

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

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

**Minutes for Regular Meeting of March 1, 2005**

**1. CALL TO ORDER**

The Assembly Meeting was convened by Chair Traini 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: Anna Fairclough, Brian Whittle, Dick Tremaine, Dan Sullivan, Dick Traini, Allan Tesche, Ken Stout, Pamela Jennings, Debbie Ossiander, Janice Shamberg and Dan Coffey.

ABSENT: None.

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

**4. MINUTES OF PREVIOUS MEETINGS**

4.A. Special Meeting – January 18, 2005.

Ms. Shamberg moved, to approve the Special Meeting Minutes  
Ms. Ossiander seconded, of January 18, 2005.  
and this was passed unanimously,

**5. MAYOR'S REPORT**

Deputy Municipal Manager Michael Abbott reported that he and Ms. Fairclough had been given a tour by the Fort Richardson Striker Brigade. This group was on its way to the Middle East.

**6. ASSEMBLY CHAIR'S REPORT**

Chair Traini called for a Point of Personal Privilege to allow Ms. Schrogge to speak on the moose issue in Anchorage, causing dangers and safety issues to pedestrians and children in the city. Neither Alaska Department of Fish and Game employees nor city law enforcement officers had time to deal with this issue. She also thought that wild bear in the Anchorage Bowl would need to be addressed in the future.

**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 2005-59 and AO 2005-43 were added. He assigned to these items Agenda Numbers 9.F.7 and 9.D.19, respectively. He then called for additional Addendum items, and there being none, he called for a vote to incorporate the Addendum items into the Regular Agenda.

Mr. Tesche moved, to approve the inclusion of the Addendum items  
Ms. Jennings seconded, into the Regular Agenda.  
and this motion was passed,  
with Mr. Coffey abstaining on certain parts of 9.D.17,

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

NAYES: None.

ABSTAIN: Coffey abstaining on issues regarding the Peanut Farm, Oaken Keg and K&L Distributors, listed in 9.D.17.

Chair Traini called for a motion on the Consent Agenda.

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

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

**9. CONSENT AGENDA**

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

9.A.1. Resolution No. AR 2005-52, a resolution of the Anchorage Municipal Assembly honoring and thanking Ed O'Neill for his many years of involvement and service to the community; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle.

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

- 9.A.2. Resolution No. AR 2005-53, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Violet Wright** for her 30 years of service with the Municipality of Anchorage; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (**Addendum**)

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

- 9.A.3. Resolution No. AR 2005-54, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Christine (Chris) Wright** for her 19 years of service with the Municipality of Anchorage; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (**Addendum**)

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

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

- 9.B.1. Resolution No. AR 2005-46, a resolution of the Municipality of Anchorage appropriating the sum of \$28,789 from the State of Alaska, Department of Public Safety, Division of Alaska State Troopers and appropriating \$1,510 as a contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants Fund (231) for a **Juvenile Offender Supervision Program** grant; Anchorage Police Department.  
a. Assembly Memorandum No. AM 139-2005.

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

- 9.B.2. Resolution No. AR 2005-47, a resolution of the Municipality of Anchorage appropriating \$10,000 as a grant from the Anchorage Woman's Club to the Miscellaneous Grants Fund (261) for the Anchorage Police Department to provide for the purchase of additional **defibrillators**.  
a. Assembly Memorandum No. AM 140-2005.

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

- 9.B.3. Resolution No. AR 2005-48, a resolution of the Municipality of Anchorage providing for the appropriation of \$3,000 of Anchorage Library Foundation donations, \$10,000 from the Rasmuson Foundation and \$1,475 of citizen donations to the Miscellaneous Operational Grants Fund (261) to the Department of Economic and Community Development, for the purchase of **library books and materials**.  
a. Assembly Memorandum No. AM 141-2005.

Mr. Whittle requested this item be pulled for review on the Regular Agenda. (See item 10.B.3)

- 9.B.4. Resolution No. AR 2005-49, a resolution of the Municipality of Anchorage adopting the **Anchorage All-Hazard Mitigation Plan**; Project Management & Engineering.  
a. Assembly Memorandum No. AM 142-2005.

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

**9.C. BID AWARDS**

- 9.C.1. Assembly Memorandum No. AM 126-2005, recommendation of award to Alaska Construction & Paving for **Hartzell Road Extension, E. 79<sup>th</sup> Avenue to Lore Road** for the Municipality of Anchorage, Project Management & Engineering (ITB 25-C001) (\$1,507,626.76); Purchasing.  
9.C.2. Assembly Memorandum No. AM 127-2005, recommendation of award to SeaCoast Construction, Inc. for **traffic calming and safety improvements** for the Municipality of Anchorage, Project Management & Engineering Department (ITB 25-C003) (\$204,894); Purchasing.

**9.D. NEW BUSINESS**

- 9.D.1. Assembly Memorandum No. AM 78-2005, appointments to the **Board of Equalization** (Ferdinand J. Lasinski, Dale Robinson, Michael Shamburger, James S. Shaw, Frank E. Willis); Municipal Clerk.  
9.D.2. Assembly Memorandum No. AM 128-2005, **Water and Wastewater Utility Commission** appointment (Randal Buckendorf); Mayor's Office.  
9.D.3. Assembly Memorandum No. AM 125-2005, **China Express/Sorabol #2925** – Transfer of Ownership for a Restaurant/Eating Place & Restaurant Designation Liquor License (Downtown Community Council); Clerk's Office.  
9.D.4. Assembly Memorandum No. AM 129-2005, **AWWU Operations Facility HVAC & Interior Improvements** – Contract Change Order No. 3 (\$37,990); Anchorage Water & Wastewater Utility.

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

- 9.D.5. Assembly Memorandum No. AM 130-2005, proprietary purchase with Medtronic Physio-Control Corporation for providing **parts and repair services on defibrillators** to the Municipality of Anchorage, Anchorage Fire Department (\$57,000); Purchasing.  
9.D.6. Assembly Memorandum No. AM 131-2005, proprietary purchase of **library information services** from OCLC, Inc. for the Municipality of Anchorage, Office of Community & Economic Development, Library Division (\$52,000); Purchasing.

- 1 9.D.7. Assembly Memorandum No. AM 132-2005, amended Assembly Memorandum authorizing the  
2 Municipality to enter into a market value lease with **Alaska Municipal League/Joint Insurance**  
3 **Association**; Heritage Land Bank.  
4 9.D.8. Assembly Memorandum No. AM 133-2005, recommendation of award to CTG, Inc. for providing  
5 professional and technical services through an “**As Needed Information Technology Agreement**”  
6 (ANITA) for the Municipality of Anchorage, Information Technology Department (RFP 24-P059)  
7 (\$900,000); Purchasing.  
8 9.D.9. Assembly Memorandum No. AM 134-2005, recommendation of award to F & F Construction, LLC to  
9 install a **walk-in freezer/cooler unit** at the Anchorage Police Department Evidence Storage Area for  
10 the Municipality of Anchorage, Maintenance and Operations Department (RFQ 25Q-001) (\$74,260);  
11 Purchasing.  
12

13 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.D.9*)  
14

- 15 9.D.10. Assembly Memorandum No. AM 135-2005, recommendation to award to EES Consulting, Inc. for  
16 providing **engineering of record services** for the Municipality of Anchorage, Municipal Light & Power  
17 (RFP 24-P071) (\$450,000); Purchasing.  
18 9.D.11. Assembly Memorandum No. AM 136-2005, proprietary contract with Lounsbury and Associates Inc.  
19 for the **Town and Country Estates Subdivision Street Reconstruction Project** and CRW  
20 Engineering Group, LLC for the Kincaid Park Trail Connection Project for the Municipality of  
21 Anchorage, Project Management & Engineering Department (\$465,000); Purchasing.  
22 9.D.12. Assembly Memorandum No. AM 137-2005, Contract Amendment No. 6 to Annette's Trucking, Inc. for  
23 the construction of the **Pine Street Extension, Reka Drive to DeBarr Road**, Project No. 00-10  
24 (\$294,496); Project Management & Engineering.  
25 9.D.13. Assembly Memorandum No. AM 138-2005, cooperative purchase of **office supplies** from Corporate  
26 Express, Inc. for the Municipality of Anchorage; Purchasing Department (\$400,000).  
27 9.D.14. Assembly Memorandum No. AM 148-2005, **Panhandle Bar** – Transfer of Ownership of a Beverage  
28 Dispensary Liquor License (Downtown Community Council); Clerk's Office. (**Addendum**)  
29

