

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of February 15, 2005

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Traini at 5:03 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: Anna Fairclough, Brian Whittle, Dick Tremaine, Dan Sullivan, Dick Traini, Allan Tesche (*arriving shortly after Roll Call*), Ken Stout, Pamela Jennings, Debbie Ossiander, Janice Shamberg and Dan Coffey.
ABSENT: None.

3. PLEDGE OF ALLEGANCE Assemblymember Ms. Ossiander led the pledge.

4. MINUTES OF PREVIOUS MEETINGS None.

5. MAYOR'S REPORT

Mayor Begich reported that the Real Estate Task force had just released their review of the first phase of Title 21. There had been a press release that day, summarizing the effect of the new contract with the Sullivan Arena, which for the first time showed a profit of \$220,000. The senior and veteran's property tax issue had been summarized in the Journal of Commerce. He reported the Abbott Loop Extension Project, with the goal of a parkway, had projected bid awards for July, 2005 with completion in 2007. To Mr. Tremaine, the Mayor responded that many municipal departments had assisted with the planning of this project, including Planning and Zoning, the Heritage Land Bank and the Anchorage Water and Wastewater Utility. This saved over one year of time and over two million dollars by completing the land study and saving the expense of writing an environmental impact statement. To Mr. Stout, Mayor Begich responded that the Administration fully supported senior citizens and disabled veterans, and stated the ballot proposition included an additional \$20,000 exemption for these groups.

6. ASSEMBLY CHAIR'S REPORT

6.A. Assembly Memorandum No. AM 80-2005, Rules of Procedure – Meeting of February 15, 2005; Assembly Chair Traini.

Chair Traini called for a motion. Mr. Tesche so moved and urged a YES-vote.

Mr. Tesche moved, to accept AM 80-2005.
Ms. Shamberg seconded,

Mr. Tesche stated these rules would apply to the process of approving items on the Agenda that evening.

Ms. Ossiander moved, to amend AM 80-2005 on Page 1, *by deleting* Section 5,
Mr. Tremaine seconded, Lines 25-30.
and this was approved unanimously,

Ms. Ossiander moved, to amend AM 80-2005 on Page 1, *by deleting* the last
Mr. Tremaine seconded, sentence in Section 4.
and this was approved unanimously,

Ms. Ossiander moved, to amend AM 80-2005 on Page 1, Section 1, *by adding* to
Ms. Fairclough seconded, read: Priority will be given to ballot propositions which must
and this motion was later withdrawn, be approved during the meeting of February 15, 2005 "or if
necessary." in order to address any unfinished items.

To Ms. Ossiander, Chair Traini responded that for propositions to be on the ballot, it was required they be completed that evening. The Chambers had been reserved for a possible continued meeting on the following evening, in the event the Agenda was not completed. Ms. Ossiander withdrew her amendment, and the second concurred.

Ms. Fairclough moved, to amend AM 80-2005 on Page 1, Section 2, [~~by deleting the~~
Ms. Ossiander seconded, last sentence] on Line 9-10, *by adding* to read: "In order to
and this motion was approved, address any unfinished items **not otherwise postponed or**
continued, a continued meeting is scheduled for February
16, 2005."

Mr. Tesche opposed the Fairclough Amendment because the sentence stated the purpose of a continued meeting. She responded she was already planning to continue an item until the next meeting. Mr. Tremaine proposed to include "any items not otherwise postponed or continued." Ms. Fairclough accepted that as a friendly amendment.

Mr. Coffey stated that extending the meeting until midnight would require a super-majority to be approved. Mr. Sullivan responded that the memorandum could be amended later in the evening.

Ms. Ossiander moved, to amend AM 80-2005, Page 1, Section 4, Line 19, by
Mr. Sullivan seconded, deleting [As per Roberts Rules of Order],...
and this was approved with no objections,

Chair Traini called the Question on AM 80-2005, as amended.

and this motion was passed,

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

NAYES: Fairclough.

7. COMMITTEE REPORTS None.

8. ADDENDUM TO AGENDA

Chair Traini called for a motion and read the Addendum items. He called for additional items to be added and AR 2005-44 and AR 2005-43 were assigned to Agenda Numbers 9.A.2 and 9.A.3, respectively. (*Clerk's Note: AR 2005-45 was added later in the evening and was assigned to 15.A*) He stated that 13.A would be continued to the next meeting and he called for a vote to incorporate the Addendum items into the Regular Agenda.

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

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

NAYES: None.

Chair Traini called for a motion on the Consent Agenda.

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

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

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.A.1. Resolution No. AR 2005-26, a resolution of the Anchorage Municipal Assembly honoring and thanking **Kolby and Logan Saetre** for their efforts in helping to fund an Eagle River Skate Board Park, Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle.

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

9.A.2. Resolution No. AR 2005-44, A resolution of the Anchorage Municipal Assembly urging Alaska Airlines to promote local businesses whenever possible and to select **Kaladi Brothers Coffee** for in-flight service; Assemblymember Sullivan. (**Laid on the Table**)

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

9.A.3. Resolution No. AR 2005-43, A resolution of the Anchorage Municipal Assembly honoring and thanking the **Brewster family** for more than fifty years of keeping Alaskans warm and comfortable; Mayor Begich and Assemblymembers Tesche, Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Traini, Tremaine and Whittle. (**Laid on the Table**)

Mr. Tesche read the title and Ms. Ossiander moved for introduction, Ms. Jennings seconded and it was approved unanimously by the body. Assembly Utility Analyst Mike Gutierrez stated that members of the Brewster's family could not be present that evening because they were involved with a closing sale at their store.

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2005-27, a resolution of the Anchorage Municipal Assembly supporting passage of HB 27, a bill to allow municipal governments to provide a **property tax incentive** to police officers; Assemblymember Traini.

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

9.B.2. Resolution No. AR 2005-28, a resolution of the Municipality of Anchorage appropriating \$61,292 from the State Seized and Forfeited Monies from Categorical Fund (257) awarded from criminal narcotics cases by the U.S. Drug Enforcement Agency, to the **Police Investigation Fund** (257) for use by the Anchorage Police Department.

a. Assembly Memorandum No. AM 90-2005.

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

- 9.B.3. Resolution No. AR 2005-29, a resolution of the Municipality of Anchorage appropriating \$44,720 from the State and Federal Sized and Forfeited Monies from Categorical Fund (257) award from street level narcotics and vice cases by the U.S. Drug Enforcement Agency and the State Court System, to the **Police Investigation Fund** (257) for use by the Anchorage Police Department.

a. Assembly Memorandum No. AM 91-2005.

- 9.B.4. Resolution No. AR 2005-30, a resolution authorizing the **disposal of a municipal interest**, via relinquishment, on Lot 6, Block 2 of Coven Village Subdivision and on Lot 1, Moose's Tooth Subdivision; Municipal Light & Power.

a. Assembly Memorandum No. AM 92-2005.

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

- 9.B.5. Resolution No. AR 2005-31, a resolution authorizing the **disposal of a municipal interest**, via relinquishment, on Lot 5A, Block 5, SLM Subdivision; Municipal Light & Power.

a. Assembly Memorandum No. AM 93-2005.

Ms. Fairclough requested this item be pulled for review on the Regular Agenda. *(See item 10.B.5)*

9.C. BID AWARDS None.

9.D. NEW BUSINESS

- 9.D.1. Assembly Memorandum No. AM 81-2005, **Military and Veterans' Affairs Commission** appointment (Richard Blunt); Mayor's Office.

Mayor Begich acknowledged Mr. Richard (C.W.) Blunt from the audience, appointed to the Military and Veterans' Affairs Commission. Mr. Blunt thanked the Mayor for the opportunity to serve and give back to the community.

- 9.D.2. Assembly Memorandum No. AM 82-2005, **Police and Fire Retiree Medical Funding Program Board of Trustees** appointments (Ward Hepper, Joseph Hoffbeck); Mayor's Office.

