA) with the State of Alaska Department of Transportation & Public Facilities (ADOT&PF) and the Municipality of Anchorage, and a match contribution of \$50,000 from the 2006 Planning Department Operating Budget, to the State Categorical Grants Fund (231) under the Municipal Traffic Department for the Anchorage Metropolitan Area Transportation Solutions (AMATS) **MOA Midtown District Plan**; Traffic Department. *(Public Hearing 1-10-06)*

a. Assembly Memorandum No. AM 890-2005.

Ms. Ossiander requested this item be pulled for review on the Regular Agenda. *(See Agenda Item 10.F.16)*

- 9.F.17. Resolution No. AR 2005-319, a resolution appropriating \$130,829 from a State of Alaska Department of Transportation & Public Facilities (ADOT&PF) Transfer Of Responsibilities Agreement (TORA) with the Municipality of Anchorage, and match contributions of \$11,195 from the 2005 Project Management and Engineering Operating Budget, Areawide General Fund (101), and \$4,967 from the 2005 Anchorage Fire Department Operating Budget, Anchorage Fire Service Area Fund (131), to the Areawide General Capital Improvement Project Fund (401) for the Anchorage Metropolitan Area Transportation Solutions **(AMATS) Plug In Installation Program**, Traffic Department. *(Public Hearing 1-10-06)*
- a. Assembly Memorandum No. AM 891-2005.
- 9.F.18. Resolution No. AR 2005-322, a resolution of the Municipality of Anchorage re-appropriating \$248,000 from Areawide General (101) Fund Balance as a contribution to the Development Services Department Building Safety (181) Fund, 2005 General Government Operating Budget, for **bank fees, overtime and contracted services**; Development Services Department. *(Public Hearing 1-10-06)*
- a. Assembly Memorandum No. AM 900-2005.
- 9.F.19. Resolution No. AR 2005-323, a resolution approving the purchase and acquisition of real property legally described as **Tract B, Forest Heights Subdivision**, through an appropriation of \$850,000 from the Heritage Land Bank Operating Fund (221) Balance to the Heritage Land Bank Capital Fund (421) and reappropriation of previously approved appropriated funds within the Heritage Land Bank Capital Fund (421) of \$2,150,000 for an amount not to exceed \$3,000,000. *(Public Hearing 1-10-06)*
- a. Assembly Memorandum No. AM 901-2005.
- 9.F.20. Resolution No. AR 2005-324, a resolution of the Anchorage Municipal Assembly and Mayor Mark Begich to rename Gladys Wood Park to **Michael J. Shibe Park**, Mayor's Office. *(Public Hearing 1-24-06)*
- 9.F.21. Ordinance No. AO 2005-192, an ordinance extending the term of the **Birch Tree/Elmore Limited Road Service Area** retroactive to January 1, 2006, until June 1, 2006, or until extended by the qualified voters residing in the Service Area at the next Regular Municipal Election on April 4, 2006; Municipal Clerk. *(Public Hearing 1-10-06) (Addendum)*
- 9.F.22. Ordinance No. AO 2005-193, an ordinance extending the term of the **South Goldenview Area Limited Road Service Area** retroactive to January 1, 2006, until June 1, 2006, or until extended by the qualified voters residing in the Service Area at the next Regular Municipal Election on April 4, 2006; Municipal Clerk. *(Public Hearing 1-10-06) (Addendum)*

Chair Coffey put the Question on the remainder of Consent Agenda.

and this motion, as amended, was passed.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

The amended Consent Agenda was approved and Chair Coffey proceeded into discussion of the pulled items.

END OF CONSENT AGENDA

10. REGULAR AGENDA

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

10.B. **RESOLUTIONS FOR ACTION - OTHER** None were pulled for review.

10.C. BID AWARDS

10.C.3. Assembly Memorandum No. AM 896-2005, recommendation of award to City Electric, Inc. for the **Eklutna Transmission Line Rebuild Project** for the Municipality of Anchorage, Municipal Light & Power (ML&P) (ITB 25-C065) (\$10,919,118.61); Purchasing.

Ms. Ossiander moved, to approve AM 896-2005,

Mr. Sullivan seconded,

Ms. Ossiander explained this issue involved state grant money to rebuild the electrical infrastructure from the Eklutna hydroelectric plant to Eagle River. Residents were concerned that the line would be overbuilt, with capacity far more than the plant could generate and more than what was predicted to be needed for that area for 15-20 years.

Constituents were also concerned with the extra costs. She had been assured by Municipal Light and Power (ML&P) General Manager Jim Posey that the magnitude of the project would provide extra reliability, transmitting electricity.

and this motion was approved, 8-1.

AYES: Tesche, Shamberg, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: Ossiander.

ABSENT: Fairclough, excused.

[~~ABSTAIN: Coffey. (Clerk's Note: Chair Coffey's electronic voting mechanism was not working at the time of the vote.)~~]

10.D. NEW BUSINESS

10.D.1. Assembly Memorandum No. AM 862-2005, **2006/2007 Liquor License Renewals**: Gaslight Lounge #437, Avenue Bar #1184 – Beverage Dispensary (Downtown Community Council); Clerk's Office.

Mr. Bauer moved, to approve AM 862-2005, "and refer to the Public Safety

Mr. Sullivan seconded,

Committee for an informal review of police reports and actions of the licensee, with an invitation extended to the owner to participate in the meeting,"

Mr. Bauer stated there were issues that needed to be addressed concerning the Gaslight Lounge.

Mr. Sullivan stated that the last day to protest was four days away and he recommended this issue be approved and referred to the Public Safety Committee, with the applicant present to answer questions.

Mr. Tesche moved a friendly amendment to the motion, to send it to the Public Safety Committee, and allow the applicant the opportunity to speak to the police reports. This was accepted as a friendly amendment by Mr. Bauer and Mr. Sullivan.

Ms. Jennings agreed with the motion and the amendment. An informal conversation with the owner was in order.

To Mayor Begich, Mr. Bauer responded that the police report included a number of incidents that needed clarity and the owner would be given the opportunity to explain the actions that would be taken to improve the situation. Mayor Begich responded that once the protest was lifted, the Assembly would have limited rights.