30 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.D.14*)  
31

- 32 9.D.15. Assembly Memorandum No. AM 149-2005, 2005/2006 Liquor License Renewal: **Clair d'Loon #4291**  
33 – Restaurant/Eating Place Liquor License (Midtown, North Star, Fairview); Clerk's Office.  
34 (**Addendum**)  
35 9.D.16. Assembly Memorandum No. AM 150-2005, **Tony Roma's #2344** – Liquor License Renewal for a  
36 Beverage Dispensary Liquor License; Tony Roma's #4294 – Liquor License Renewal for a Beverage  
37 Dispensary Duplicate Liquor License (Tudor Area, Rogers Park, University Area, Midtown, Campbell  
38 Park); Clerk's Office. (**Addendum**)  
39 9.D.17. Assembly Memorandum No. AM 151-2005, **2005/2006 Liquor License Renewals**: Subzero #4261 –  
40 Beverage Dispensary-Duplicate; JJ's Sports Center #569, PJ's #826, Mr. Whitekey's Fly By Night Club  
41 #2097, The New Peanut Farm #842, OTL #670, The Raven #4003, Rumrunner's Old Time Towne Bar  
42 & Grill #4157, Simon and Seaforths Saloon & Grill #1050, Time Out Lounge #1140 – Beverage  
43 Dispensary; Little Italy Restaurant #2254, Marx Bros Café #1422, Muldoon Pizza #761, O'Brady's  
44 Burgers & Brew #1989, Peking Wok Restaurant #2813, Pizza Plaza #891, Tempura Kitchen #1125,  
45 Twin Dragon Mongolian BBQ #733, Yamaya Restaurant, Young Bin Restaurant #2908 –  
46 Restaurant/Eating Place; Oaken Keg Spirit Shop #1802 #792, Oaken Keg Spirit Shop #1805 #793,  
47 Oaken Keg Spirit Shop #1806 #795, Oaken Keg Spirit Shop #1807 #1464, Oaken Keg Spirit Shop  
48 #1809 #799, Oaken Keg Spirit Shop #1812 #1397, Oaken Keg Spirit Shop #1813 #1799, Oaken Keg  
49 Spirit Shop #2094 #1817, Oaken Keg Spirit Shop # 2628 #4167, Party Time/Boniface Liquor #834,  
50 Sam's Club #6601 #3303, Sam's Club #6602 #2386, Y2K Liquors #3898 – Package Store; K&L  
51 Distributors #1510 – Wholesale-General; Turnagain Vines #4414 – Wholesale-Malt Beverage & Wine  
52 (Fairview, Northeast, Spenard, North Star, Girdwood, Indian, Campbell Creek, Downtown, Eagle  
53 River, Midtown, North Star, Huffman/O'Malley, Taku/Campbell, Chugiak, Old Seward/Oceanview  
54 Community Councils); Clerk's Office. (**Addendum**)  
55

56 Mr. Coffey declared a conflict of interest on issues included in this memorandum. Chair Traini ruled he did have a  
57 conflict and ordered him to abstain from participating on issues involving the Peanut Farm, the Oaken Keg and K&L  
58 Distributors.  
59

- 60 9.D.18. Assembly Memorandum No. AM 152-2005, Contract Amendment No. 7 to Purchase Order 231576  
61 with Paratransit Services, Inc. for providing a coordinated transportation system “**AnchorRIDES**”  
62 for the Municipality of Anchorage, Public Transportation Department (\$2,840,402); Purchasing.  
63 (**Addendum**)  
64 9.D.19. Resolution No. AR 2005-59, a resolution of the Anchorage Municipal Assembly requesting the Mayor's  
65 assistance in negotiating a public trail easement to the **Chugach State Park**; Assemblymembers  
66 Fairclough and Ossiander. (**Laid on the Table**)  
67

68 Ms. Ossiander requested this item be pulled and reviewed with item 13.A on the Regular Agenda. (*See item 13.A*)  
69

70 **9.E. INFORMATION AND REPORTS**

- 71 9.E.1. Information Memorandum No. AIM 16-2005, **Internal Audit Department – 2004 Annual Report**;  
72 Internal Audit.  
73 9.E.2. Information Memorandum No. AIM 17-2005, Internal Audit Report 2005-1 – **2004 Parts, Tires and**  
74 **Lubricants Inventory, Fleet Services Section**-Facility and Fleet Maintenance Division, Maintenance  
75 and Operations Department; Internal Audit.  
76 9.E.3. Information Memorandum No. AIM 18-2005, **contracts awarded between \$50,000 and \$100,000**  
77 **through formal competitive processes** for the month of January 2005, Purchasing.

- 1 9.E.4. Information Memorandum No. AIM 19-2005, Sole Source Procurement Report for the month of  
2 January 2005; Purchasing.  
3

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

- 5 9.F.1. Ordinance No. AO 2005-34, an ordinance of the Anchorage Municipal Assembly amending  
6 AO 2004-126(S), As Amended, pertaining to procedures for **Municipal Boards and Commissions**, to  
7 add a section providing that the new procedures apply prospectively to matters filed after December 7,  
8 2004; Assemblymember Sullivan. (*Public Hearing set for 3-29-05 5-3-05*)  
9 a. Assembly Memorandum No. AM 112-2005.

10  
11 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.F.1*)  
12

- 13 9.F.2. Resolution No. AR 2005-40, a resolution of the Anchorage Municipal Assembly amending  
14 AR 2004-215(S), As Amended, pertaining to procedures for **Municipal Boards and Commissions**, to  
15 add a section providing that new procedures apply prospectively to matters filed after December 7,  
16 2004; Assemblymember Sullivan. (*Public Hearing set for 3-29-05 5-3-05*)  
17 a. Assembly Memorandum No. AM 112-2005.

18  
19 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See item 10.F.2*)  
20

- 21 9.F.3. Ordinance No. AO 2005-35, an ordinance amending the zoning map and providing for the rezoning of  
22 approximately 30.50 acres from R-3 (Multiple-Family Residential) to PLI (Public Lands and Institutions)  
23 for **Tract 3, Alaska Village Subdivision**, generally located south of DeBarr Road and east of  
24 Patterson Road (Northeast Community Council) (Planning and Zoning Commission Case 2004-179);  
25 Planning Department. (*Public Hearing set for 3-29-05*)

26 a. Assembly Memorandum No. AM 145-2005.

- 27 9.F.4. Ordinance No. AO 2005-36, an ordinance amending the zoning map and providing for the rezoning of  
28 approximately 2.1 acres, from R-2A (Two Family Residential District) to R-2M (Multiple Family  
29 Residential District), for **Lot 16A, Section 9, T12N, R3W, S.M., AK**, generally located on the  
30 southeast corner of Lake Otis Parkway and Lore Road (Abbott Loop Community Council) (Planning  
31 and Zoning Commission Case 2004-172); Planning Department. (*Public Hearing set for 3-29-05*)

32 a. Assembly Memorandum No. AM 146-2005.