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

- 9.D.3. Assembly Memorandum No. AM 105-2005, **2005/2006 Liquor License Renewals**: Alaskan Samovar Inn #598, Carousel Lounge #200, The Corsair #742, Fiori D'Italia #434, Fu-Do Restaurant #4109, Garcia's Cantina #2275, The Great Alaskan Bush Co. #1839, Gwennie's Old Alaska Restaurant #1478 - Beverage Dispensary; Bella Vista Pizzeria & Restaurant #107, Campobello #3545, China Lights #2219, Cyrano's Crepes & Books #2724, Ding How Restaurant #4123 - Eddie's Sports Bar #4317, The Golden Pond #2845, The Greek Corner #3251, JJ's Restaurant #3558 - Restaurant/Eating Place; Diamond Jim's #2926, 2 Go Mart #002 #2803, 2 Go Mart #003 #2278, 2 Go Mart #007 #2553, 2 Go Mart #009 #2614, 2 Go Mart #15 #4054, 2 Go Mart #54 #664, 2 Go Mart #55 #1596, 2 Go Mart #56 #1198, 2 Go Mart #071 #3732, 2 Go Mart #73 #3991 - Package Store; BPO Elks Lodge #2682 #3241, American Legion Post #33 #2476, AMVETS Post #2 #2 - Club; Anchorage Bucs #1747 - Recreational Site-Seasonal; Alaska Distributors Co. #25 - Wholesale-General; Denali Winery #3776 - Winery (Fairview, Northeast, Spenard, North Star, Girdwood, Indian, Campbell Creek, Downtown and Eagle River Community Councils); Clerk's Office.

Mr. Coffey declared several conflicts of interest with establishments included with this memorandum. Chair Traini ruled that Mr. Coffey did have a conflict and ordered him to abstain from participating with issues of those businesses represented by his law firm. Mr. Coffey stated those establishments included Carousel Lounge, Fu-Do Restaurant, The Great Alaskan Bush Company, Ding How Restaurant, all of the 2-Go Marts, Elks and Alaska Distributors.

- 9.D.4. Assembly Memorandum No. AM 106-2005, **Last Frontier Bar** #0135 - Transfer of Ownership for a Restaurant/Eating Place & Restaurant Designation Liquor License (Downtown Community Council); Clerk's Office. *(Carried Over to 3-01-05)*

Mr. Whittle requested this item be pulled for review on the Regular Agenda. *(Clerk's Note: There was not enough time to review this item and it was Carried Over to 3-01-05)*

- 9.D.5. Assembly Memorandum No. AM 107-2005, **Last Frontier Bar** #0135 - Transfer of Ownership for a Beverage Dispensary Liquor License (Northeast and Russian Jack Community Councils); Clerk's Office. *(Carried Over to 3-01-05)*

Mr. Whittle requested this item be pulled for review on the Regular Agenda. *(Carried Over to 3-01-05)*

- 9.D.6. Assembly Memorandum No. AM 83-2005, Change Order No. 1 to Purchase Order 241129 with Skookum Construction & Tree Service for providing **tree cutting and slash pile treatment services** on forested parcels as part of the 2004/2005 wildfire mitigation efforts; Anchorage Fire Department.

- 9.D.7. Assembly Memorandum No. AM 84-2005, proprietary purchase of **explosive ordinance disposal suits** from Med-Eng Systems for the Municipality of Anchorage, Anchorage Police Department (APD) (\$79,794); Purchasing.

- 9.D.8. Assembly Memorandum No. AM 85-2005, Amendment Nos. 3 and 4 to professional services contract with HDR Alaska, Inc. for **Eklutna River at Old Glenn Highway Bridge Replacement**, Project No. 98-29, Federal/State Project No. BR-001(183)/53945 (\$537,715); Project Management & Engineering.

- 9.D.9. Assembly Memorandum No. AM 86-2005, recommendation of award to DOWL Engineers for providing professional engineering services for the **Fireweed Lane/LaTouche Street Upgrade** from

- 1 Seward Highway to Northern Lights Blvd. (Project A) to the Municipality of Anchorage, Project
2 Management & Engineering (RFP 24-P031) (\$296,000); Purchasing.
3 9.D.10. Assembly Memorandum No. AM 87-2005, Amendment No. 1 to 2004 professional **landscape**
4 **architecture services** contract with Land Design North, Inc. (\$100,000); Project Management &
5 Engineering.
6 9.D.11. Assembly Memorandum No. AM 88-2005, proprietary purchase with Joe Hayes Legislative
7 Consultants for professional **lobbying services** for the Municipality of Anchorage, Municipal Light &
8 Power & Anchorage Water and Wastewater Utility (\$110,000); Purchasing.
9

10 Mr. Stout requested this item be pulled for review on the Regular Agenda. (*Carried Over to 3-01-05*)
11

- 12 9.D.12. Assembly Memorandum No. AM 89-2005, proprietary purchase with the Law Offices of Mitch D. Gravo
13 for professional **lobbying services** for the Municipality of Anchorage, Not to Exceed \$65,000; Mayor's
14 Office.
15

16 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*Carried Over to 3-01-05*)
17

- 18 9.D.13. Assembly Memorandum No. AM 120-2005, Change Order No. 1 to Purchase Order 240532 with KME
19 Fire Apparatus c/o Oregon Fire Equipment Company, Ltd. for furnishing a **mini pumper fire**
20 **apparatus** to the Municipality of Anchorage, Anchorage Fire Department (AFD) (\$159,957);
21 Purchasing. (**Addendum**)
22 9.D.14. Assembly Memorandum No. AM 121-2005, Amendment No. 2 to P.O. 231533 with RCC Consultants,
23 Inc. for providing project management services for the **Police Mobile Data Communications System**
24 for the Municipality of Anchorage, Anchorage Police Department (\$125,000); Purchasing.
25 (**Addendum**)
26 9.D.15. Assembly Memorandum No. AM 122-2005, recommendation of award to R&M Consultants, Inc. to
27 provide professional engineering services for the **annual inspection of the Port facilities** for the
28 Municipality of Anchorage, Port of Anchorage (RFP 24-P066) (\$220,000); Purchasing. (**Addendum**)
29 9.D.16. Assembly Memorandum No. AM 123-2005, cooperative purchase of **paratransit buses** from Shepard
30 Brothers, Inc. for the Municipality of Anchorage, Public Transportation Department (\$579,280);
31 Purchasing. (**Addendum**)
32 9.D.17. Assembly Memorandum No. AM 124-2005, Amendment No. 3 to Purchase Order 240209 with the
33 Boniface Center, LLC for the leased space for the **Women Infants and Children (WIC) Clinic** for the
34 Municipality of Anchorage, Real Estate Services (\$30,213.12); Purchasing. (**Addendum**)
35

36 Mr. Stout requested this item be pulled for review on the Regular Agenda. (*Carried Over to 3-01-05*)
37

38 **9.E. INFORMATION AND REPORTS**

- 39 9.E.1. Information Memorandum No. AIM 15-2005, Assembly request for information regarding **Animal Care**
40 **and Control Hearing decisions**; Health and Human Services.
41

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

- 43 9.F.1. Ordinance No. AO 2005-19, an ordinance of the Anchorage Municipal Assembly amending Anchorage
44 Municipal Code Section 21.15.030, **Approval of Site Plans and Conditional Uses**;
45 Assemblymember Coffey. (*Public Hearing 3-1-05*)
46 a. Assembly Memorandum No. AM 72-2005.
47 9.F.2. Ordinance No. AO 2005-21, an ordinance of the Municipality of Anchorage, Alaska, authorizing and
48 providing for the issuance of not to exceed \$63,850,000 in aggregate principal amount of **General**
49 **Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of
50 educational capital improvement projects in the Municipality; fixing certain details of said bonds,
51 providing for the form and manner of sale of said bonds; pledging the full faith and credit of the
52 Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and executive a
53 contract for the purchase and sale of said bonds; and related matters; Finance. (*Public Hearing 3-1-*
54 *05*)
55 a. Assembly Memorandum No. AM 77-2005.
56 9.F.3. Ordinance No. AO 2005-27, an ordinance of the Municipality of Anchorage authorizing sale by
57 competitive bid to the highest qualifying bidder for at least fair market value plus costs of three vacant
58 parcels identified as **HLB Parcels No. 4-026, 4-027 and 4-028**, located at the corner of West 29th
59 Avenue and Cope Street in West Anchorage; Heritage Land Bank. (*Public Hearing 3-1-05*)
60 a. Assembly Memorandum No. AM 102-2005.
61 9.F.4. Ordinance No. AO 2005-28, an ordinance of the Municipality of Anchorage authorizing sale of
62 **Heritage Land Bank Parcel #4-022**, a .9-acre parcel commonly known as Lot 7, Block 28E, Original
63 Townsite, E Addition, at minimum of fair market value, plus costs; Heritage Land Bank. (*Public*
64 *Hearing 3-1-05*)
65 a. Assembly Memorandum No. AM 103-2005.
66 9.F.5. Ordinance No. AO 2005-29, an ordinance amending the zoning map and providing for the rezoning of
67 **Tract C Eagle Bluff Subdivision** and Lots 90, 91, 106, 107, 108, 109, 110, 111, 112, 123, 124, 125,
68 126, 127, Section 14, T14N, R2W, S.M. AK, but more particularly described as the SE ¼, Section 14,
69 T14N, R2W, S.M. AK commencing at the BLM section corner common to BLM Sections 13, 14, 23
70 and 24, also being the true point of beginning, thence N 89 E 59'30" W on the section line common to
71 Sections 14 and 23, a distance of 320.70 Feet to a BLM E 1/16 corner; thence N 89 E 59' 42" W on
72 the said section line, a distance of 672.54 Feet to the easterly right of way line of Yosemite Drive;
73 thence N 00 E 00'15" E along the said right of way line a distance of 65.17 Feet to a point of curvature;
74 thence northeasterly along the said right of way line on a curve to the right having a central angle of 44
75 E 39' 28", a radius of 450.00 Feet, and an arc length of 350.74 Feet to a point of tangency; thence N
76 44 E 39'43" E along the said right of way line a distance of 981.37 Feet to a point of curvature; thence
77 northeasterly along the said right of way line on a curve to the right having a central angle of 33 E 48'
78 46", a radius of 1450.00 Feet, and an arc length of 855.71 Feet to a point of tangency; thence N 78 E