Chair Coffey stated that with the licensee would have the opportunity to have an open and frank discussion, defining the concerns and address what might be done to improve the situation. Mr. Boness responded the Assembly could impose conditions, which needed to be in the context of particular action on a license. Mr. Coffey responded that conditions would need to be issued prior to the issuance of renewal. Mr. Boness concurred.

To Mr. Tesche, Chair Coffey responded the Gaslight Lounge license could be reviewed in one year.

To Mr. Tesche, Anchorage Police Chief Walter Monegan responded that he had reviewed the report, which indicated a high number of incidents. He had no further information on the locations or how many of those incident reports had been initiated by the establishment. The department would be monitoring this establishment. He could not offer a recommendation at that time.

Mr. Tesche stated he wanted Chief Monegan's statement on the record. He felt comfortable with the motion to approve, as amended. He urged a YES-vote.

To Mr. Sullivan, Chief Monegan responded the Alcoholic Beverage Control (ABC) Board had not responded to this issue and recommended the report be forwarded to them, for their review. Mr. Sullivan stated that when the Public Safety Committee meets, members could review the conditional uses.

Mr. Traini stated the Public Safety Committee would meet in January and requested that Municipal Clerk Barbara Gruenstein contact the ABC Board to review their information on Gaslight Lounge. Ms. Gruenstein concurred.

Mr. Birch requested the Public Safety Committee also address how the incidents were reported and handled. Chair Coffey responded this request was appropriate.

To Mr. Coffey, Mr. Bauer responded the motion applied to both the Gaslight Lounge and the Avenue Bar.

To Mr. Coffey, Mr. Tesche restated the motion, as amended. Assembly approval would not protest and the matter would be referred to the Public Safety Committee.

Mr. Traini requested that the licensee receive copies of all information involved with this matter. Chair Coffey responded the Municipal Clerk would see to it.

Ms. Jennings noted that the licensee had sent his security officers to specialized security training. There were a great number of incidents which might indicate that the establishment was over-serving.

and this motion, as amended, was passed, 10-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

10.D.3. Assembly Memorandum No. AM 864-2005, Change Order No. 1 to Purchase Order No. 250742 with Fuels Reduction of Alaska for providing **wildland fire fuel treatment services** to the Municipality of Anchorage, Anchorage Fire Department (\$159,450); Purchasing.

Ms. Ossiander moved, to approve AM 864-2005,
Mr. Traini seconded,

To Ms. Ossiander, Anchorage Fire Department Administrator Michelle Weston responded this contract involved the mechanized removal of trees. It was a less expensive and a professional method of logging, and they had been pleased with the contractor. This contract was for a renewal. To Ms. Ossiander, Purchasing Officer Bart Mauldin responded the project could be reviewed as a RFP, but that process would be limited to professionals who had completed the contract in the past. Municipal Manager Denis LeBlanc responded that, since the Fire Department had the opportunity to witness the work of this contractor, he recommended approving the contract for an additional year, and then addressing the project as an RFP.

Ms. Ossiander stated that she had heard no complaints against this contractor, but she was interested in competition and allowing other capable people the opportunity to get the work.

To Ms. Jennings, Ms. Weston responded that this contract involved one private contract crew.

To Mr. Sullivan, Mr. LeBlanc responded that at the end of the first year this contract could be reviewed. That experience would allow the collection of enough material for one year, in order to propose a RFP. Mr. Sullivan stated that he had heard that members of the Moose Federation may be interested in volunteering their services for tree removal on private property.

Ms. Ossiander proposed to amend, by deleting lines 32-34, referencing a two-year contract. Mr. Mauldin recommended not deleting reference to the two-year contract, but adding a note, specifying the contract was only for one-year and the optional years were being deleted.

Ms. Ossiander moved,	to amend AM 864-2005, <i>by adding</i> a note to Page 1, (<i>at the</i>
Mr. Stout seconded,	<i>end of document</i>), to read. <u>"This contract [the contract] is only</u>
and this was approved without objection.	<u>for one year and the optional years are being deleted,"</u>

Chair Coffey put the Question on the main motion.

and the main motion, as amended, was passed.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

10.D.4. Assembly Memorandum No. AM 865-2005, amendment to contract with SMG of Alaska, Inc. for professional services for **operation and management of Ben Boeke/Dempsey Anderson Ice Arenas** to exercise the option to extend the contract term and to increase the annual fee (\$35,000); Office of Economic & Community Development.

Mr. Bauer moved,	to approved AM 865-2005,
Ms. Ossiander seconded,	

To Mr. Bauer, Mayor Begich responded they would supply 5 years financial history for all the [arenas] facilities in the city under the Public Facilities Advisory Commission, including Ben Boeke Arena, Dempsey Arena, Sullivan Arena, the Egan and the Performing Arts Center. Mr. Sullivan also requested copies of the Anchorage Convention and Visitors Bureau (ACVB) contracts for the Egan Center and the new convention center. Mayor Begich responded they would share that information during the worksession scheduled for December 16th.

To Mr. Stout, Office of Economic and Community Development Director Mary Jane Michael responded the two contracts were being negotiated separately.

Ms. Jennings requested to get response from the users of the facilities. Ms. Michaels responded the people were pleased with the contractors, but were more displeased with the conditions of the facilities. They were working on facility improvements. Mayor Begich responded they were currently addressing roof repairs.

To Mr. Birch, Mayor Begich responded the contracts would be more favorable to the Municipality. The Sullivan Arena contract had been negotiated and these contracts were the second stage of their plan.

and this motion was passed, 10-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

10.D.18. Assembly Memorandum No. AM 908-2005, proprietary contract with USKH, Inc. to provide professional engineering services for the **Yosemite Drive Pedestrian and Drainage Improvements Project** for the Municipality of Anchorage, Project Management and Engineering Department (\$132,809); Purchasing. **(Addendum)**

Ms. Ossiander moved,	to approve AM 908-2005,
Ms. Shamberg seconded,	

To Ms. Ossiander, Municipal Engineer Howard Holtan responded that the design study would address a number of problems with the roadway. The local residents had concerns with pedestrian safety and lighting. They would also be addressing drainage and road improvements. The Board of Adjustment had released the requirement for an urban roadway standard and there may be improvements needed at the intersection to the school, to improve access and drainage. They would be addressing both urban and rural standards. He responded they would be addressing all of Yosemite Parkway, particularly the entrances to the school and Eagle Pointe Subdivision. There were plans for a retention pond to help resolve the concerns of drainage to the subdivision. The permit for the retention pond was to protect the subdivision from the drainage of Yosemite Drive. The School District was using this pond for drainage, but allowances could be made from the city, following a thorough study of the issue. This project involved state grant money.

and this motion was passed, 9-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

(Clerk's Note: Mr. Bauer was temporarily out of Chambers at the time of the vote.)