- 33 9.F.5. Resolution No. AR 2005-50, a resolution of the Municipality of Anchorage appropriating \$1,265,000 of  
34 revenues from within the Areawide General Capital Improvement Fund (401), \$385,000 of revenues  
35 from within the Anchorage Parks and Recreation Capital Improvement Fund (461), and \$35,000 from  
36 within the Chugiak-Eagle River Parks and Recreation Service Area Capital Improvement Fund (462)  
37 for **facility and equipment improvements** at the Alaska Center for the Performing Arts, William A.  
38 Egan Civic and Convention Center, George M. Sullivan Arena, Ben Boeke and Dempsey Anderson  
39 Ice Arenas, Anchorage Golf Course, and the Harry J. McDonald Memorial Center; Office of Economic  
40 & Community Development. (*Public Hearing set for 3-8-05*)

41 a. Assembly Memorandum No. AM 143-2005.

- 42 9.F.6. Resolution No. AR 2005-51, a resolution of the Municipality of Anchorage, Alaska, confirming and  
43 levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll**  
44 **05-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency;  
45 Anchorage Water & Wastewater Utility. (*Public hearing set for 3-29-05*)

46 a. Assembly Memorandum No. AM 144-2005.

- 47 9.F.7. Resolution No. AR 2005-43, a resolution of the Anchorage Municipal Assembly repealing Anchorage  
48 Municipal Code, Section 4.40.131, Section 21.10.030, and Chapter 21.30, Part I, pertaining to the  
49 **Board of Adjustment** and amending Sections of 21.15.125, 21.30.180 and 21.30.190, providing for  
50 **Judicial Appeal** of final decisions of Planning and Zoning Commission, the Platting Board, the Urban  
51 Design Commission or Hearing Officer for approval or disapproval of plats or variances from the  
52 provisions of Chapters 21.80 and 21.85, or decisions regarding applications for concept for final  
53 approval of conditional uses; Assemblymember Tesche and Coffey. (**Laid on the Table**) (*Public*  
54 *Hearing set for 5-3-05*)

55 a. Assembly Memorandum No AM 168-2005.  
56

57 Mr. Tesche moved, *to introduce AR 2005-43 with Public Hearing*  
58 Mr. Coffey seconded, *set for May 3, 2005.*  
59 Mr. Whittle was the concurring third,  
60

61 Mr. Coffey requested to be added as a cosponsor. Mr. Tesche requested the Public Hearing date be set for May 3<sup>rd</sup>.  
62

63 Chair Traini called for a motion to approve the remainder of Consent Agenda.  
64

65 Mr. Tesche moved, *to approve the Consent Agenda, as amended.*  
66 Ms. Fairclough seconded,  
67 and this motion was passed,  
68 with Mr. Coffey abstaining on certain issues within item 9.D.17,  
69

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

71 NAYES: None.

72 ABSTAIN: Coffey abstaining on items within 9.D.17, regarding the Peanut Farm, Oaken Keg and K&L Distributors.  
73

74 Chair Traini announced the unanimous approval of the amended Consent Agenda, with the exception of the pulled  
75 items and proceeded into discussion of those items.  
76

77 **END OF CONSENT AGENDA**  
78

10. **REGULAR AGENDA**

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

10.A.1. Resolution No. AR 2005-52, a resolution of the Anchorage Municipal Assembly honoring and thanking **Ed O'Neill** for his many years of involvement and service to the community; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (*Postponed until 3-8-05*)

Mr. Coffey moved, *to postpone AR 2005-52 until March 8, 2005.*  
Ms. Jennings seconded,  
and this was approved without objection,

10.A.2. Resolution No. AR 2005-53, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Violet Wright** for her 30 years of service with the Municipality of Anchorage; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (**Addendum**)

Ms. Ossiander moved, *to approve AR 2005-54.*  
Ms. Fairclough seconded,  
and this was approved without objection,

Ms. Fairclough presented the award and Ms. Ossiander read the resolution, honoring Violet Wright for her 30 years of service to the Municipality. Ms. Wright thanked the Assembly for the recognition.

10.A.3. Resolution No. AR 2005-54, a resolution of the Anchorage Municipal Assembly recognizing and honoring **Christine (Chris) Wright** for her 19 years of service with the Municipality of Anchorage; Mayor Begich; Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle. (**Addendum**)

Ms. Shamberg moved, *to approve AR 2005-54.*  
Mr. Tremaine seconded,  
and this was approved without objection,

Ms. Shamberg presented the award and Mr. Tremaine read the resolution, recognizing Chris Wright for her 19 years of service with the Municipality, her involvement with fund raising campaigns and the Adopt-A-Family Program with the Salvation Army. She thanked the Assembly, Purchasing Director Bart Mauldin and her fellow employees.

**10.B. RESOLUTIONS FOR ACTION - OTHER**

10.B.1. Resolution No. AR 2005-46, a resolution of the Municipality of Anchorage appropriating the sum of \$28,789 from the State of Alaska, Department of Public Safety, Division of Alaska State Troopers and appropriating \$1,510 as a contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police Service Area Fund (151) to the State Categorical Grants Fund (231) for a **Juvenile Offender Supervision Program** grant; Anchorage Police Department.  
a. Assembly Memorandum No. AM 139-2005.

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

Ms. Fairclough moved, *to approve AR 2005-46.*  
Ms. Jennings seconded,

To Ms. Fairclough, Deputy Municipal Manager Michael Abbott responded it was not an anticipated program and would involve new money.

and this was passed with no objections,

10.B.2. Resolution No. AR 2005-47, a resolution of the Municipality of Anchorage appropriating \$10,000 as a grant from the Anchorage Woman's Club to the Miscellaneous Grants Fund (261) for the Anchorage Police Department to provide for the purchase of additional **defibrillators**.  
a. Assembly Memorandum No. AM 140-2005.

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

Mr. Whittle moved, *to approve AR 2005-47.*  
Mr. Stout seconded,

Mr. Whittle thanked the Anchorage Women's Club for their successful fundraising to purchase the defibrillators.

and this motion was unanimously passed,

10.B.3. Resolution No. AR 2005-48, a resolution of the Municipality of Anchorage providing for the appropriation of \$3,000 of Anchorage Library Foundation donations, \$10,000 from the Rasmuson Foundation and \$1,475 of citizen donations to the Miscellaneous Operational Grants Fund (261) to the Department of Economic and Community Development, for the purchase of **library books and materials**.  
a. Assembly Memorandum No. AM 141-2005.

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

Mr. Whittle moved, to approve AR 2005-48.  
Mr. Tesche seconded,

Mr. Whittle thanked the Anchorage Library Foundation for the donation of \$10,000 for library books and materials.  
and this motion was unanimously passed,

10.B.4. Resolution No. AR 2005-49, a resolution of the Municipality of Anchorage adopting the **Anchorage All-Hazard Mitigation Plan**; Project Management & Engineering. (*Postponed until 3-8-05*)  
a. Assembly Memorandum No. AM 142-2005.

Ms. Fairclough moved, to postpone AR 2005-49 until March 29, 2005.  
Mr. Tremaine seconded,

Ms. Fairclough stated the final draft had not been distributed to Assemblymembers for review and requested postponement until members could read the plan. To Mr. Coffey, Deputy Municipal Manager Michael Abbott responded that the document would be available on the web for their review. To Chair Traini, Mr. Abbott responded that the document would also be available on computer discs. To Chair Traini, Assembly Budget and Legislative Affairs Director Elvi Gray-Jackson responded she would schedule a worksession on this issue.

and this motion was approved,

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

NAYES: None.

(Clerk's Note: Whittle, Tremaine and Sullivan were out of Chambers at the time of the vote)

**10.C. BID AWARDS** None were pulled for review.

**10.D. NEW BUSINESS**

10.D.4. Assembly Memorandum No. AM 129-2005, **AWWU Operations Facility HVAC & Interior Improvements** – Contract Change Order No. 3 (\$37,990); Anchorage Water & Wastewater Utility.