- 28' 29" E along the said right of way line a distance of 432.91 Feet to the section line common with Sections 13 and 14; thence S 00 E 15' 41" E on the said section line a distance of 243.57 Feet to a BLM S 1/16 corner; thence S 00 E 17' 01" E on the said section line a distance of 1324.07 Feet to the true point of beginning; containing 50.00 acres more or less, generally located at 8701 Yosemite Drive, Eagle River, from PC-SL (Planned Community with Special Limitations) to PLI (Public Lands and Institutions) (South Fork Community Council) (Planning and Zoning Commission Case 2003-082); Planning Department. (*Public Hearing 3-8-05*)
- a. Assembly Memorandum No. AM 104-2005.
- 9.F.6. Resolution No. AR 2005-32, a resolution of the Municipality of Anchorage appropriating \$226,538 from the Federal Seized and Forfeited Monies from the Police Investigation Fund (257) awarded from criminal narcotics cases by the U.S. Drug Enforcement Agency, to the **Police Investigation Fund** (257) for use by the Anchorage Police Department. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 94-2005.
- 9.F.7. Resolution No. AR 2005-33, a resolution of the Municipality of Anchorage appropriating \$224,135 as a grant from the Corporation for National and Community Service to the Federal Categorical Grants Fund (241), Department of Health and Human Services, for enhancing **disaster and emergency preparedness** of special and vulnerable populations through the mobilization of volunteers. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 95-2005.
- 9.F.8. Resolution No. AR 2005-34, a resolution of the Municipality of Anchorage appropriating \$199,000 from the Southcentral Foundation to the Federal Categorical Grants Fund (241) for the **Emergency Alcohol Services Program** in the Department of Health and Human Services. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 96-2005.
- 9.F.9. Resolution No. AR 2005-35, a resolution appropriating \$298,704 of revenue from the State of Alaska Department of Transportation & Public Facilities to the State Categorical Grants Fund 231 to the Project Management & Engineering Department for **National Pollutant Discharge Elimination System (NPDES) permit services** provided in 2005. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 97-2005.
- 9.F.10. Resolution No. AR 2005-36, a resolution of the Municipality of Anchorage appropriating a \$2,278,300 contribution of 2005 tax revenues approved in the 2005 General Operating Budget from the **Chugiak, Birchwood, Eagle River Rural Road Service Area** (CBERRRSA) Fund 119 to the CBERRRSA Capital Improvement Program Fund 419 for road and drainage capital improvement projects within the CBERRRSA; Maintenance & Operations Department. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 98-2005.
- 9.F.11. Resolution No. AR 2005-37, a resolution of the Municipality of Anchorage appropriating a \$124,420 contribution of first quarter adjusted 2004 tax revenues approved in the 2004 General Operating Budget from the **Chugiak, Birchwood, Eagle River Rural Road Service Area** (CBERRRSA) Fund 119 to the CBERRRSA Capital Improvement Program Fund 419 for road and drainage capital improvement projects within the CBERRRSA; Maintenance & Operations. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 99-2005.
- 9.F.12. Resolution No. AR 2005-38, a resolution of the Municipality of Anchorage appropriating \$1,250,000 from the Maintenance and Operations Department Areawide Service Area Fund (Fund 101) approved in the 2005 General Government Operating Budget as a contribution to the Areawide Service Area Capital Improvement Program (Fund 401) for **major municipal facility upgrades and repairs**; Maintenance & Operations Department. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 100-2005.
- 9.F.13. Resolution No. AR 2005-39, a resolution of the Anchorage Municipal Assembly appropriating \$81,690 from the Areawide General Fund (101) Real Estate Services Department's 2005 Operating Budget to the Areawide Capital Fund (401) for **City Hall capital maintenance and improvements**, and appropriating \$75,000 from the Areawide General Fund (101) Real Estate Services Department's 2005 Operating Budget to the Areawide Capital Fund (401) for City Hall tenant improvements; Office of Economic & Community Development. (*Public Hearing 3-1-05*)
- a. Assembly Memorandum No. AM 101-2005.
- 9.F.14. Ordinance No. AO 2005-30, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 2.30.120 pertaining to Assembly action on **liquor license applications**; Assemblymember Tesche. (*Public Hearing 3-8-05*) (**Addendum**)
- a. Assembly Memorandum No. AM 108-2005.
- 9.F.15. Ordinance No. AO 2005-34, an ordinance of the Anchorage Municipal Assembly amending AO 2004-126(S), As Amended, pertaining to procedures for **Municipal Boards and Commissions**, to add a section providing that the new procedures apply prospectively to matters filed after December 7, 2004; Assemblymember Sullivan. (*Public Hearing 3-1-05*) (**Addendum**)
- a. Assembly Memorandum No. AM 112-2005.
- 9.F.16. Resolution No. AR 2005-40, a resolution of the Anchorage Municipal Assembly amending AR 2004-215(S), As Amended, pertaining to procedures for **Municipal Boards and Commissions**, to add a section providing that new procedures apply prospectively to matters filed after December 7, 2004; Assemblymember Sullivan. (*Public Hearing 3-1-05*) (**Addendum**)
- a. Assembly Memorandum No. AM 112-2005.
- Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*Carried Over to 3-01-05*)
- 9.F.17. Resolution No. AR 2005-42, a resolution of the Municipality of Anchorage appropriating \$3,740,000 from the Equipment Maintenance Internal Service Operating Fund 601 Unrestricted Net Assets Account to the Equipment Maintenance Internal Service Capital Fund 606 to purchase **vehicles and equipment** identified in the approved 2005 Capital Budget; Maintenance & Operations Department. (*Public Hearing 3-1-05*) (**Addendum**)
- a. Assembly Memorandum No. AM 119-2005.

Mr. Coffey requested this item be pulled for review on the Regular Agenda. *(Carried Over to 3-01-05)*

9.F.18. Ordinance No. AO 2005-31, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of General Obligation Refunding Bonds of the Municipality in the aggregate principal amount of not to exceed \$71,000,000 to provide funds required to refund certain outstanding **General Obligation General Purpose Bonds** of the Municipality; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds, and related matters; Finance. *(Public Hearing 3-1-05) (Addendum)*

a. Assembly Memorandum No. AM 109-2005.

9.F.19. Ordinance No. AO 2005-32, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of General Obligation Refunding Bonds of the Municipality in the aggregate principal amount of not to exceed \$105,000,000 to provide funds required to refund certain outstanding **General Obligation School Bonds** of the Municipality; providing for the form and manner of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof; authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of said bonds; and related matters; Finance. *(Public Hearing 3-1-05) (Addendum)*

a. Assembly Memorandum No. AM 110-2005.

9.F.20. Ordinance No. AO 2005-33, an ordinance of the Municipality of Anchorage, Alaska, providing for the issuance of **Lease Revenue Refunding Bonds** of the Municipality in the aggregate amount of not to exceed \$50,000,000 for the purpose of providing funds to refund certain outstanding Lease Revenue Bonds of the Municipality and to pay costs of the issuance; providing for the form and manner of sale of the bonds; authorizing the preparation and approval of a preliminary and final official statement; authorizing a trust agreement amendment and an agreement for ongoing disclosure; authorizing the appointment of an escrow agent and the execution of an escrow agreement; and authorizing the sale of such bonds; Finance. *(Public Hearing 3-1-05) (Addendum)*

a. Assembly Memorandum No. AM 111-2005.