10.E. INFORMATION AND REPORTS None were pulled for review.

10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

10.F.16. Resolution No. AR 2005-318, a resolution appropriating \$261,659 from a Transfer of Responsibilities Agreement (TORA) with the State of Alaska Department of Transportation & Public Facilities (ADOT&PF) and the Municipality of Anchorage, and a match contribution of \$50,000 from the 2006 Planning Department Operating Budget, to the State Categorical Grants Fund (231) under the Municipal Traffic Department for the Anchorage Metropolitan Area Transportation Solutions (AMATS) **MOA Midtown District Plan**; Traffic Department. (Public Hearing 1-10-06)

a. Assembly Memorandum No. AM 890-2005.

Ms. Ossiander moved, to introduce AR 2005-318 with Public Hearing scheduled
Ms. Jennings seconded, for January 10, 2006,
and Mr. Stout was the concurring third.

To Ms. Ossiander, Chair Coffey responded this had been presented as a transportation plan, involving AMATS dollars and had not originated from the Planning Department.

Mayor Begich requested consideration of taking up 13.B.

Ms. Ossiander moved, to Change the Order of the Day to take up 13.B,
Ms. Jennings seconded,
and this was approved without objection.

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS There were none.

12. APPEARANCE REQUESTS There were none.

13. CONTINUED PUBLIC HEARINGS

13.A. Ordinance No. AO 2005-122, an ordinance adopting the **Anchorage Bowl Park, Natural Resource, and Recreation Facility Plan** as an element of the Comprehensive Plan and amending Section 21.05.030 of the Anchorage Municipal Code (Planning and Zoning Commission Case 2004-021); Planning Department.

1. Assembly Memorandum No. AM 656-2005.

(Carried Over from 9-27-05; Continued from 10-11-05, 11-1-05, 11-8-05) (Postponed to 1-31-06)

Chair Coffey announced that public testimony would be completed that evening and the Assembly would consider postponing action, to allow a joint meeting with the Assembly and the Parks and Recreation Division, scheduled for January 13th. The plan would then be reviewed by the Assembly and action would be taken. He requested persons to sign up, who wanted to testify to the Parks Plan. Chair Coffey announced there was to be a presentation of the Parks and Recreation Commission prior to Public Hearing.

VICTOR MOLLOZZI, Chair of the Parks and Recreation Commission, introduced other members of the board, including Steven Beardsley, Jeff Clarke, Dianne Etter, Eric McCallum and Bill Bryson. Mr. Mollozzi and Mr. Clarke gave a power-point presentation, summarizing the Parks and Recreation Department's many programs and projects, which had taken ten years to establish and were continuing to work well for the community. The Park Plan would help resolve conflicts of use, was a business plan and would provide a sense of direction. They understood the importance of maintaining and better utilizing the existing parks. Mr. Mollozzi stated core values of the plan included forming partnerships. Mr. Clarke explained the revenues that supported the parks and recreation systems included appropriated money from the city, private donations and user fees. Donations included revenues from the Anchorage Parks Foundation, which had raised over \$1 million and supported the Clean and Green Program. The Rasmuson Fund had made donations to provide maintenance to parks, including gates and tables. The Rasmuson Foundation had offered to match dollar for dollar, up to an additional \$800,000. Mr. Mollozzi stated that Assembly approval of the Parks Plan would convince the community to support the parks bonds. Mr. Mollozzi recommended that all testimony on trails wait to be addressed at the worksession. Ms. Ossiander responded that she also had many questions.

To Ms. Shamberg, Mr. Mollozzi responded that the eleven members of the Parks and Recreation Commission had addressed the Parks Plan for the past three years. The committee was comprised of members, representing a fair, broad spectrum of the community and they had included public process.

Mr. Traini stated that the Assembly had addressed the Coastal Trail a year ago and had taken action, so the trail would never impact or interfere with the activity of the rifle range.

Mr. Bauer requested a full business plan, including dollar figures, projected for the future. Mr. Mollozzi concurred.

Chair Coffey opened Public Hearing.

MICHAEL CARLSON supported the Plan and recommended that the Assembly address the Trails Plan and connectivity, to improve health and wellness and to protect the wildlife refuge. He urged that controversial issues be dealt with separately.

RANDY VIRGIN, Director of the Alaskan Center for the Environment, supported the Parks Plan.

SANDRA WATSON opposed the Coastal Trail taking private property and affecting the privacy of homeowners.

1 DEANNA ESSERT, testified, representing the Sand Lake Community Council, opposing the trail extension that would
2 impact the coastal wildlife refuge and private property. She stated the city had not shared this issue with their
3 community council. She made recommendations of removing the trails from the Parks Plan.

4
5 BOYD MORGENTHALER testified that the Advisory Board was not balanced, with 75% being municipal or
6 governmental employees, 13% being advocates for trails and greenways and only 11% representing families with
7 children. He opposed the route of the Coastal Trail. His recommendations included making the plan more responsive
8 to local needs and changing the focus of the Plan to emphasize youth activities, including soccer.

9
10 SHERRY JACKSON, Acting Chair of the Sand Lake Community Council, reported on the council's recommendations
11 to getting down to basics and addressing fees to increase youth activities. The Coastal Trail should be considered
12 separately.