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

Mr. Stout moved, to approve AM 129-2005.  
Mr. Tesche seconded,

Mr. Stout stated that he appreciated the detailed explanations of the memorandum from Anchorage Water and Wastewater Director Mark Premo.

and this motion was passed unanimously,

10.D.9. Assembly Memorandum No. AM 134-2005, recommendation of award to F & F Construction, LLC to install a **walk-in freezer/cooler unit** at the Anchorage Police Department Evidence Storage Area for the Municipality of Anchorage, Maintenance and Operations Department (RFQ 25Q-001) (\$74,260); Purchasing.

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

Mr. Coffey moved, to approve AM 134-2005.  
Ms. Shamberg seconded,

Mr. Coffey stated that he had found the answer to his inquiry and had no further questions.

and this motion was passed unanimously,

10.D.14. Assembly Memorandum No. AM 148-2005, **Panhandle Bar** – Transfer of Ownership of a Beverage Dispensary Liquor License (Downtown Community Council); Clerk's Office. (**Addendum**)

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

Ms. Ossiander moved, to postpone AM 148-2005 until March 8<sup>th</sup>.  
Mr. Tesche seconded,

Mr. Tesche requested time for the Downtown Community Council to review this item and make a recommendation.

and this motion was unanimously passed,

10.D.19. Resolution No. AR 2005-59, a resolution of the Anchorage Municipal Assembly requesting the Mayor's assistance in negotiating a public trail easement to the **Chugach State Park**; Assemblymembers Fairclough and Ossiander. (**Laid on the Table**)

Ms. Ossiander moved, Mr. Coffey seconded, and it was unanimously approved to postpone AR 2005-59, so it could be reviewed with Agenda item 13.A. (Clerk's Note: See item 13.A) Chair Traini returned the body to this item following action of the associated ordinance. Ms. Ossiander read the resolution title and moved for approval.

Ms. Ossiander moved, to approve AR 2006-59.  
Ms. Jennings seconded,

Ms. Ossiander stated this was a significant community issue, and that Mayor Begich had offered his support to resolve the issue. She urged a YES-vote and Mayor Begich concurred.

Mr. Whittle stated that accessing the state park was an issue that affected all residents and it was important to establish good policy and there still was much work to be completed. He urged a YES-vote.

and this motion was unanimously passed,

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

NAYES: None.

(Clerk's Note: Fairclough 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.1. 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 set for 3-29-05 5-3-05*)

a. Assembly Memorandum No. AM 112-2005.

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

Ms. Fairclough moved, to introduce AO 2005-34 with Public Hearing set for May 3<sup>rd</sup>.

Mr. Sullivan seconded,

Ms. Ossiander was the concurring third,

Mr. Sullivan stated this was just for introduction and there would be time to discuss this item later. Mr. Coffey stated there were other related matters that could be combined for Public Hearing.

10.F.2. 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 set for 3-29-05 5-3-05*)

a. Assembly Memorandum No. AM 112-2005.

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

Mr. Coffey moved, to introduce AO 2005-40 with Public Hearing set for May 3<sup>rd</sup>.

Ms. Fairclough seconded,

Ms. Ossiander was the concurring third,

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

11.A. Ordinance No. AO 2005-2, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 21.90, **Utility Distribution Facilities**, Section 21.90.030, Variances, Section 21.90.060, Designation of Target Areas, to provide a five-year plan designating target areas, and Section 21.90.070, Nonconforming Overhead Lines, to authorize the Director of the Planning Department to grant variances, to require a utility owning poles to expend at least two percent of its gross annual retail revenues from sales within the Municipality of Anchorage, to remove poles supporting nonconforming overhead utility lines and place the lines underground, and to require placement of new service lines underground; Assemblymember Shamberg and Tesche.

1. Assembly Memorandum No. AM 2-2005.

(*Public Hearing was Closed 2-1-05; Carried Over from 2-1-05 and 2-15-05*)

Chair Traini read this memorandum title and stated there was a motion on the floor from Ms. Ossiander.

Ms. Jennings moved, to amend AO 2005-2 on Page 5, Line 33, following "resale,"  
Mr. Coffey seconded, by adding, "for purposes of undergrounding nonconforming  
and this was unanimously approved, lines."

To Mr. Coffey, Ms. Shamberg responded that in this instance a nonconforming line referred to overhead, existing lines and was defined in the original ordinance. Mr. Coffey stated there were lawful and legal overhead lines in the city.

Ms. Jennings moved, to amend AO 2005-2 on Page 5, Line 40, by adding "underground nonconforming utility lines," [A] an attached  
Mr. Tremaine seconded, utility shall not be required...  
and this was unanimously approved,

Mr. Sullivan moved, to amend AO 2005-2 on Page 6, Line 14, by replacing B with:  
Ms. Ossiander seconded, "B. An attached utility that is prohibited by regulation from  
passing the cost of undergrounding to another company that  
leases its facilities is exempt from the requirements of AMC  
21.90.070.A, Sections 1-4, where those requirements exceed  
existing state law." And renumbering C and D accordingly.

Mr. Sullivan stated that undergrounding utilities needed to be done fairly and it should not place a competitive disadvantage on any of the companies that were asked to participate in this effort.

Mr. Coffey stated that the Regulatory Commission of Alaska (RCA) would make that decision and the city did not need to be involved in a dispute. Mr. Sullivan stated it was their obligation to amend the ordinances accordingly. Mr. Coffey responded the companies should have an RCA decision and the city should stay out of it. Mr. Sullivan stated that would involve a five to seven year process.

To Mr. Sullivan, Alaska Communication Systems Communications Director Mary Ann Pease responded the prohibition would not allow them to pass on those costs of undergrounding right away and recommended an amendment which was accepted by Mr. Sullivan and Ms. Ossiander moved.

|                        |   |
|------------------------|---|
| Ms. Ossiander moved,   | to amend the Sullivan Amendment, <i>by adding to read:</i> B. An                |
| Mr. Sullivan seconded, | attached utility that is prohibited by regulation from                          |
|                        | <u>"immediately and unilaterally passing on the costs"</u> [ <del>passing</del> |
|                        | <del>the cost</del> ] of undergrounding to another company ..." And             |
|                        | renumbering C and D accordingly.  |

Mr. Tesche stated that once the issue was reviewed by the RCA, it may be retroactive.

To Ms. Shamberg, Ms. Pease responded they would conform to any state or municipal requirements. To Ms. Ossiander, Ms. Shamberg responded the ordinance would apply to all electrical companies and the attached companies would not have to comply with the 2% mandate. The language on Page 5, Line 40-42, was language that ACS had recommended.

and this motion failed,

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

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

To Ms. Ossiander, Ms. Shamberg responded there was no need for a board to oversee utilities' compliance. The responsibility rested with the utilities and there would be a plan with the state, the city and the utility involved.

Mr. Coffey proposed consideration of adding language to require the impact to other attached utilities.

Mr. Tesche stated that Ms. Shamberg had demonstrated good leadership and had been working with the utilities for more than a year, with the goal in mind to have Anchorage work and look better. She had shown dedication and perseverance to this issue and the ordinance made sense, even though the results would not be seen for years. He requested to be listed as a cosponsor and recommended a YES-vote.

Mr. Coffey stated that he would support this ordinance. It was better than the ordinance currently in existence and the utilities concurred.

|                             |  |
|-----------------------------|--|
| Mr. Sullivan moved,         | to amend AO 2005-2 on Page 3, Line 23-24, following            |
| Ms. Jennings seconded,      | environmentally feasible[-] , <u>whether placing a utility</u> |
| and this was later amended, | <u>underground would create a competitive disadvantage."</u>   |

Mr. Sullivan stated this would expand the word "economically" to include whether the attached utilities' undergrounding would create a disadvantage.

Mr. Tesche urged a NO-vote. It would require a review from the Planning Director, and should be left to the RCA.

Mr. Tremaine stated he would be a NO-vote on the amendment and a YES-vote on the ordinance.