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

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

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

NAYES: None.

ABSTAIN: Mr. Coffey abstained from participating in sections of 9.D.3, including Carousel Lounge, Fu-Do Restaurant, The Great Alaskan Bush Company, Ding How Restaurant, all of the 2-Go Marts, Elks and Alaska Distributors.

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

10.A.1. Resolution No. AR 2005-26, a resolution of the Anchorage Municipal Assembly honoring and thanking **Kolby and Logan Saetre** for their efforts in helping to fund an Eagle River Skate Board Park; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle.

Ms. Ossiander moved, to approve AR 2005-26.
Ms. Fairclough seconded,
and this motion was unanimously passed,

Ms. Ossiander read the resolution and Ms. Fairclough presented the award to Kolby and Logan Saetre for their efforts in helping to establish a skate board park in Eagle River. To Ms. Ossiander, Kolby responded they had been skating for over a year and both boys had donated \$100 of their Permanent Dividend Refunds towards this effort. They thanked the Assembly for the recognition.

10.A.2. Resolution No. AR 2005-44, A resolution of the Anchorage Municipal Assembly urging Alaska Airlines to promote local businesses whenever possible and to select **Kaladi Brothers Coffee** for in-flight service; Assemblymember Sullivan, Fairclough, Whittle, Tremaine, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey. *(Laid on the Table)*

Mr. Sullivan moved, to approve AR 2005-44.
Mr. Stout seconded,
and this was unanimously passed,

Mr. Sullivan read the resolution, encouraging Alaska Airlines to hire locally and announcing their selection of Kaladi Brothers Coffee for their in-flight service. Mr. Tesche, Ms. Fairclough, Mr. Whittle, Mr. Tremaine, Mr. Sullivan, Mr. Stout, Ms. Jennings, Ms. Ossiander, Ms. Shamberg and Mr. Coffey requested to be added as cosponsors.

Ms. Fairclough requested that the Municipal Clerk's Office send this resolution to other Municipalities in Alaska, asking for their support. Mr. Sullivan stated that a similar House Bill would be considered in the State Capital.

10.B. RESOLUTIONS FOR ACTION - OTHER

10.B.1. Resolution No. AR 2005-27, a resolution of the Anchorage Municipal Assembly supporting passage of HB 27, a bill to allow municipal governments to provide a **property tax incentive** to police officers; Assemblymember Traini, Whittle and Tesche.

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

Mr. Whittle moved, to approve AR 2005-27.
Mr. Tesche seconded,

Mr. Whittle and Mr. Tesche requested to be added as cosponsors to support local community policing efforts.

Mr. Stout supported this, but wanted the boundaries defined. He thought they were too vague in the document.

Ms. Ossiander would not support this resolution because it was premature for presentation in Juneau, the language indicated there would be no requests for state money and the eligibility criteria were unclear.

Mr. Coffey did not agree with singling out a group for more tax exemptions and he would not support it.

Mayor Begich stated there were specific spots in the city, referred to as "renaissance areas," which would benefit from police officers living there.

Mr. Sullivan stated he would like to see the details of the parallel House Bill, which was not included in their packets. He moved to postpone until that document could be distributed to Assemblymembers.

Ms. Fairclough concurred with postponement.

Mr. Sullivan moved, to postpone AR 2005-27, as amended, until the Regular
Ms. Ossiander seconded, Meeting of March 1, 2005.
and this motion was passed,

AYES: Fairclough, Sullivan, Stout, Jennings, Ossiander, Shamberg and Coffey.

NAYES: Whittle, Tremaine, Traini and Tesche.

10.B.2. Resolution No. AR 2005-28, a resolution of the Municipality of Anchorage appropriating \$61,292 from the State Seized and Forfeited Monies from Categorical Fund (257) awarded from criminal narcotics cases by the U.S. Drug Enforcement Agency, to the **Police Investigation Fund** (257) for use by the Anchorage Police Department.

a. Assembly Memorandum No. AM 90-2005.

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

Mr. Stout moved, to approve AR 2005-28.
Mr. Tremaine seconded,

To Mr. Stout, Municipal Manager Denis LeBlanc responded these types of appropriations were in addition to the department's annual budget. Anchorage Police Department Deputy Chief Audie Holloway responded this was seized money collected from restitution of drug associated crimes. The money was used to buy evidence in drug enforcement and investigations, for expenses that were not in the annual budget. He urged Assembly approval.

Mr. Stout supported the fund.

Mr. Tremaine stated these funds supported necessary expenses and was pleased the funds were not coming from taxpayers. He supported the resolution.

and this motion was passed unanimously,

10.B.4. Resolution No. AR 2005-30, a resolution authorizing the **disposal of a municipal interest**, via relinquishment, on Lot 6, Block 2 of Coven Village Subdivision and on Lot 1, Moose's Tooth Subdivision; Municipal Light & Power.

a. Assembly Memorandum No. AM 92-2005.

Chair Traini read this resolution title and called for a motion. Ms. Fairclough stated this property disposal document needed to be in ordinance form.

Ms. Fairclough moved, to postpone indefinitely AR 2005-30.
Ms. Ossiander seconded,
and this was passed with no objections,

10.B.5. Resolution No. AR 2005-31, a resolution authorizing the **disposal of a municipal interest**, via relinquishment, on Lot 5A, Block 5, SLM Subdivision; Municipal Light & Power.

a. Assembly Memorandum No. AM 93-2005.

Chair Traini called for a motion and explained this resolution also needed to be in ordinance form.

Ms. Fairclough moved, to postpone indefinitely AR 2005-31.
Ms. Ossiander seconded,
and this was passed with no objections,

To Mr. Sullivan, Alaska Communications Systems (ACS) Vice President of Corporate Communications Mary Ann Pease responded that the Planning and Zoning Commission and the utility had reviewed the ordinance and had reviewed all of ACS's total project expenses. To be in compliance with state statutes, utilities would expend 1% of the gross retail revenue. She stated the proposed ordinance would double the costs of the utility to consumers. To Ms. Fairclough, she responded that she supported the Sullivan Amendment because it met current state law. To Mr. Coffey, Ms. Pease responded this issue had not been before the Regulatory Commission. She responded this was an

issue between costs of 1% and 2%, and the higher percentage would place ACS at a direct competitive disadvantage. The cost burden would be on their company because ACS currently could not pass on the costs to the consumers.

To Mr. Tremaine, Ms. Pease responded that the state mandate of undergrounding would cost ACS approximately \$2.5 million and costs ranged from \$68 to \$816 per foot. Mr. Tremaine stated that a telephone company was allowed to change customer service rates to enable the utility to recover the actual undergrounding costs.

To Ms. Fairclough, Ms. Pease responded that determination of undergrounding involved several considerations, including costs, target areas where lines needed to be repaired and that it was not simply a convenience to the other utility companies or consumers.

To Mr. Sullivan, Ms. Pease responded that it would take many years for the Regulatory Commission to review the situation.

At 10:50 p.m. Chair Traini called for a motion to extend the meeting until midnight and stated nine votes would decide.

Ms. Shamberg moved, to extend the Assembly Meeting until midnight.
Mr. Coffey seconded,
and this motion failed,

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

NAYES: Fairclough, Sullivan and Ossiander.

To Mr. Coffey, Ms. Pease responded that when utilities were buried the costs were generally to the main companies.

Mr. Sullivan read a document from the Anchorage Chamber of Commerce, stressing the competitive ramifications on the utility and the residential and commercial user.

Chair Traini called the Question on the Sullivan Amendments.

and this motion failed,

AYES: Fairclough, Sullivan, Ossiander and Coffey.

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

Ms. Ossiander moved, to amend AO 2005-2 on Page 1, Line 37 *by adding "...and*
Ms. Jennings seconded, *which may include an evaluation by an independent third*
party."

Ms. Ossiander stated the Planning and Zoning Commission's review had included this language.

Ms. Shamberg stated that the inclusion of the language would require the definition of who would pay for the third party review. Ms. Ossiander responded that the utility companies thought the person who appealed it would be responsible for costs, and that usually was the consumer.

(Clerk's Note: Chair Traini adjourned the meeting at 11:00 p.m. To Mr. Coffey, he stated the unfinished items would be on the Agenda of March 1st.)