13
14 VIVIAN MENDENHALL, with the Audubon Society, supported [øf] the Plan and urged approval. To Mr. Birch, she
15 responded that she had seen 250 bird species in Anchorage. To Ms. Ossiander, she supported the amendments to
16 the Parks Plan, and agreed with Ms. Ossiander, that they were difficult to understand.

17
18 WAYNE PICHON, a professional planner, opposed the Plan because it had never been discussed with the local
19 community councils or his neighborhood. He urged a professional and independent plan, with more planning and
20 public process.

21
22 JOHN KUEST, a Bayshore resident, opposed the proposed Coastal Trail extension because of the acquisition of
23 private property. He urged reconsideration of the Plan. He was also concerned with rising property taxes.

24
25 BOB BROCK opposed the Coastal Trail and the Parks Plan.

26
27 MIKE GOODWIN, Superintendent for Chugach State Park for 14 years and a baseball coach, testified in support and
28 urged approval of the Plan.

29
30 LAVEL JAMES SHIELDS, PhD. in Mammology, President of Friends of Potter Marsh and homeowner on the bluff,
31 opposed the Plan. The research groups creating the Parks Plan had ignored his professional expertise. Wildlife
32 needed protection, including populations which inhabited the bluff areas.

33
34 JIM BURKHOLDER supported the Plan as written and urged Assembly approval.

35
36 DAVID LEE urged that reference to all trails be omitted in the Plan. Trails could be addressed by the Trails Plan. The
37 Commission was out of touch with the community. He urged the Assembly to strike the Park Plan's reference to parks
38 as economic engines. To Ms. Jennings, he responded that input from the community, including from community
39 councils, was needed to make an informed decision, particularly in setting the priorities for both users and non-users.

40
41 WILL TAYGAN, outdoor enthusiast and member of the Sierra Club, supported the Plan and urged adoption, with the
42 amendments from the Commission and Planning Department. The Sierra Club supported the South Coastal Trail.

43
44 ROB MARTINDALE encouraged moving forward with the Parks Plan to get people off the streets, promoting and
45 creating new trail connectivity. Ms. Ossiander stated that she was interested in amending, to add a priority statement,
46 promoting connectivity of regional trails.

47
48 BOB HOFFMAN, President of the Bayshore/Klatt Community Council, stated the council recommended the Coastal
49 Trail be removed from the Plan. The council had been ignored with the process. To Mr. Tesche, he responded the
50 wildlife and the area needed protection and he urged consideration of an alternative trail route.

51
52 HANK HOSFORD, with the Old Seward/Oceanview Community Council, agreed that councils had been ignored and
53 he urged removal of all trails in the Plan.

54
55 TAYLOR WEST, bluff property owner, concurred that the Coastal Trail should not be mentioned in the Parks Plan.

56
57 MARY WHITMORE stated the Parks Plan had ignored public opinion. The Plan was too confusing, too expensive and
58 the Coastal Trail should not be a part of the Parks Plan because it was too controversial.

59
60 CHERYL STROYER stated that the Plan was controversial, was difficult to read, the amendments were confusing, it
61 was going to be too expensive, it had been created for special interest groups and the Coastal Trail should be
62 removed. Ms. Ossiander responded that each recommendation could be reviewed individually.

63
64 KIM WETSEL supported the Parks Plan, including trail connectivity and consistent year-round use. To Ms. Jennings,
65 she responded that she had been involved with Title 21. To Ms. Ossiander, Ms. Wetzel responded that she supported
66 the Community School model.

67
68 DIANNE HOLMES supported the Parks Plan, including the Coastal Trail, because it would promote a physically active
69 lifestyle, which could reduce disease and health care costs. To Mr. Sullivan, she responded that people could exercise
70 at home, but would prefer to work out in the fresh air.

71
72 JIM RENKERT, lifelong Anchorage resident, supported the Plan. Recreation of the mind, body and spirit was critically
73 important and not just a luxury. Anchorage had the potential to be the best place in the world. To Ms. Jennings, he
74 responded that he had participated in many meetings, which had been advertised.

75
76 PEGGY COBEY supported the Parks Plan, without amendments. She supported the Coastal Trail being included.

77

CATHY GLEASON, Vice President of Turnagain Community Council, stated the council supported the Plan, as it was, with the Coastal Trail being included. To Ms. Ossiander, she responded that the general public would not support the costs of the Plan, but the grants and donations would help pay for a well-balanced parks system.

MIKE JENS supported the Plan, as it was. If the Coastal Trail was removed from the Plan, it would send the message that the city did not support trails. He was concerned with the federal matching funds that may have to be returned, if the Plan was not approved. Ms. Ossiander thanked Mr. Jens for his help with creating the Top-10 Trails and reviewing the process.

HELEN NIENHUESER, former Parks Commissioner, supported the Parks Plan. She urged for the Assembly to leave in the statement about the Coastal Trail.

BJARNE HOLM, representing the Hillside-East Community Council, testified they had passed a resolution in support of the Coastal Trail. He was host to a website which supported the Coastal Trail.

MIKE LAYNE, who recently moved to Anchorage with his family from Barrow, stated the Assembly had a responsibility in developing a Parks and Recreation Plan. He supported the trails.

NEIL MCMAHAN supported the Parks Plan, which maintained developed lands, offer expansions, included a financial plan and expanded uses of schools. To Mr. Coffey, he responded that recommendations of creating minimum levels of service standards for community use areas would be beneficial to the city, but he was not familiar with the costs.

KATHLEEN PLUNKETT had been actively involved with community input and supported the Parks Plan because it set community priorities and offered maintenance of existing parks.

ANDY BAKER, owner of a bed and breakfast business next to the Coastal Trail, supported the Plan. He had moved to Anchorage because of the unique and local beauty and access. There was much value in development of the Parks Plan and viewed it as an economic driver.

JOHN PLETCHER was concerned with the potential costs of the Parks Plan. He urged the Assembly to remove the Coastal Trail and opposed the routing of the Kincaid Trail, which all could be funded through AMATS projects.

JEFF PARKER, an environmental law attorney representing the Potter Marsh Wildlife Area and bluff property owners, testified that the statement on page 70 and the maps, referring to trail routes, presented liability risks. Federal funds were available for highway projects and not for recreational trail projects. A trail below the bluff was not supported by biologists or environmentalists.