Mr. Coffey stated that he could not support the Sullivan Amendment because it was too limited. He proposed having the Planning Director complete a review and consider all the factors to determine if there were consequences to attached utilities.

Mr. Sullivan proposed to amend his amendment by replacing proposed language with new language.

|                        |  |
|------------------------|--|
| Mr. Sullivan moved,    | to amend the Sullivan Amendment, <i>by replacing</i>                             |
| Ms. Jennings seconded, | <del>[- whether placing a utility underground would create a</del>               |
|                        | <del>competitive disadvantage.]</del> with " <u>, including the effect on an</u> |
|                        | <u>attached utility."</u>  |

Mr. Sullivan stated that it was important to include in the ordinance some reference to the competitive disadvantage and potential harm to a business. He urged a YES-vote.

and his motion was approved without objection,

Mr. Sullivan stated he would not be supporting the ordinance without its being further amended and addressing the competitive disadvantage being created. There was an extensive investment on already existing poles and overhead lines and until those facilities become obsolete or become a danger to the health, safety and welfare to residents of the city, it was difficult to justify replacement. He was not satisfied that there would be fairness and equity resulting from this ordinance, and it would result in higher rates throughout the city. He stated that he would support future proposals which addressed equal and fair treatment and included compliance oversight.

Ms. Shamberg stated the utilities could be trusted to make the right decisions on choosing the lines that need replacing and would be protecting rate-payers from rising costs. She trusted the companies would do the right thing.



1 Mr. Tremaine opposed government control and stated undergrounding utilities needed to be handled by private sector.  
2 He was a YES-vote for the ordinance.  
3

4 Ms. Ossiander stated it was difficult to argue against undergrounding because of the aesthetics, but the issue of  
5 competitive disadvantage had not been addressed and thought with rising costs of highway construction and utility  
6 rates increases, she would not be supporting this ordinance.  
7

8 Mr. Sullivan responded the government was already involved with controlling utility fees. His constituents had not  
9 taken this issue as a priority and were much more concerned with rising costs of taxes, fees, fines and utilities.  
10

11 Chair Traini called the Question on AO 2005-2, as amended.  
12

13 and this motion was passed,  
14

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

16 NAYES: Fairclough, Sullivan, Stout and Ossiander.  
17

18 Mr. Tesche moved for immediate reconsideration and urged a NO-vote.  
19

20 Mr. Tesche moved, *for immediate reconsideration of AO 2005-2.*  
21 Ms. Jennings seconded,  
22 and this motion failed,  
23

24 AYES: Fairclough and Sullivan.

25 NAYES: Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.  
26

27 11.B. Resolution No. AR 2005-27, a resolution of the Anchorage Municipal Assembly supporting passage of  
28 HB 27, a bill to allow municipal governments to provide a **property tax incentive** to police officers;  
29 Assemblymembers Traini, Tesche and Whittle. (*Postponed from 2-15-05*)  
30

31 Chair Traini stated it was his intention to postpone this resolution indefinitely. He called for a motion  
32

33 Ms. Fairclough moved, *to postpone indefinitely AR 2005-27.*  
34 Ms. Jennings seconded,  
35 and there were no objections,  
36

37 11.C. Assembly Memorandum No. AM 106-2005, Last Frontier Bar #0135 – Transfer of Ownership for a  
38 Restaurant/Eating Place & Restaurant Designation Liquor License (Downtown Community Council);  
39 Clerk's Office. (Carried Over from 2-15-05)  
40

41 Mr. Coffey stated the subject referenced the Last Frontier Bar but the memorandum listed China Express. Municipal  
42 Clerk Barbara Gruenstein responded it was her intention to have this item postponed indefinitely and that the corrected  
43 memorandum was Agenda item 11.D.  
44

45 Mr. Tremaine moved, *to postpone indefinitely AM 106-2005.*  
46 Mr. Coffey seconded,  
47 and this was unanimously approved,  
48

49 11.D. Assembly Memorandum No. AM 107-2005, Last Frontier Bar #0135 – Transfer of Ownership for a  
50 Beverage Dispensary Liquor License (Northeast and Russian Jack Community Councils); Clerk's  
51 Office. (Carried Over from 2-15-05)  
52

53 Chair Traini read the memorandum title and called for a motion.  
54

55 Mr. Coffey moved, *to approve AM 107-2005.*  
56 Mr. Tremaine seconded,  
57 and this was unanimously passed,  
58

59 To Ms. Jennings, Chair Traini responded that approval of the memorandum would protest the liquor license renewal.  
60

61 11.E. Assembly Memorandum No. AM 88-2005, proprietary purchase with Joe Hayes Legislative  
62 Consultants for professional **lobbying services** for the Municipality of Anchorage, Municipal Light &  
63 Power & Anchorage Water and Wastewater Utility (\$110,000); Purchasing.  
64 (Carried Over from 2-15-05) (Continued to 3-08-05)  
65

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

68 Ms. Jennings moved, *to approve AM 88-2005.*  
69 Mr. Tremaine seconded,  
70

71 Mr. Stout stated there was a lot of money going into lobbying services for the Municipality. Deputy Municipal Manger  
72 Michael Abbott responded that lobbyists would be addressing important issues, including Emergency-911, the  
73 Anchorage Water and Wastewater Utility self-regulation and the Anchorage Capital Projects List. Mayor Begich  
74 responded that hired lobbyists addressed issues at the state and federal levels.  
75

76 11.F. Assembly Memorandum No. AM 89-2005, proprietary purchase with the Law Offices of Mitch D. Gravo  
77 for professional **lobbying services** for the Municipality of Anchorage, Not to Exceed \$65,000; Mayor's  
78 Office. (Carried Over from 2-15-05) (Continued to March 8, 2005)

- 11.G. Assembly Memorandum No. AM 124-2005, Amendment No. 3 to Purchase Order 240209 with the Boniface Center, LLC for the leased space for the **Women Infants and Children (WIC) Clinic** for the Municipality of Anchorage, Real Estate Services (\$30,213.12); Purchasing.  
(Carried Over from 2-15-05)

Chair Traini read this memorandum and called for a motion.

Mr. Stout moved, to approve AM 124-2005.  
Mr. Tremaine seconded,  
and this was passed with no objections,

## 12. APPEARANCE REQUESTS

- 12.A. **Rovenna Street Road Committee**, concerning traffic impacts from upcoming road projects.

MARK TORNAL, resident of Rovenna Street and member of the Rovenna Road Committee testified against the proposed road upgrades to Raspberry and Rovenna. He was joined by members of the Road Committee and residents of Rovenna Street, who opposed the cut-through, creating a traffic impact to Rovenna. They had found little support for the project and they were concerned with negative impacts on their property values, safety and quality of life. Mr. Tornai asked for consideration of alternative street routing. Municipal Engineer Howard Holtan responded that the city had been reviewing this traffic routing for many years and solutions had been difficult to implement. The consultants had been asked to take a closer look at the traffic implications to Rovenna and they hoped to reach common ground with the residents. To Ms. Jennings, Mr. Holtan responded the project was fairly well developed at this point, soon going to bid, and thought it was late to begin alternative designs and solutions. To Mr. Sullivan, Mr. Holtan responded that one solution may be to make Rovenna Street a dead-end road, which would limit emergency access to the neighborhood. Mayor Begich stated he would be available to help resolve the issue and emphasized how critical it was to develop the east-west traffic corridor. Because many of the roads were maintained by the state, he urged Mr. Tornai and residents to contact state representatives. Mr. Sullivan concurred and stated they would work together to find a resolution.

- 12.B. **Pete Kinneen** of Environmental Recycling, regarding experimental cost-free large scale curbside recycling in Anchorage.

PETE KINNEEN, Executive Director of Environmental Recycling, with the glass recycling and composting center by the airport, made the offer of a twelve-month experiment with the Municipality. He offered this program to the city, to educate citizens and to organize a basic community recycling effort. To Mr. Tesche, Mr. Kinneen responded that he had not participated with the Mountain View Spring Clean Up. Mr. Tesche stated he would forward Mr. Kinneen's number to that group and hoped that he would be involved with the clean-up this spring.