12. APPEARANCE REQUESTS None.

13. CONTINUED PUBLIC HEARINGS

- 13.A. Ordinance No. AO 2004-152, an ordinance amending the zoning map and providing for the rezoning of approximately 39.3 acres, from PLI (Public Lands and Institutions District) to R-10 SL (Residential Alpine/Slope District with Special Limitations) for **Lot 2, Section 6, T14N, R1W, S.M., Alaska**, generally located at the northern terminus of Golden Eagle Drive (Eagle River Valley Community Council) (Planning and Zoning Commission Case 2004-111); Planning Department. *(Continued from 12-7-04) (Continued to March 1, 2005)*
1. Assembly Memorandum No. AM 789-2004.

Chair Traini stated that due to the length of the Agenda that evening, this item would be continued to the next Regular Assembly Meeting scheduled for March 1, 2005. Ms. Fairclough concurred.

14. NEW PUBLIC HEARINGS

- 14.A. Ordinance No. AO 2005-17, an ordinance submitting to the qualified voters of the Municipality of Anchorage a ballot proposition amending the Anchorage Municipal Charter to prohibit use of property tax revenues for construction or operation of a **convention center**, to adopt a four percent (4%) tax to support issuance of revenue bonds to finance a convention center and renovation of the Egan Civic and Convention Center, and to provide for approval by a majority (fifty percent plus one) of qualified voters voting on the question; Office of Economic & Community Development.
1. Assembly Memorandum No. AM 71-2005.
 2. Information Memorandum No. AIM 14-2005.

Chair Traini read the titles of AO 2005-17 and AO 2005-23. He stated that testimony on both of these items would be combined and he opened Public Hearing.

TENNYS OWENS, Co-chair of the Anchorage Civic and Convention Center YES-Campaign (ACCCY), testified in support. She stated the center was needed and would bring millions of dollars and jobs to the city, with no expense to taxpayers. She urged for the Assembly to approve the ordinance and to support the 50+1 percent voter approval.

1
2 WILSON HUGHES, Co-chair of the ACCCY and representing the Anchorage Chamber of Commerce, the Chugiak-
3 Eagle River Chamber, the Anchorage Convention and Visitors Bureau (ACVB), the Anchorage Economic Development
4 Corporation (AEDC) and the Anchorage Downtown Partnership, testified that a large number of industries and
5 business communities in the city were in support of this project.
6

7 MARK ELIASON, Chair of the ACVB, testified in support. He stated they were already booking conventions for 2010
8 and there were 1500 potential conventions they could bid on if there were additional space available in the city.
9

10 BRUCE BUSTAMANTE, with the ACVB, responding to Ms. Jennings, projected an increase of room nights. To Mr.
11 Tremaine, he responded that Anchorage had the lowest costs in a national tax comparison. To Mr. Coffey, he
12 responded there were safeguards to ensure that taxpayers would never pay for the maintenance of this center.
13

14 FORMER MAYOR GEORGE SULLIVAN testified in support of the center. Historically the hotels had objected to the
15 increased tax, but had changed their minds when they saw the increase of tourism. When he was Mayor in the 80's,
16 he focused on capital improvements for the city and the facilities had successfully proven themselves. To
17 Assemblymember Sullivan, former Mayor Sullivan responded that there was much interest in Alaska but advertisement
18 and campaigning were important and felt the voting method was needed. To Mr. Tremaine, he responded there was
19 opposition to the majority vote but he thought it would be an opportunity for the people and it was the right thing for the
20 city.
21

22 LARRY CACHE, President of the architectural firm working with JL Properties, testified that the construction and
23 maintenance would be covered by the bed tax, which left operating reserves. The center was a winter-city design, with
24 acoustics better than the Egan or the Sullivan. They supported the 50%+1 vote.
25

26 ROYCE ROCK, Business Manager for the Carpenters Union, stated the 1100 members unanimously supported the
27 project. This would lead to 1500 construction jobs and the visitors would bring new business to the area. They
28 supported the 50%+1 vote.
29

30 BUSTER HALL, representing the Alaska Marine Dealers, testified that a large facility was needed in the city. He was
31 involved with the 2005 Anchors Away Boat Show, valued at \$4 million, and had been in the Northway Mall because
32 there was no other available place. He compared it with a previous show which had generated \$9 million. To Mr.
33 Tremaine, he responded they would like to see a large staging area, including a large parking lot. To Ms. Jennings,
34 Mr. Hall responded that if they had space, boat dealers would book for the next ten years. To Mr. Whittle, he
35 responded that he was working with trade show associates to educate them about the ballot measures. To Mr.
36 Sullivan, he responded that he hoped local groups could have priority for reserving the facility. To Mayor Begich, Mr.
37 Hall responded that many people wanted to come to Alaska and other groups, like the National Lions Organization
38 would bring 3500 people, which might bring in \$2 million in three days.
39

40 SHANE LANGLAND, President of the Anchorage Chamber of Commerce (ACC), asked for members of the audience
41 to stand, showing their support. (*Clerk's Note: Approximately 100 people responded.*) He presented a resolution from
42 ACC in support of the center and a simple majority approval. To Mr. Stout, two members in the audience stood to
43 show their opposition to the ordinance.
44

45 BOB POLK opposed the site in downtown and recommended studying locations in South Anchorage.
46

47 VERN SMITH, past President and member of the Chugiak Community Council, supported the center and the 50%+1
48 vote. To Mr. Tesche, Mr. Smith responded Chugiak would see benefits from the center. To Mr. Tremaine, he
49 responded there were many people in his area that did not support the simple majority vote.
50

51 JOHN GODAMSKI, 24-year resident of downtown and I.B.E.W. electrical worker, spoke in favor of the convention
52 center and the 50% vote. He thought there was high interest in Alaska that would bring people to use the center.
53

54 CARL LOERBS opposed the convention center and thought the voters were wary. He recommended contacting the
55 Federation of Natives to see if they would book their convention in Anchorage and he questioned the majority vote.
56

57 JIM CRARRY opposed the 50+1-vs-60 vote and thought it was poor public policy.
58

59 JOHN SHIVELY, Chief of Community Relations for Holland America Cruise Industry, spoke in favor of the center and
60 supported the 50%+1 vote and thought the Holland American ships and local hotels would benefit.
61

62 BOB POE, Executive Director of the Anchorage Economic Development Corporation (AEDC) testified in support of the
63 center, with future economic benefits and thought conventions were a great way of promoting the city. They had
64 originally been hesitant, but now supported the 50%+1 vote.
65

66 DAVE KARP, with the ACVB, supported the center and the 50%+1 vote and urged for Assembly approval.
67

68 JOHN PATTEE, city resident, supported the center and the 50+1 vote. He read the memorandum for the record,
69 explaining the 50+1 vote was to be one-time only, specifically for this project, and thought it was worth it.
70

71 TONY VASKA testified in support of a new center, but opposed the taxes, because it was a burden to the rural people
72 who traveled to Anchorage. He thought the Municipality should build and fund the facility.
73

74 EDGAR LIDDELL disagreed with the 50%+1 vote and questioned what was going to happen to the Egan Center.
75

76 With no additional testimony, Chair Traini closed Public Hearing on AO 2005-17 and AO 2005-23 and called for a
77 motion.
78

Mr. Tesche moved, to approve AO 2005-17.
Mr. Jennings seconded,

Mr. Tesche stated the Assembly needed to address the benefits and the risks of the vote method and the center.

Mayor Begich stated there was no risk to the taxpayers and the economic impact of this convention center would have a dramatic and positive impact on the city. It was important for the taxpayers to understand they were not going to pay for the center. He stated that the proposed convention center was to include a large eating facility, which would increase the ability to attract large conventions.

Ms. Fairclough stated there were many people who were in opposition to allowing this type of vote. Municipal Attorney Fred Boness responded the Assembly was allowed to amend a tax initiative and if the question of the voting issue were challenged, it was highly likely to be affirmed by the Supreme Court. To Ms. Fairclough, the Mayor responded that it was his decision to bring these issues forward as a single item because it would help ensure voter approval and was in the best interest of the community. He responded that road improvements and parking were being addressed.

To Mr. Sullivan, Mayor Begich responded there were areas on 7th, 8th and 9th Avenues which allowed areas to expand for parking and connectivity. Mr. Boness responded there was \$14 million available for these improvements. Mr. Sullivan stated there was no question of the need for the facility or the economic benefits and would support the ordinance but he was concerned with the legalities of the 50%+1 versus the 60% vote requirement. He thought it was important to create a policy to accommodate local trade shows and he thought there was currently a general mistrust of government, and made suggestions for campaigning.

Ms. Ossiander stated the convention center project would bring strong economic benefits to the community. She had been assured that the 50%+1 process was a legal method but had listened to much citizen concern that the approach was manipulative, and she thought it would weigh heavily with the outcome in the election because there was high voter mistrust in the city. Weighing both negatives and positives thoughts, she would be in support of the ordinance.