JACK MOSBY supported the Park Plan, as written, including the trails. To Mr. Coffey, he recommended that seats on the Parks and Recreation Commission include more than special interest groups, such as a developer, a business operator and other more diverse representation, to get a broader community perspective.

BERNADETTE BRADLEY urged removal of all references and maps of the Coastal Trail.

DAN ROSENBERG, member of the Nordic Ski Club, supported the Parks Plan, without amendments.

ED LARRIVÉE II supported the Coastal Trail being included in the Plan because it was a necessity.

RUTH MOULTON opposed the Coastal Trail being deleted from the Parks Plan and she supported use of eminent domain. Influential Turnagain residents, who originally opposed the Coastal Trail there, now recognize it as a very valuable asset.

ERIC McCALLUM, member of the Parks and Recreation Commission and also a bluff property owner, supported the Coastal Trail and the Parks Plan.

With no additional public testimony, Chair Coffey closed Public Hearing.

Mr. Sullivan moved,	<i>to Postpone AO 2005-122 until after</i> the scheduled Joint
Mr. Traini seconded,	Worksession with the Parks and Recreation Advisory
and this was approved without objection.	Commission, on January 13 th ,

Chair Coffey announced the Joint Worksession would be held in the Assembly Conference Room on January 13th and the public was invited to attend.

Mr. Sullivan moved,	<i>to Postpone AO 2005-122 to January 31, 2006,</i>
Ms. Jennings seconded,	
and this motion was passed without objection.	

13.B. Ordinance No. AO 2005-137, an ordinance approving a **Multi-Year Management Agreement for the Anchorage Museum of History and Art**, waiving Anchorage Municipal Code Titles 6 and 7 as to the Museum Collection, and amending Anchorage Municipal Code Section 7.40.060 regarding the Public Art Program; Office of Economic & Community Development.

1. Assembly Memorandum No. AM 697-2005. (*Continued from 10-25-05*) (**Continued to 12-20-05**)

Mayor Begich stated they were finalizing negotiations on the Museum Agreement and requested consideration of continuing to December 20th.

Chair Coffey read the ordinance title and opened Public Hearing. There was no one to testify and he called the Question. Chair Coffey recommended continuing Public Hearing.

Mr. Sullivan moved, *to continue* Public Hearing on AO 2005-137 to
Mr. Traini seconded, December 20, 2005,
and this was approved without objection.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

Mr. Traini moved to Change the Order of the Day to take up 14.H. Mr. Stout seconded and this was approved without objection.

13.C. Ordinance No. AO 2005-108, an ordinance of the Anchorage Municipal Assembly requiring utilization of efficient **combined cycle power generation technology**, together with combined heat and power and best available environmental control technology, in connection with replacement of existing power generation equipment, including Unit #3, Plant #1, by Municipal Light & Power; Assemblymembers Tesche, Traini, Coffey and Stout.

1. Assembly Memorandum No. AM 905-2005, AO 2005-108 – utilization of combined-cycle technology, combined heat and power, and best available environmental control technology for replacement of gas turbines of Plant #1; Municipal Light & Power; Assemblymember Tesche. **(Addendum)**

(Public Hearing was Closed 9-13-05; Postponed from 9-13-05; Public Hearing was Re-opened and Continued from 11-8-05)

Chair Coffey opened Public Hearing.

JOE GRIFFITH, formerly with ~~[Chugach]~~ Chugach Electric, testified that all resources for electrical energy were important to consider. To Ms. Ossiander, he responded it did not take a law to decide this issue. To Mr. Tesche, he responded that combined cycle technology supported energy conservation, would create more efficient generation, would result in more efficient emissions, but was expensive. To Mr. Birch, he responded this technology may require alternative installations for peaking loads. To Ms. Jennings, Mr. Griffith responded this ordinance might cause restrictions on other generators in the Municipality. Mr. Tesche responded the ordinance was directed only to Municipal Light and Power (ML&P). Mr. Griffith responded this technology could be used for peaking loads. To Ms. Shamberg, he responded that if he needed a new generator he would consider combined cycle technology because it was more efficient in the long run. There would be a bonus of waste heat, which could be used to heat facilities or sidewalks. To Ms. Ossiander, he responded this ordinance involved only one site. Mr. Tesche responded that this applied to all generator replacements at ML&P. Ms. Ossiander stated one site was being considered for this technology.

RON OLIVA, owner of a water utility, testified there would be unknown costs to the rate payers. He was also concerned, because he lived right next to ML&P Generator Number Three. He thought the government should stay out of this business and leave it up to the ML&P professionals.

JOHN O'DAY, with the Russian Jack Community Council, testified that there was a need for new energy generators and it would cost a lot of money. ML&P should be trusted to make the professional decisions.

ALBERT SWANK, a professional engineer, supported the ordinance and made recommendations of additional language. He stated that consideration should be based on economics and efficiency.

BOB PRICE, Manager of Power at ML&P, testified that combined cycle generation was a complex technology. It was important to review the entire system when studying alternatives for Plant Number One. To Mr. Sullivan, Mr. Price responded that their goal was to build another combined cycle plant, which would become most cost efficient over a thirty-year period, but they did not need a thirty-year contract; they needed a peaking turbine. ML&P could build it cheaper and better and they would maintain ownership of the units. To Mr. Birch, Mr. Price responded that they had studied this matter for a long time and had considered many different types of generators. To Ms. Jennings, he responded that combined cycle technology was consistently preferred.

With no additional public testimony, Chair Coffey closed Public Hearing and called the Question.

Mr. Tesche moved, *to approve* AO 2005-108,
Ms. Shamberg seconded,

Mr. Tesche supported the ordinance and recommended approval.

Mr. Birch opposed this ordinance that restricted competition, limited ML&P's ability to choose among competitive alternatives and restricted long-term requirements. He opposed the Assembly being involved with ML&P Management decisions.

To Ms. Shamberg, ML&P General Manager Jim Posey responded they continually consider selling ML&P. Mayor Begich responded the Administration continually evaluated the city utilities and ML&P was a very well-run organization, returning a dividend to the taxpayers.

and this motion failed, 1-9.