## 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; Carried Over from 2-15-05)
1. Assembly Memorandum No. AM 789-2004.

Ms. Ossiander had requested 9.D.19 be pulled and reviewed on the Regular Agenda and Ms. Fairclough had asked for it to be reviewed with item 13.A. (Clerk's Notes: See related Assembly discussion and action on 9.D.19)

Chair Traini read the ordinance title. Ms. Fairclough requested a definition of PLI (*Public Land and Institutions*). Municipal Planning Director Tom Nelson defined PLI as, "...areas of significant public open space, major public and quasi-public institutional uses and activities and land reserves for which a specific use or activity is not yet identified." Acting Chair Tesche opened Public Hearing.

TOM MEACHAM, Vice President of Chugach Park Access Coalition Incorporated, stated that members were interested in securing public access and public parking. To Mr. Tremaine, Mr. Meacham responded that a temporary fix would be possible, prior to the rezoning and platting processes, if historic public access could be maintained in the interim. To Mr. Tesche, Mr. Meacham responded they were interested in more than a gratuitous promise from the landowner and were requesting Assembly assistance to recognize the historic trail that mistakenly had not been included with the Chugach Park. To Mr. Coffey, Mr. Meacham responded that there could be a claim of easement existence based on historic use, but it might be challenged. Mr. Coffey responded it would be extraordinary for the Assembly to take action prior to a rezone, where replatting was needed, particularly when the PLI zone had been imposed in 1974. Mr. Meacham responded that the use had been established before the land became private property or PLI and thought it constituted special attention that could be addressed by the Assembly.

BILL STARR, President of the Eagle River Valley Community Council, testified of confrontations between property owners and recreationalists dating back to the 1960's. Ms. Fairclough stated that she and Ms. Ossiander had requested the Mayor's assistance in securing a public trail easement to the park. Mr. Starr responded that the Caywoods supported continuing public access. Ms. Fairclough responded that the proposed rezone had raised more interest from the state, but access involved no Municipal interest and the final resolution was a state issue. To Mr. Tremaine, Mr. Starr responded they were requesting Assembly leadership in finding a solution that was not limited to simply securing public access across private property. Mr. Tremaine responded it involved the establishment of a public trail easement, upon which the rezone was contingent. To Mr. Stout, Mr. Starr responded that alternatives might include a land trade, but it would take a leadership role to move this forward.

JERRY LEWANSKI, Chugach State Park Ranger, testified to the importance of the park and that there was currently no solution to the access concern. Resolution should involve both the state and the municipality. The landowners had graciously allowed continued public access and had urged the Assembly to become involved. To Ms. Fairclough, Mr. Lewanski responded this involved former park land and the state was currently negotiating public access easements. They were trying to avoid using private lands, which would involve more costs. To Mr. Tremaine, he responded that the state had conducted a study identifying all access points and that report had been shared with many city departments. The Mayor responded the communication had increased between the involved groups. To Mr. Whittle, Mr. Lewanski responded that additional parking and more outdoor toilet facilities were needed.

BOB FRENCH supported the rezone, but objected to R-1 because it would substantially increase the value of the property. When the property was purchased the owners knew the land was PLI and it was their responsibility to maintain trail head access. He urged the Assembly to address public access to all parks throughout the Municipality. To Tesche, Mr. French responded the local residents were in favor of keeping the current trail.

ADRIAN BEEBEE, with the Arctic Airwalkers Paragliding Club, testified in support of keeping the current park access to the launch site for their gliders, and he thanked the private landowners for their continued support. Ms. Ossiander urged Mr. Beebee to remain involved with the issue until it was resolved.

MATT VAUGHAN had used this access to the park for the past twenty years and supported the ordinance. The land owners were in support and had offered to put a plat note on the subdivided properties to ensure access.

PAULA CAYWOOD, private property owner offering park access, testified in support of the ordinance. To Mr. Tesche, Ms. Caywood responded that she and her husband would agree to a conditional use, but passing the ordinance would not resolve the access issue, even if the entire access was through their property. An old private road, built by the Wallace family might also be considered. Ms. Ossiander thanked the Caywoods for their efforts in resolving this issue. To Ms. Jennings, Ms. Caywood responded that the current road had been used by the homesteaders and was now owned by Colony Home Investments, whose preference was to have that road remain private. To Ms. Fairclough, she responded they would offer assurances for park access until the platting process was completed and they agreed to a plat note, stating this area had historically been used for hang gliding.

Chair Traini called for additional testimony and there being none, he closed Public Hearing and called for a motion.

Ms. Ossiander moved, to approve AO 2004-152.  
Ms. Fairclough seconded,

Ms. Ossiander stated that the state, city, community councils, recreationalists and property owners were trying to resolve the parking and easement issue. It involved an important access point to the park for Chugiak and Eagle River communities. To Ms. Ossiander, Mr. Nelson responded that her amendment was the preferred language.

Ms. Ossiander moved, to amend AO 2004-152 on Page 1, Lines 32-35, *by replacing*  
Mr. Coffey seconded, Section 2.3 with the following language: "A right of way with a minimum width of 60 feet for a roadway and pedestrian path shall be dedicated in the platting process which connects Golden Eagle Drive on the south boundary of the subject property to the road leading to Wallace Brother's Mountain Subdivision on the east boundary of the subject area."

To Mr. Tesche, Mr. Nelson responded that platting would be required if the property were to be subdivided. He concurred that this amendment did not address the interim issue, but it would give direction to the Platting Board for minimal requirement and assurance of the outcome. Ms. Ossiander responded that the residents wanted a dedicated right of way with parking and public access. The interim issue had been addressed because the private property owners had stated they would not oppose the dedication.

and this motion was approved,

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

Ms. Ossiander moved, to amend AO 2004-152 on Page 2, Section 3, *by adding*  
Mr. Coffey seconded, to Line 7: ...trail easement "on the subject property for access" to Chugach State park as indicated in the Department of Natural...

Ms. Ossiander stated this was preferred language to ensure access. Municipal Attorney Fred Boness responded this change would give the authority to the land owners. To Mr. Sullivan, she responded her intention was to make the language in Section 3 become less problematic.

To Mr. Tesche, Mr. Boness responded the property owners would have to accept the conditions of the ordinance and the amendment would make Section 3 less vulnerable to legal interpretation.

To Mr. Coffey, Mr. Boness responded that acceptance involved determining the special limitations and access crossing two privately owned properties. Mr. Nelson responded that written consent from the applicant and approval by the Platting Board was needed.

To Ms. Fairclough, Mr. Nelson concurred that separating parts of Section 3 would help clarify the two issues, and he made recommendations.