Mr. Coffey stated would support the ordinance. It was important to support growth in our community and it was clear and justified that the convention center was needed. With the high demand for ice rinks, it would be proper to use the Sullivan Sports Center for sports and have the other activities in the new center. The 50%+1 vote was justified.

Mr. Whittle supported the convention center. He stated it was important for the community to be educated and have their questions answered about the risks and benefits of this project. He was convinced there was a need for a convention center and it should be downtown, and he urged for all the supporters of the center to actively campaign.

Mr. Tremaine listed many positive benefits of the project and the downtown location, including the use of existing facilities and he felt there really was no question of its success. With the legal interpretation of the voting method he felt secure that the issue would be upheld in higher court. The Assembly was making the decision of allowing this on the ballot and he stated it needed to be a vote of the people. He would be in support of the ordinance.

Ms. Shamberg stated she would support the ordinance. She had been convinced of the legality of the simple majority vote and she was also convinced that the convention center offered the right things for Anchorage.

Chair Traini called on final comments from Ms. Jennings. *(Clerk's Note: Ms. Jennings simply held up an advertisement poster in support, "YES" published by the ACCC Yes-Campaign.)*

Mr. Stout stated he had had been in support of the convention center for a long time. He was in support of getting it on the ballot and would be a YES-vote.

Mr. Tesche stated that he agreed with Ms. Jennings and with Mr. Stout, and would be a YES-vote.

Ms. Fairclough stated that, as a representative of Eagle River-Chugiak, her district had voiced strong concerns with this measure. She had received convincing legal council that the voting issue would hold up in a court of law. She believed the convention center was the right thing for Anchorage. Because tax collected from the tourists was the intended target for project funds, she recommended consideration of allowing discounts for local Alaskan participants. She would be in support of the ordinance.

Chair Traini concurred with former Mayor Sullivan, who was in support of doing what was needed for the best interest of the city and that was to move the convention center forward. He called the Question on AO 2005-17.

and this was unanimously passed,

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

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

Mr. Tesche moved, for immediate reconsideration of AO 2005-17.
Ms. Jennings seconded,
and this motion unanimously failed,

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

14.B. Ordinance No. AO 2005-23, an ordinance of the Anchorage Assembly submitting to the qualified voters of the Municipality of Anchorage a ballot proposition amending the Anchorage Municipal Charter to **prohibit use of property tax revenues** for construction or operation of a convention center

and to adopt a four percent (4%) tax to support issuance of revenue bonds to finance a convention center and renovation of the Egan Civic and Convention Center; Assemblymember Ossiander.

1. Assembly Memorandum No. AM 114-2005, Convention Center Ballot Proposition – Summary of Economic Effects; Assemblymember Ossiander. **(Addendum)**

Chair Traini announced that it was intended that this ordinance be postponed indefinitely. *(Clerk's Note: Public Hearing was combined for AO 2005-17. See Agenda item 14.A.)*

Ms. Ossiander moved, *to postpone indefinitely AO 2005-23.*
Mr. Tesche seconded,
and this was unanimously passed,

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

- 14.C. Ordinance No. AO 2005-10, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$44,500,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of **road, storm drainage and related capital improvements** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs in the Anchorage Roads and Drainage Service Area at an election in and for the Municipality of Anchorage on April 5, 2005; Finance.
 1. Assembly Memorandum No. AM 49-2005.
 2. Ordinance No. AO 2005-10(S), an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$44,500,000 of General Obligation Bonds of the Municipality of Anchorage to pay the costs of road, storm drainage and related capital improvements and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs in the Anchorage Roads and Drainage Service Area at an election in and for the Municipality of Anchorage on April 5, 2005; Finance. **(Laid on the Table)**

Chair Traini read this ordinance title and explained there was a Substitute Version. He opened Public Hearing. With no one to testify, he closed Public Hearing and called for a motion.

Mr. Tesche moved, *to approve AO 2005-10(S).*
Mr. Coffey seconded,

To Ms. Ossiander, Deputy Municipal Manager Michael Abbott responded there had been technical corrections made on Page 2, Line 23 and Line 18, reflecting the accurate operating and maintenance costs. To Mr. Coffey, Mr. Abbott stated this was construction costs based on the types of projects that were anticipated.

To Mr. Sullivan, Mayor Begich responded that the city would provide 50% of the project funds and the rest would come from the state or federal government.

and this motion was unanimously passed,

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

Mr. Tremaine moved for reconsideration and urged a NO-vote.

Mr. Tremaine moved, *for immediate reconsideration of AO 2005-10*
Mr. Jennings seconded,
and this motion unanimously failed,

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

- 14.D. Ordinance No. AO 2005-11, an ordinance providing for the submission to the qualified voters of Anchorage, Alaska, the question of the issuance of \$1,930,000 of General Obligation Bonds of the Municipality of Anchorage to provide local matching funds required for federal grants and to pay the costs of **Areawide Public Transportation improvements** and the question of an increase in the municipal tax cap limitation to pay associated operations and maintenance costs at an election in and for the Municipality of Anchorage on April 5, 2005, Finance.
 1. Assembly Memorandum No. AM 50-2005.

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

Mr. Tesche moved, *to approve AO 2005-11.*
Mr. Tremaine seconded,
and this motion was unanimously passed,

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

Mr. Tremaine moved for reconsideration and urged a NO-vote.

Mr. Tesche moved, *for immediate reconsideration of AO 2005-11.*

1 Mr. Tremaine seconded,
2 and this motion unanimously failed,
3

4 AYES: None.

5 NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey
6

- 7 14.E. Ordinance No. AO 2005-12, an ordinance providing for the submission to the qualified voters of
8 Anchorage, Alaska, the question of the issuance of \$480,000 of General Obligation Bonds of the
9 Municipality of Anchorage to pay for ambulances and related capital improvements in the Municipality
10 of Anchorage at an election in and for the Municipality of Anchorage on April 5, 2005; Finance.
11 1. Assembly Memorandum No. AM 51-2005.

12
13 Chair Traini read this ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
14 called for a motion.

15
16 Mr. Tesche moved, to approve AO 2005-12.
17 Mr. Jennings seconded,
18 and this motion was unanimously passed,
19

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

21 NAYES: None.
22

23 Mr. Tremaine moved for reconsideration and urged a NO-vote.
24

25 Mr. Tesche moved, for immediate reconsideration of AO 2005-12.
26 Mr. Tremaine seconded,
27 and this motion unanimously failed,
28

29 AYES: None.

30 NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey
31

- 32 14.F. Ordinance No. AO 2005-16, an ordinance of the Anchorage Municipal Assembly submitting to the
33 qualified voters residing in the **Girdwood Valley Service Area (GVSA)** at the Regular Election on
34 April 5, 2005, a ballot proposition establishing the maximum attainable mill levy rate for the GVSA and
35 amending Anchorage Municipal Code Section 27.30.020 upon voter approval of the ballot proposition;
36 Assemblymembers Tremaine and Shamberg.
37 1. Assembly Memorandum No. AM 66-2005.
38 2. Assembly Memorandum No. AM 115-2005, Girdwood Valley Service Area Mill Levy Rate
39 Increase Ballot Proposition – Summary of Economic Effects, Assemblymembers Shamberg
40 and Tremaine. **(Addendum)**
41 3. Ordinance No. AO 2005-16(S), an ordinance of the Anchorage Municipal Assembly submitting
42 to the qualified voters residing in the Girdwood Valley Service Area (GVSA) at the Regular
43 Election on April 5, 2005, a ballot proposition establishing the maximum attainable mill levy
44 rate for the GVSA and amending Anchorage Municipal Code Section 27.30.020 upon voter
45 approval of the ballot proposition; Assemblymembers Tremaine and Shamberg. **(Laid on the**
46 **Table)**
47

48 Chair Traini explained there was a Substitute Version added that evening and read the ordinance title and opened
49 Public Hearing. With no public testimony he closed Public Hearing and called for a motion.