AYES: Tesche.

NAYES: Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

ABSENT: Fairclough, excused.

Mr. Sullivan moved to Change the Order of the Day to take up 14.E, 14.F, 14.G and 14.K, seconded by Mr. Bauer and there were no objections.

14. NEW PUBLIC HEARINGS

14.A. Ordinance No. AO 2005-149, an ordinance of the Municipality of Anchorage authorizing withdrawal of **Heritage Land Bank (HLB) Parcel #3-048** from the HLB Inventory and transfer of the parcel to Real Estate Services Division, with management authority to be delegated to Parks & Recreation Division, and further authorizing a conservation easement to be recorded against the parcel; Heritage Land Bank.

1. Assembly Memorandum No. AM 759-2005. **(Carried Over to 12-20-05)**

14.B. Ordinance No. AO 2005-162, an ordinance of the Anchorage Municipal Assembly amending the **Far North Bicentennial Park Master Plan** to delete the requirements found in Section 4: "Mitigation Measures" and Section 5: "Prohibited Uses" as set forth in AO 2002-165 and to provide for multiple uses of the Far North Bicentennial Park; Assemblymember Coffey.

1. Assembly Memorandum No. AM 821-2005.

Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mr. Traini moved, *to postpone indefinitely* AO 2005-162,
Mr. Tesche seconded,
and this passed without objection.

AYES: Tesche, Shamborg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

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

Mr. Traini moved, *for immediate reconsideration* of AO 2005-162,
Mr. Tesche seconded,
and this failed unanimously.

14.C. Ordinance No. AO 2005-174, an ordinance authorizing the sale of **Lots 9 and 10, Ridgeview Subdivision**, located at the intersection of Old Seward and East 70th Avenue, in Anchorage (Parcel ID Nos. 014-111-19 and 014-111-20); Heritage Land Bank & Real Estate Services.

1. Assembly Memorandum No. AM 844-2005. **(Carried Over to 12-20-05)**

14.D. Resolution No. AR 2005-299, a resolution approving the appropriation of an amount not to exceed \$1,744,792 from Heritage Land Bank Operating Fund (221) Balance as a loan to the Anchorage Community Development Authority for **pre-development property expenditures** on behalf of former Heritage Land Bank Parcel #3-012 located in Mt. View.

1. Assembly Memorandum No. AM 841-2005. **(Carried Over to 12-20-05)**

14.E. Resolution No. AR 2005-307, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the B-2A District for a new restaurant or eating place use per AMC 21.40.150 D.13 for **Kaladi Brothers Coffee Restaurant**; located on Lot 1, Block 52A, Original Townsite Subdivision; site address being 621 W. Sixth Avenue, generally located on the northeast corner of West Sixth Avenue and G Street (Downtown Community Council) (Planning Case 2005-143); Planning Department.

1. Assembly Memorandum No. AM 859-2005.

Chair Coffey opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mr. Sullivan moved, *to approve* AR 2005-307,
Mr. Tesche seconded,

~~[To Mr. Sullivan, a co-owner responded they did not yet have a license.]~~ A co-owner of Kaladi Brother's Coffee Restaurant, who did not give his name, responded to Mr. Sullivan by stating they did not yet have a license. They were in the process of establishing a restaurant and their application had been denied by the Alcoholic Beverage Control (ABC) Board. They had met the conditions and would be contesting the ABC's ruling at their next meeting in February.

Mr. Tesche supported the conditional use.

To Ms. Ossiander, Deputy Municipal Manager Michael Abbott responded this was an appropriate process.

Ms. Jennings stated that issuing many conditional uses without liquor licenses was a concern to her, because they could be transferred to someone else. She recommended approval, conditional upon receiving a liquor license in February. Mr. Tesche responded that the ABC Board used the same language and her amendment was not necessary. Mr. Coffey explained that the Assembly encouraged owners to get the necessary conditional use permits, prior to getting a liquor license.

Ms. Shamborg stated it concerned her that a coffee shop was considering a liquor license, which may prompt other coffee shops to ask for the same thing. Chair Coffey stated it was a land use issue. Mr. Sullivan concurred, and stated that this business was connected to the Performing Arts Center, which already had a liquor license. He could not see any reason the conditional use might be denied.

Mr. Traini supported the conditional use.

Chair Coffey put the Question.

and the main motion was passed, 8-2.

AYES: Tesche, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, and Traini.

NAYES: Shamberg and Jennings.

ABSENT: Fairclough, excused.

14.F. Resolution No. AR 2005-308, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the B-3 District for a new restaurant or eating place use per AMC 21.40.180 D.8 for **Chappie James American Legion Post #34**; located on Bevers (Third Addition) Subdivision, Block 5b, Lot 1A; site address being 916 Ingra Street #D, generally located on the southwest corner of 9th Avenue and Ingra Street (Fairview Community Council) (Planning Case 2005-146); Planning Department.

1. Assembly Memorandum No. AM 860-2005.

Chair Coffey read the resolution title and opened Public Hearing.

DARRELL HESS, President of the Fairview Community Council, testified in support of the license and the business owners, who had an honorable 20-year track record, were honest people and were actively involved with the community. Locating this new business in Fairview was appropriate. Mr. Traini thanked him for his involvement.

RON ALLEVA testified against allowing one more liquor license into Fairview. Alcohol was poison. He had the highest reverence for veterans, but wanted Fairview to stay dry because there were so many alcoholics there and the community had suffered.

HENRY MACANNAPOLIS, an Army Veteran, supported the license. To Mr. Mac Annapolis, Mr. Tesche asked if he would commit to not having nudity or adult entertainment in this establishment. Mr. MacAnnapolis responded in their 20-year history they had never thought of having adult entertainment. He made the commitment to Mr. Tesche that they would never include it with their business. To Ms. Jennings, Mr. MacAnnapolis responded their parking spots had been designed and painted-in, according to regulation. He responded the as-built survey had been completed and submitted.

To Ms. Jennings, MAYFIELD EVANS, former Commander of Post #34, responded the as-built survey had been completed and submitted, meeting the requirements of parking, landscaping and yard setbacks.