1 and this motion was approved,  
2

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

4 NAYES: Tesche.

5  
6 Ms. Fairclough moved, to amend AO 2004-152 on Page 2, Section 3, *by creating*  
7 Mr. Coffey seconded, *a new paragraph*, beginning on Line 4, and beginning with:  
8 and this was passed with no objections, "This ordinance shall become effective within ten days."  
9

10 Mr. Tesche moved, to amend AO 2004-152 on Page 2, Section 3, *by deleting the*  
11 Mr. Coffey seconded, *entire first sentence*, Lines 1-4: ~~[This rezoning shall not~~  
12 and this was later withdrawn, ~~become effective until the suitability of a public trail easement~~  
13 ~~to Chugach State Park as indicated in the Department of~~  
14 ~~Natural Resources October 2002 Chugach State Park Access~~  
15 ~~Inventory has been resolved with the Planning Department.]~~  
16

17 Mr. Coffey stated that Section 3 would become superfluous and could be detrimental to the process they were trying to  
18 accomplish.  
19

20 Ms. Ossiander stated the elimination of the first sentence would oppose the issue they were supporting. It was the  
21 only section that protected the current trail into the park and she opposed the amendment. To Mr. Tesche, Ms.  
22 Ossiander responded that it was important to have the sentence remain because, in the event that the property was  
23 purchased, the trail access would remain dedicated. Mr. Nelson responded that the Planning Commission had created  
24 the original language to retain the trail access.  
25

26 Mr. Sullivan stated there was an undetermined time frame in resolving the issue. Mr. Nelson stated it was important to  
27 retain the language because they were making an effort to resolve the issue, including making an effort to work with  
28 the Caywoods. Mr. Sullivan thought that was too open-ended.  
29

30 Ms. Fairclough stated this amendment would omit an important element concerning the privately owned property. The  
31 Caywoods had provided a letter about the right of first refusal on the property. She urged a NO-vote.  
32

33 Mr. Coffey stated that Section 3 had left out the provision of having this addressed during the platting process.  
34

35 Mr. Tesche stated the letter from the Caywoods created a new condition, which included compensation to the private  
36 property owners for their property interests' recognizing and accommodating the public. He found the condition  
37 reasonable, but the compensation had not been addressed in the ordinance. He urged consideration of postponement  
38 until all issues were properly addressed.  
39

40 Mr. Tesche moved, to postpone AO 2004-152 for 30 days.  
41 Mr. Coffey seconded,  
42

43 Mr. Tremaine stated that trails accessing the park needed to be properly addressed. The cooperation of the  
44 Caywoods made this issue simple, which would not be the case with some private property owners in his district who  
45 would not allow park access on their property.  
46

47 To Ms. Ossiander, Ms. Caywood responded they had been trying to develop the property for years and had originally  
48 been told this issue would be resolved in December. She and her husband were opposed to postponement.  
49

50 Mr. Coffey stated that he had recently discovered that the trail easement ran through the antenna site and may or may  
51 not be on the Caywood property. He thought there was not enough time that evening to thoroughly discuss the issue.  
52

53 Mr. Sullivan stated there was enough information to work with and, with the cooperation of the Caywoods, he would  
54 oppose the motion to postpone.  
55

56 Ms. Fairclough stated that a majority was ready to address the issue and urged a NO-vote on postponement.  
57

58 Mr. Tesche stated that a 30-day postponement would allow an agreement between the property owner and the city,  
59 protecting both the private and public interests. He urged a YES-vote.  
60

61 To Ms. Shamberg, Mr. Boness responded the platting process would allow the same resolution that would be  
62 accomplished by the postponement. He stated that the issue needed to be forwarded to the platting process.  
63

64 and this motion failed,  
65

66 AYES: Whittle, Tremaine and Tesche.

67 NAYES: Fairclough, Sullivan, Traini, Sullivan, Jennings, Ossiander, Shamberg and Coffey.  
68

69 Ms. Fairclough urged a NO-vote on the Tesche Amendment. Mr. Tesche responded he wanted to withdraw the  
70 amendment and Mr. Coffey concurred.  
71

72 Mr. Coffey moved, to amend AO 2004-152 on Page 2, Section 3, *by adding*  
73 Ms. Fairclough seconded, *to existing language on Line 12, to read: "This will be done*  
74 and this was approved with no objection, during the platting process."  
75

76 Ms. Fairclough stated it was important to leave the Platting Board some direction, and moved for including the letter  
77 from the Caywoods.  
78

Ms. Fairclough moved, to amend AO 2004-152, *by entering for the record,*  
Ms. Jennings seconded, the Caywood letter, dated March 1, 2005.  
and this motion was later withdrawn,

To Mr. Tesche, Ms. Caywood responded the letter could be attached to the ordinance as record to help ensure compensation. Ms. Fairclough responded that there was still a question whether they would be compensated.

Mr. Tesche stated that the decision to require a donation of property for a dedicated road easement would be left to the Platting Board and the Caywoods may get no compensation. Ms. Fairclough stated it was irrelevant whether the letter was included and the main goal was to get this issue to the Platting Board. Ms. Caywood did not want the letter included and Ms. Fairclough withdrew her amendment and the second concurred. Mr. Tesche did not want his actions misinterpreted that he did support park access. He stated this issue had not received just care and there was a degree of uncertainty with the record and direction. He felt the process was unclear and there were many questions remaining that would not serve the issue or the people involved. He thought it was critical to allow more time for clarification of the issues and would be a NO-vote.

and the main motion, as amended, was passed,

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

NAYES: Traini and Tesche.

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

Ms. Fairclough moved, *for immediate reconsideration of AO 2005-152.*  
Ms. Jennings seconded,  
and this motion failed,

AYES: Whittle, Traini and Tesche.

NAYES: Fairclough, Tremaine, Sullivan, Stout, Jennings, Ossiander, Shamberg and Coffey.

#### 14. NEW PUBLIC HEARINGS

- 14.A. Ordinance No. AO 2005-21, an ordinance of the Municipality of Anchorage, Alaska, authorizing and providing for the issuance of not to exceed \$63,850,000 in aggregate principal amount of **General Obligation School Bonds** of the Municipality for the purpose of raising funds to pay the costs of educational capital improvement projects in the Municipality; fixing certain details of said bonds, 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.
1. Assembly Memorandum No. AM 77-2005.

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

Ms. Fairclough moved, to approve AO 2005-21.  
Mr. Tremaine seconded,

To Mr. Coffey, Municipal Chief Fiscal Officer Jeff Sinz responded the various bonds were in different amounts, dating back to 2002.

and this motion was passed unanimously,

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

NAYES: None.

- 14.B. 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.
1. Assembly Memorandum No. AM 110-2005.

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

Ms. Fairclough moved, to approve AO 2005-32.  
Mr. Tremaine seconded,

Ms. Jennings commended the Finance Staff and Chief Fiscal Officer Jeff Sinz for the debt management program, which would lead to savings up to \$9.2 million.

Ms. Ossiander stated the School District also needed to be recognized in this effort.

and this motion was passed unanimously,

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

NAYES: None.

- 1  
2 14.C. Ordinance No. AO 2005-31, an ordinance of the Municipality of Anchorage, Alaska, authorizing and  
3 providing for the issuance of General Obligation Refunding Bonds of the Municipality in the aggregate  
4 principal amount of not to exceed \$71,000,000 to provide funds required to refund certain outstanding  
5 **General Obligation General Purpose Bonds** of the Municipality; providing for the form and manner  
6 of sale of said bonds; pledging the full faith and credit of the Municipality to the payment thereof;  
7 authorizing the Chief Fiscal Officer to negotiate and execute a contract for the purchase and sale of  
8 said bonds; and related matters; Finance.  
9 1. Assembly Memorandum No. AM 109-2005.

10  
11 Chair Traini read this ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing  
12 and called for a motion.