50
51 Mr. Tremaine moved, to approve AO 2005-16(S).
52 Ms. Fairclough seconded,
53

54 Mr. Tremaine explained that this ordinance had been vetted by the Assembly Attorney, the Municipal Attorney and the
55 Girdwood Board of Supervisors, who all were in agreement.
56

57 To Ms. Ossiander, Mr. Tremaine responded the concept remained the same and the changes in the Substitute Version
58 included clarifying the language of the ballot proposition for the Girdwood voters.
59

60 and this motion unanimously passed,
61

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

63 NAYES: None.
64

65 Mr. Tremaine moved for reconsideration and urged a NO-vote.
66

67 Mr. Tremaine moved, for immediate reconsideration of AO 2005-16(S).
68 Mr. Tesche seconded,
69 and this motion unanimously failed,
70

71 AYES: None.

72 NAYES: Fairclough, Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
73

- 74 14.G. Ordinance No. AO 2005-22, an ordinance submitting to the qualified voters residing in the **Chugiak**
75 **Fire Service Area** a ballot proposition to impose a maximum tax levy rate of 1.25 mills for the Chugiak
76 Fire Service Area, effective retroactively as of January 1, 2005 and amending Anchorage Municipal
77 Code 27.30.060B; Assemblymembers Fairclough and Ossiander.
78 1. Assembly Memorandum No. AM 79-2005.

2. Assembly Memorandum No. AM 116-2005, Chugiak Fire Service Area Mill Levy Rate Increase Ballot Proposition – Summary of Economic Effects; Assemblymembers Fairclough and Ossiander. **(Addendum)**

Chair Traini read this ordinance title and opened Public Hearing.

BRUCE BARTLEY, Chief of the Chugiak Volunteer Fire Department, testified in support of this ballot proposition. He was joined by Assistant Fire Chief Tom Reinbolt and Bill McClain and Bob Deberou, members of the Chugiak Board of Supervisors, who urged for Assembly approval, which would continue to provide fiscal responsibility and local control. They had five stations, two dozen pieces of apparatus, managed seventy-five people and operated on an annual budget of \$500,000. They were debt free and, in order to maintain that, needed the tax levy. After discussing the matter with the Board of Supervisors they urged consideration of an amendment, reducing the mill rate.

To Ms. Jennings, Chief Bartley responded that the brush truck was less expensive than those used in Ms. Jennings district because they chose not to include a compress-air-foam system, which was an additional \$40,000.

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

Ms. Fairclough moved, to approve AO 2005-22.
Ms. Ossiander seconded,

Ms. Fairclough moved, to amend AO 2005-22 on Page 1, Line 27 and on **Page 2,**
Ms. Ossiander seconded, **Line 10, by changing [4-25] to “1.0” mills.**
and this was approved with no opposition,

Mr. Tremaine proposed to also change the mill rate listed on Page 2, Line 10, to be consistent with the Fairclough Amendment. Ms. Fairclough accepted this as a friendly amendment, and it was unanimously approved.

Chair Traini called the Question on the main motion, as amended.

and the main motion, as amended, was passed,

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

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

Mr. Fairclough moved, for immediate reconsideration of AO 2005-22.
Mr. Tremaine seconded,
and this motion unanimously failed,

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

- 14.H. Ordinance No. AO 2005-25, an ordinance of the Anchorage Municipal Assembly submitting a ballot proposition to the qualified voters of the Municipality of Anchorage at the Regular Election of April 5, 2005, to repeal in its entirety Anchorage Municipal Charter Article XXI, **Municipal Vehicle Code Enforcement Standards**; Assemblymember Coffey.

1. Assembly Memorandum No. AM 117-2005, AO 2005-25 – an ordinance of the Anchorage Municipal Assembly submitting a ballot proposition to repeal Anchorage Municipal Charter Article XXI, Municipal Vehicle Code Enforcement – Summary of Economic Effects; Assemblymember Coffey. **(Addendum)**

To Chair Traini, Mr. Coffey stated that it was his intention that this item would be postponed indefinitely. Chair Traini opened Public Hearing. With no one to testify, he closed Public Hearing and called for a motion.

Mr. Coffey moved, to postpone indefinitely AO 2005-25
Mr. Tesche seconded,

Mr. Coffey stated there were more important issues to address, with the upcoming election and this issue would be addressed again. He had received assurances from Mayor Begich that he would support this in the future.

Ms. Ossiander, Mr. Tesche and Ms. Jennings supported Mr. Coffey's ordinance and promised to work with him in the future.

and this motion was unanimously passed,

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

- 14.I. Ordinance No. AO 2005-26, an ordinance of the Anchorage Municipal Assembly amending **Anchorage Municipal Vehicle and Traffic Code** Section 9.04.010, Definitions, to repeal Parking Enforcement Officer, define a Peace Officer, and to include parking enforcement by police officers together with traffic enforcement; and amending Section 9.30.240, Enforcement Officers, to include a peace officer for violations of Chapters 9.30, 9.32, and 9.34, and prohibiting photo radar; Assemblymember Coffey. *(Continued to 4-12-05)*
1. Assembly Memorandum No. AM 118-2005, AO 2005-26 – an ordinance of the Anchorage Municipal Assembly amending AMC 9.40.010, 9.30, 9.32 and 9.34 regarding **Parking and**

Traffic Enforcement and Prohibiting Photo Radar – Summary of Economic Effects;
Assemblymember Coffey. **(Addendum)**

Chair Traini read this ordinance title and stated that it was Mr. Coffey's intention to postpone this item until meeting of April 12, 2005. Since it was on the Agenda, testimony would be allowed and he opened Public Hearing. With no one to testify, he closed Public Hearing and called for a motion.

Mr. Coffey moved, *to continue* AR 2005-26 to the Regular Meeting of
Mr. Tesche seconded, April 12, 2005.

Mr. Coffey explained that it was appropriate to prepare this ordinance to present to the voters in time for next year.

and this motion was unanimously passed,

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

- 14.J. Ordinance No. AO 2005-24, an ordinance authorizing the disposal of sale by approximately eight (8) acres of the Municipality of Anchorage real property located in **Tract Three (3), The Alaska Village Subdivision**, at less than, or up to, fair market value to The Salvation Army, a Non-Profit Corporation, for a community/recreation center and library; Assembly Chair Traini; Assemblymembers Stout and Whittle.
1. Assembly Memorandum No. AM 75-2005.

Chair Traini read this ordinance title and opened Public Hearing.

CAROL COMEAU, Superintendent of Anchorage School District, distributed a resolution from the Anchorage School Board in unanimously support of the land sale.

JOSH REED and PEGGY ROBINSON, members of the Northeast Community Council, testified in support of the development of the Kroc Foundation-Salvation Army Community Center. To Mr. Whittle, Ms. Robinson responded the council would be discussing the proposed community sharing of the activity facilities and was creating a resolution in support. Ms. Ossiander and Mr. Stout thanked them for the work they had done in support of this project.

SHIELA HOWE testified in support of the community center and supported the sale of the school property.

MAJOR BOB RUDD, with the Salvation Army, spoke in support of this project. To Mr. Sullivan, he responded there was an opportunity for matching funds from the Kroc Endowment and they would know in June, 2005 if they had been selected as a grant recipient. Mr. Sullivan, Mr. Stout, Mr. Tesche, Mr. Whittle and Ms. Jennings thanked him for his efforts on this project. Major Rudd acknowledged Mayor Begich and Superintendent Comeau for their efforts.

OWEN KERRY, President of the Northeast Community Center, testified in support of the community center.

AINSLEY PHILLIPS spoke in support of the Muldoon Middle School and the community center, with the opportunity for the generous grant from the Kroc Foundation. Mr. Stout thanked her for her work on this effort.

With no additional testimony, Acting Chair Tesche closed Public Hearing and called for a motion.

Ms. Jennings moved, *to approve* AO 2005-24.
Mr. Sullivan seconded,

Mr. Stout supported this effort and urged for unanimous Assembly approval.

Ms. Fairclough stated that it was important to campaign, because there were citizens who were misinformed and thought the city was funding this project and acting irresponsibly

Ms. Fairclough moved, *to amend* AO 2005-24 on Page 2, Lines 3, 4 and 12, *by deleting, [At less than, or up to]* the fair market value...

Ms. Fairclough stated the included language had not been discussed at the worksession and had raised the question when this ordinance was introduced. Mr. Whittle responded this had always been the intention for this property. Ms. Fairclough urged for Assembly approval. The Mayor had no objection.

and this was approved with no objections,

Ms. Jennings moved, *to approve* AO 2005-24, as amended.
Mr. Sullivan seconded,
and this motion was unanimously passed,

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

- 14.K. Ordinance No. AO 2005-18, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.20.002, **Schedule of Fees – Zoning**; Assembly Chair Traini.

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

1 Mr. Coffey moved, to approve AO 2005-18.
2 Mr. Tesche seconded,

3
4 Mr. Coffey thanked Chair Traini for sponsoring this ordinance, following an experience with a client where the city was
5 prepared to charge a family \$38,000 in fees for a duplicate license to build onto their establishment. The ordinance
6 allowed duplicate licenses to be issued for \$1000, with a fee per square footage, with a cap of total fees at \$4000.