Mr. Traini supported the opening of the operation. It would provide a social environment for military personnel.

To Ms. Jennings, Planning and Zoning Administrator Jerry Weaver responded that the parking issues had been resolved. He responded the nonconforming parking determination had been used because it had been a renovated building, with a change of occupancy and the owners had complied with creating the additional parking.

With no additional public testimony, Chair Coffey closed Public Hearing and called the Question.

Mr. Tesche moved, to approve AR 2005-308,
Mr. Traini seconded,
and this motion passed, 10-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

14.G. Resolution No. AR 2005-309, a resolution of the Anchorage Municipal Assembly approving an alcoholic beverages conditional use in the B-3 District for a new restaurant or eating place use per AMC 21.40.180 D.8 for the **Istanbul Café Restaurant**; located on Lot 1A, Block 2, Springer Subdivision; site address being 640 W. 36th Avenue, generally located on the southeast corner of West 36th Avenue and Springer Street (Midtown/Spenard Community Council) (Planning Case 2005-151); Planning Department.

1. Assembly Memorandum No. AM 861-2005.

Chair Coffey read the resolution title and opened Public Hearing.

CARMEN ELLIOT, co-owner of Istanbul Café Restaurant, testified in support of the conditional use for a liquor license.

With no additional public testimony, Chair Coffey closed Public Hearing and called the Question.

Mr. Traini moved, to approve AR 2005-309,
Ms. Jennings seconded,
and this motion was passed, 10-0.

AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

14.H. Ordinance No. AO 2005-159, an ordinance amending the zoning map and providing for the rezoning of approximately 2.87 acres, from R-2A (Two Family Residential District – Large Lot) to PLI (Public

Lands And Institutions) for **Tract B, Arnold L. Muldoon Subdivision**, generally located on the northwest corner of Muldoon Road and East 32nd Avenue (Scenic Foothills Community Council) (Planning and Zoning Commission Case 2005-074); Planning Department.
1. Assembly Memorandum No. AM 785-2005.

Chair Coffey read the ordinance title and opened Public Hearing.

CHERYL CLEMENTSON with Dowl Engineering representing the petitioner, Faith Christian Community Church, testified. The church owned two campuses in the city and wished to consolidate into one campus. They would dispose of the east Anchorage property to Wayland Baptist University. While they had been established at their south Anchorage property for the past 20 years, it was residentially zoned. The plan was in conformance with all adopted plans and was supported by the Planning and Zoning Department staff. She urged approval.

Mr. Tesche stated for the record that he and fellow Assemblymembers welcomed Ms. Clementson back to the Assembly.

To Ms. Jennings, Ms. Clementson responded the code abatement had been concluded on the two outstanding building permits. They had received certificates of completion and certificates of occupancy. The neighbors had been advised of the improvements. There was an as-built included in Assemblymembers' packets.

GARY SOLIN, a 20-year local neighbor, complained of the overflow parking on the road, the traffic congestion and the unsightly dumpster. These concerns had been addressed in the past. He requested that the church be held accountable in the future, if there were any changes. To Ms. Jennings, he responded that he continually communicated with the church and they had promised to be good neighbors, but there were continual concerns. In 1996 the Planning and Zoning and the Assembly had approved church expansion and the parking lot had been reduced. He objected to the two cell phone towers, in close proximity to the park. He thought the city should monitor those types of improvements.

With no additional public testimony, Chair Coffey closed Public Hearing and called the Question.

Mr. Traini moved, to approve AO 2005-159,
Mr. Bauer seconded,
and this was approved without objection.

AYES: Tesche, Shamberg, Osslander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

NAYES: None.

ABSENT: Fairclough, excused.

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

Mr. Traini moved, for immediate reconsideration of AO 2005-159,
Mr. Stout seconded,
and this failed unanimously, 0-10.

AYES: None.

NAYES: Tesche, Shamberg, Osslander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.

ABSENT: Fairclough, excused.

Ms. Osslander moved to Change the Order of the Day to take up 14.J. This was seconded by Mr. Traini and there were no objections.

14.I. Ordinance No. AO 2005-175, an ordinance amending Anchorage Municipal Code Chapters 21.40, 21.45 and 21.50 to delete zoning and conditional use provisions related to **roof-mounted satellite dishes** (Planning and Zoning Commission Case 2003-143); Planning Department.

1. Assembly Memorandum No. AM 845-2005. **(Carried Over to 12-20-05)**

14.J. Resolution No. AR 2005-291, a resolution of the Anchorage Municipal Assembly ratifying Executive Order 2005-031, an Executive Order Re-Naming **Timberline Drive** in Eagle River to Timber Ridge Drive; Municipal Clerk.

1. Assembly Memorandum No. AM 822-2005. **(Continued to 12-20-05)**

Ms. Osslander stated there were many people present to testify on this matter who had requested continuing to January 20th, when Chair Fairclough would be present.

Chair Coffey stated persons would be allowed to testify once on any matter, and because this item would be continued to the next meeting, he urged them to consider waiting to testify. He read the ordinance title and opened Public Hearing. There being no one to testify, he closed Public Hearing and called the Question.

Ms. Osslander moved, to Continue Public Hearing AR 2005-291 to December 20th,
Mr. Traini seconded,
and this was approved without objection.

Mr. Traini requested consideration of Changing the Order of the Day to take up 14.B, with intentions of postponing indefinitely. It was seconded by Mr. Tesche and there were no objections.

14.K. Ordinance No. AO 2005-165, an ordinance of the Municipality of Anchorage directing the Administration, Real Estate Services, and Anchorage Fire Department to pursue development of a design/build project for **Fire Station 4** with the adjacent landowner, JL Properties rather than apply the procedures in AMC 7.10, 7.15 and 7.20; Assemblymember Traini.

Chair Coffey read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mr. Traini moved, to approve AO 2005-165,
Ms. Jennings seconded,

Mr. Traini stated the neighborhood had been anticipating this station expansion for a long time. It would become a fully-operational station and would get rid of the trailer court.

Mr. Birch stated he was concerned with the lack of a competitive process with this construction. Municipal Manager Denis LeBlanc responded they had searched aggressively for appropriate options, and the trailer park owner had agreed for the city to complete a design-build, which would allow development. If the Assembly did not support this proposal, the project would be advertised as an RFP, but this was the only land available and was the best alternative. Mr. Birch was most concerned with the lack of competition for bidding the construction work. Mr. LeBlanc responded they would aggressively review the costs. If this pursuit of the design build failed, they would pursue purchase of the property and an RFP.

Ms. Ossiander stated that she had been involved with a design-build for a new elementary school. They received much criticism for not including more public comment and competitive offers. She recommended following a more public process. She would not support the process as it was.

Mr. Traini stated the surrounding neighborhoods were desperately in need of a new station. One community council had offered their community park for the land needed. This was the best location in the community for a station and there was no other appropriate land available.

To Ms. Jennings, Mr. LeBlanc responded their plans included ~~raising~~ razing the existing building and rebuilding on the expanded site.

Mr. Sullivan stated there was no question of need or location. He understood the developers were willing to sell the land to the city, at which time a competitive process could move forward.

Mr. Birch stated he would support the opportunity to buy the property with no threat of eminent domain and he would support a fair and competitive process.

Mr. Bauer supported a more competitive opportunity.

Mr. Coffey stated the costs of the proposed construction were known, because of recent construction of three other stations in the city. Using this process would allow a fair and competitive price and completion of construction a year faster than completing a new design bid and using a competitive bidding process. He urged support.

Question was called on the main motion.

and the motion failed, 5-5.

AYES: Tesche, Coffey, Stout, Traini and Jennings.

NAYES: Shamberg, Ossiander, Sullivan, Birch and Bauer.

ABSENT: Fairclough, excused.

Chair Coffey called the Question on immediate reconsideration and there was no response. He stated there was 24 hours to move for reconsideration.

Ms. Jennings moved to Change the Order of the Day to take up 14.Q. This was seconded by Mr. Stout and approved with one objection from Ms. Ossiander, who stated she had not received the document. Chair Coffey responded it was the Administration's intention to postpone indefinitely.

14.L. Ordinance No. AO 2005-173, an ordinance authorizing an **electrical easement** across municipal property to Matanuska Electric Association, Inc., in the northeast corner of Tract 3, Eagleridge Subdivision Phase A, Plat 81-292, within Section 13, T14N, R2W, S.M. Alaska, located at Gruening Middle School site near Eagle River Road, Tax #050-872-01; Project Management & Engineering.

1. Assembly Memorandum No. AM 843-2005. **(Carried Over to 12-20-05)**

14.M. Resolution No. AR 2005-300, a resolution authorizing the acceptance and appropriation of a Federal Transit Administration (FTA) Section 5208 Grant in the amount of \$846,377 to the Anchorage Roads and Drainage Service Area Capital Fund (441) for the construction of a **multi-use, ADA-compliant trail connection** at Kincaid Park; Project Management & Engineering.

1. Assembly Memorandum No. AM 842-2005. **(Carried Over to 12-20-05)**

14.N. Resolution No. AR 2005-297, a resolution of the Municipality of Anchorage appropriating \$1,247,000 from the Alaska Department of Health and Social Services and a contribution of \$109,000 from the 2005 General Government Operating Budget, Department of Health and Human Services Areawide General Fund (101) to the State Categorical Grants Fund (231) for the **Child Care Licensing Program**.

1. Assembly Memorandum No. AM 839-2005.

Chair Coffey opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mr. Sullivan moved, to approve AR 2005-297,
Ms. Jennings seconded,
and this was passed without objection.

- 14.O. Resolution No. AR 2005-298, a resolution of the Municipality of Anchorage appropriating \$750,000 as a grant from the U.S. Department of Justice, Office on Violence Against Women, to the Federal Categorical Grants Fund (241), Department of Health and Human Services to fund the **Sexual Assault Response Team (SART) Program**.
1. Assembly Memorandum No. AM 840-2005.

Chair Coffey opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Ms. Shamberg moved, to approve AR 2005-298,
Mr. Birch seconded,
and this was passed without objection.

Mr. Tesche moved to Change the Order of the Day to take up 14.N, seconded by Ms. Jennings and there were no objections.

- 14.P. Resolution No. AR 2005-301, a resolution of the Municipality of Anchorage appropriating \$605,000 from the Federal Highway Administration (FHWA) to the Federal Grants Fund (241) for the Traffic Department, Transportation Planning Division, **Anchorage Metropolitan Area Transportation Solutions (AMATS)**; Traffic Department.
1. Assembly Memorandum No. AM 848-2005. **(Carried Over to 12-20-05)**
- 14.Q. Ordinance No. AO 2005-181, an ordinance amending Assembly Ordinance 98-1, creating a special assessment district in Northeast Turnagain, to adjust certain special assessments for streets and street light improvements on property specially benefited in **Paving Special Assessment District 8P79**, and setting a payment date for adjusted special assessments; Legal Department. **(Laid on the Table)**

Chair opened Public Hearing. With no one to testify, he closed Public Hearing and called the Question.

Mayor Begich moved, to postpone indefinitely AO 2005-181,
Ms. Jennings seconded,
and this was approved without objection.

In response to Deputy Municipal Manager Michael Abbott request, Ms. Jennings moved to Change the Order of the Day to take up 14.O, seconded by Mr. Traini and this was approved without objection.

15. SPECIAL ORDERS None.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION

Chair Coffey announced that Channel 2 Television was in the Chamber Lobby, celebrating with Norman Vaughan, his 100th birthday, and the audience was welcome to join them.

Chair Coffey recognized a group of Boy Scouts present that evening. The Boy Scout Leader, Bill Bergeron, explained his scouts were Troop 229, and they were sponsored by Saint Andrews Parish in Eagle River. The Scouts were working on their community badge.

18. ASSEMBLY COMMENTS None.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Coffey adjourned the Assembly Meeting at 11:00 p.m.

DAN COFFEY, Acting Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: February 28, 2006.
MC/BG

(Copies of Approved Documents and Meeting Minutes are available in the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, (907)343-4311, or on the Municipal Web Site, www.muni.org ~Assembly)