7
8 Mr. Coffey declared a possible conflict of interest, and Chair Traini ruled that he did not have a conflict and directed
9 him to participate.

10
11 and this motion was unanimously passed,

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

14 NAYES: None.

15 *(Clerk's Note: Ossiander was temporarily out of Chambers at the time of the vote.)*

16
17 14L. Ordinance No. AO 2005-14, an ordinance amending Anchorage Municipal Code Section 21.30.030 to
18 correct the number of days for an appeal from the final, appealable decision of a lower administrative
19 body to the **Board of Adjustment**; Legal Department.

20 1. Assembly Memorandum No. AM 63-2005.

21
22 Chair Traini read this ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
23 and called for a motion.

24
25 Mr. Coffey moved, to approve AO 2005-14.
26 Mr. Tesche seconded,

27
28 Mr. Coffey stated this ordinance corrected the allowed number of days for an appeal, to be consistent throughout the
29 document, which had previously been approved.

30
31 and this motion was passed unanimously,

32
33 AYES: Whittle, Tremaine, Sullivan, Traini, Tesche, Stout, Jennings, Shamberg and Coffey.

34 NAYES: None.

35 *(Clerk's Note: Fairclough and Ossiander were temporarily out of Chambers at the time of the vote.)*

36
37 14.M. Resolution No. AR 2005-15, a resolution amending Anchorage Municipal Code of Regulations
38 Sections 21.10.304, 21.11.304 and 21.13.340 to conform to the Anchorage Municipal Code **timelines**
39 **for appeals and allegations of new evidence or changed circumstances.**

40 1. Assembly Memorandum No. AM 63-2005.

41
42 Chair Traini read this resolution title and opened Public Hearing. With no public testimony, he closed Public Hearing
43 and called for a motion.

44
45 Mr. Coffey moved, to approve AR 2005-15.
46 Mr. Tesche seconded,

47
48 Mr. Coffey stated this involved the same circumstance as AO 2005-14, correcting a mistake.

49
50 and this motion was passed unanimously,

51
52 AYES: Whittle, Sullivan, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.

53 NAYES: None.

54 *(Clerk's Note: Fairclough and Tremaine were temporarily out of Chambers at the time of the vote.)*

55
56 14.N. Ordinance No. AO 2005-13, an ordinance amending Anchorage Municipal Code Subsection
57 26.70.040. to increase rates for **commercial refuse collections service** and amend Section
58 26.80.005 to increase the special handling fee and revise the unsecured load fee; Solid Waste
59 Services.

60 1. Assembly Memorandum No. AM 48-2005.

61
62 Chair Traini read this ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing
63 and called for a motion.

64
65 Mr. Tesche moved, to approve AO 2005-13.
66 Mr. Coffey seconded,
67 and this motion was passed unanimously,

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

70 NAYES: None.

71 *(Clerk's Note: Fairclough was temporarily out of Chambers at the time of the vote.)*

72
73 14.O. Resolution No. AR 2005-16, a resolution of the Municipality of Anchorage authorizing the acceptance
74 of a Federal Transit Administration Section 5307 grant and appropriating \$4,453,140 from the Federal
75 Transit Administration to the Public Transportation Capital Improvement Fund (485) for the purchase
76 of capital items and \$288,000 from the Federal Transit Administration along with \$72,000 for local
77 matching funds from the Public Transportation Department's 2004 Operating Budget as a contribution

to the Federal Categorical Grants Fund (241) for the **Americans with Disabilities Act (ADA) operating assistance and short range transit planning.**

1. Assembly Memorandum No. AM 64-2005.

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

Mr. Tesche moved, to approve AR 2005-16.
Mr. Coffey seconded,
and this motion was passed unanimously,

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

NAYES: None.

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

14.P. Resolution No. AR 2005-25, a resolution of the Municipality of Anchorage appropriating an amount not to exceed \$212,700, as a contribution from the Chugiak Fire Service Area Fund (104) Balance, to the Chugiak Fire Service Area Capital Improvement (404) Fund to provide for the purchase of a new **emergency response fire apparatus** for use by the Chugiak Volunteer Fire Department, Anchorage Fire Department.

1. Assembly Memorandum No. AM 74-2005.

Chair Traini read this resolution title and opened Public Hearing.

CHIEF BRUCE BARTLEY, Chugiak Volunteer Fire Department, testified that as the community continued to grow, they needed to expand their fleet. They were replacing an existing brush truck. To Mr. Stout, Chief Bartley responded that he had no plans for the used truck but did not think there would be an interest because the truck was old and the maintenance would be expensive to get the truck operational again.

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

Ms. Fairclough moved, to approve AR 2005-25.
Ms. Ossiander seconded,
and this was passed unanimously,

14.Q. Ordinance No. AO 2005-6, an ordinance amending Anchorage Municipal Code Section 3.30.172 to change the name of the Maintenance Operations Manager to **Director, Maintenance & Operations**, to reclassify the position from Range 22E to Range 23E, and other matters; Employee Relations.

1. Assembly Memorandum No. AM 33-2005.

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

Mr. Tesche moved, to approve AO 2005-6.
Mr. Coffey seconded,
and this motion was passed unanimously,

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

15. SPECIAL ORDERS

15.A. Resolution AR No. 2005-45, a resolution of the Municipality of Anchorage, amending Assembly Resolutions No. 98-363 and 2004-7 and clarifying and **reaffirming the tax exemption** previously granted to Marc Marlow and entities controlled by Marc Marlow for a deteriorated area around the McKay Building; Assemblymember Tesche. ***(Laid on the Table)***

Mr. Tesche moved, to approve AR 2005-45.
Mr. Tremaine seconded,

Mr. Tesche read this resolution title and explained that it clarified and reaffirmed the tax exemption previously granted to and associates with Marc Marlow. He explained that the funding for this renovation of the McKay Building project had been approved, but that Mr. Marlow had requested at closing on the loan to verify the tax exemptions and tax deferrals for various sections of the developed property. Approval of the resolution would allow Mr. Marlow to close on the loan and start construction and he urged Assembly approval.

To Chair Traini, Municipal Attorney Fred Boness responded the agreement between Mr. Marlow and the Municipality would not change and viewed the changes as technical, administrative corrections.

To Mr. Coffey, Mr. Boness responded the 99%-five-year tax exemption, listed on Page 2 of the document, was the tax provision agreed upon with the Municipality.

Mr. Sullivan declared a conflict of interest because his late brother's estate had an interest in the property and his heirs would benefit from the profits of the development or sale. Chair Traini ruled that he had a conflict and directed him to abstain from voting.

To Ms. Ossiander, Mr. Boness responded that "beneficial occupancy" referred to the instance where the majority of renovations had been completed and was being occupied.

To Ms. Fairclough, Mr. Boness responded this property had been classified as deteriorated and there were currently tax exemptions for this property, but there were not being implemented because substantial renovations were not completed. Mr. Marlow responded that once the paperwork on the loans was completed, within ten to fourteen days, his general contractor would begin completion of the renovations before the end of March and it would take about a year to finish. Mr. Marlow predicted that beneficial occupancy would occur by March of 2006, and the five-year exemption would begin in January, 2007. To her question, Chief Fiscal Officer Jeff Sinz responded the property would be reassessed annually and the value would be adjusted to reflect improvements completed each year. Mayor Begich stated that his Administration had addressed this situation when he took office and had completed a long-overdue assessment.

To Ms. Jennings, Mr. Boness responded that the exemption was transferable and the deferral was not. The Mayor responded the agreement had changed several times, but involved Mr. Marlow's performance level to complete the project, with the stipulation that the Municipality could retake the property, and be responsible for the bills and costs. He felt Mr. Marlow had been given a good deal and they were encouraging him to complete the project.

Chair Traini called the Question on AR 2005-45.

and this motion was unanimously passed,

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

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

Mr. Tesche moved, *for immediate reconsideration of AR 2005-45.*
Mr. Tremaine seconded,
and this motion failed unanimously,

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

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS None.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

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

DICK TRAINI, Assembly Chair

ATTEST:

BARBARA GRUENSTEIN, Municipal Clerk
Date Minutes Approved: March 19, 2005.
MC/BG

(Approved Meeting Minutes are available in the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska, telephone (907)343-4505, or on the Municipal Web Site at www.Muni.org)

Agenda Published in the ALASKA JOURNAL OF COMMERCE P.O. 516-05