13  
14 Ms. Fairclough moved, to approve AO 2005-31.  
15 Ms. Jennings seconded,  
16 and this motion was passed unanimously,  
17

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

- 21 14.D. Ordinance No. AO 2005-33, an ordinance of the Municipality of Anchorage, Alaska, providing for the  
22 issuance of **Lease Revenue Refunding Bonds** of the Municipality in the aggregate amount of not to  
23 exceed \$50,000,000 for the purpose of providing funds to refund certain outstanding Lease Revenue  
24 Bonds of the Municipality and to pay costs of the issuance; providing for the form and manner of sale  
25 of the bonds; authorizing the preparation and approval of a preliminary and final official statement;  
26 authorizing a trust agreement amendment and an agreement for ongoing disclosure; authorizing the  
27 appointment of an escrow agent and the execution of an escrow agreement; and authorizing the sale  
28 of such bonds; Finance.  
29 1. Assembly Memorandum No. AM 111-2005.  
30

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

33  
34 Ms. Jennings moved, to approve AO 2005-33.  
35 Mr. Tremaine seconded,  
36 and this motion was unanimously passed,  
37

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

40 *(Clerk's Note: Tesche was temporarily out of Chambers at the time of the vote.)*  
41

- 42 14.E. Resolution No. AR 2005-41, a resolution of the Anchorage Municipal Assembly approving an alcoholic  
43 beverages conditional use in the B-3 District for a new beverage dispensary use per AMC 21.40.180  
44 D.8. for **Henry's Great Alaskan Restaurant**; located on Lot 9 and Lot 10, Block 1, Vans Subdivision;  
45 site address being 8007 Old Seward Highway; generally located on the southeast corner of the Old  
46 Seward Highway and East 80<sup>th</sup> Avenue (Henry's Great Alaskan Restaurant) (Case 2005-017);  
47 Planning Department.  
48 1. Assembly Memorandum No. AM 113-2005.  
49

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

52  
53 Ms. Jennings moved, to approve AR 2005-41.  
54 Mr. Tremaine seconded,  
55

56 Mr. Coffey disclosed a conflict of interest because his law firm represented the owner. He stated a newly submitted  
57 conditional use application made adjustments to the architectural drawing with a modified, improved parking design. It  
58 had been the wish of the applicant to have this postponed.  
59

60 Ms. Jennings requested a correction on Page 3, Line 8, to change the Old Glenn to the Old Seward Highway.

61  
62 Ms. Jennings moved, to postpone indefinitely AR 2005-41, as amended.  
63 Mr. Tesche seconded,  
64 and this motion was unanimously passed,  
65 with Mr. Coffey abstaining due to a conflict of interest,  
66

- 67 14.F. Ordinance No. AO 2005-1, an ordinance of the Anchorage Municipal Assembly amending Anchorage  
68 Municipal Code Section 2.40.030 relating to the definition and recognition of **Community Councils**;  
69 Assemblymembers Tesche and Traini. *(Continued to 3-29-05)*  
70 1. Assembly Memorandum No. AM 1-2005.  
71

72 Chair Traini stated it was his intention to have this ordinance postponed indefinitely, but because the ordinance was on  
73 the Agenda, he would hold Public Hearing. He read this ordinance title and opened Public Hearing.

74  
75 STUART HALL, working with the city and the community councils, stated they had proposed to increase council  
76 flexibility in handling their own finances. They had allowed an increase of dues from \$5 to \$25 and eliminated the  
77 restriction of grants, gifts or contributions. He made recommendations for a set of bylaws. The councils were given  
78 the option of waiving dues in the event a hardship existed. The annual reports would be addressed to the members of

the councils and not to the members of the Assembly. The third change pertained to the edition of Roberts Rules of Order, which would be the most recently revised and published edition.

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

Ms. Jennings moved, *to postpone indefinitely* AO 2005-1.  
Ms. Ossiander seconded,

To Mr. Sullivan, Chair Traini responded it was his intent to postpone this ordinance because the Anchorage Municipal Code defined Community Councils as non-profit, voluntary, self-governing associations, with or without bylaws and the Assembly did not have the authority to interfere with their structure or action. Mr. Sullivan stated that amendments could be offered to make corrections.

Ms. Ossiander stated that many councils were focused on the self-governing issue, and she would be a YES-vote for postponement.

Mr. Tesche stated he would not support indefinite postponement. He thought the current guidelines in the ordinance should be allowed for the purpose of uniformity. There had been no opposing public testimony on this ordinance. He urged consideration for approval.

Mr. Coffey stated the Charter provided establishment of Community Councils by Assembly ordinance. He stated the Assembly had the authority to act. The question was whether or not they should take that authority.

Mr. Tremaine stated the ordinance consisted of good housekeeping measures and thought the controversy remained with Section 6, dealing with bylaws. He would not support indefinite postponement.

Mr. Sullivan stated he had received no opposition to the ordinance. He had been involved with the Federation and thought a set of rules was in order.

Mr. Sullivan moved, as a substitute for the Jennings motion, to postpone  
Mr. Tesche seconded, until March 29, 2005.  
and this motion was withdrawn,

Chair Traini stated there was already a motion on the floor and the motion to substitute was out of order. He called for a vote on the indefinite postponement.

and the motion to postpone indefinitely failed,

AYES: Fairclough, Traini, Stout, Ossiander and Coffey.

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

Mr. Tesche moved, *to continue* AO 2005-1 to March 29, 2005 and to  
Mr. Sullivan seconded, *reopen* Public Hearing.  
and there were no objections,

- 14.G. Ordinance No. AO 2005-19, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Section 21.15.030, **Approval of Site Plans and Conditional Uses**;  
Assemblymember Coffey.  
1. Assembly Memorandum No. AM 72-2005.

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. Coffey moved, to approve AO 2005-19.  
Ms. Jennings seconded,

Mr. Coffey stated that this ordinance involved two proposed changes to Section 1.G, by adding "or operational" and the provisions for the Assembly or the Planning and Zoning Commission to make the decision of holding a Public Hearing. The Planning Commission supported this and he urged a YES-vote.

To Mr. Tremaine, Planning Director Tom Nelson responded alcohol issues and conditional uses were already well addressed. Mr. Tremaine proposed an administrative correction on Page 1, Line 35, to capitalize "Assembly."

To Ms. Jennings, Mr. Coffey responded that a condition on an operation might involve a simple and minor change. His intention was to clarify a development plan versus an operational plan. He responded that building a deck to expand a liquor establishment might be a conditional use, which needed to come before the Assembly.

and this was unanimously passed,

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

- 14.H. Ordinance No. AO 2005-7, an ordinance amending the zoning map and providing for the rezoning of **Lots 9 and 10, Skyview Estates Subdivision** from R-6 (Suburban Residential District, Large Lot) to R-1 SL (Single Family Residential District with Special Limitations), generally located east of Lake Otis Parkway and north of Mona Avenue (Huffman/O'Malley Community Council) (Planning and Zoning Commission Case 2004-158); Planning Department.  
1. Assembly Memorandum No. AM 34-2005.

Chair Traini read this ordinance title and opened Public Hearing.

MAURICE MATTHEWS, the petitioner and property owner, spoke in support of this ordinance, proposing to convert his two lots into three, which would conform to R-1 and would comply with the Anchorage 2020 policies. The Planning and Zoning Commission had recommended approval and he urged Assembly approval. To Mr. Tremaine, he responded he would comply with the required buffer depth at the end of his property. He was aware that the developer had replaced the peat on North Mona Drive with sand and gravel, but it still needed to be compacted. To Ms. Ossiander, Mr. Matthews responded the garage door width listed as a special limitation had originated from Planning and Zoning. To Ms. Jennings, he responded that Planning Director Tom Nelson had proposed changes to the ordinance by deleting paragraphs B and C, because each of his lots would be in excess of 10,000 feet. Ms. Shamberg stated that Huffman/O'Malley Community Council had opposed this rezone.

KATY NOLAN, with the Huffman/O'Malley Community Council, stated that they were concerned about the petition. To Ms. Shamberg, she responded this area was deliberately platted to keep the R-6 property usage. If the rezone was approved, they were requesting a minimum forty-foot buffer to the south, in addition to the existing ten-foot utility easement. To Mr. Coffey, Ms. Nolan confirmed that their requested was for a fifty-foot buffer. Mr. Matthews responded that the request for a fifty-foot buffer was exorbitant and he opposed it. To Mr. Coffey, he responded the proposed width of his lots would be approximately sixty feet, and he thought the imposition of fifty foot buffers would reduce the value of his properties and reduce their marketability.

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

Mr. Sullivan moved, to approve AO 2005-7.  
Mr. Tremaine seconded,

Chair Traini called for a motion to extend the meeting to complete the Agenda items that evening.

Mr. Tremaine moved, to extend the Assembly Meeting to finish the Agenda.  
Mr. Tesche seconded,  
and this was passed with no opposition,

Mr. Tremaine agreed that the size of buffers was not included in code. Planning Director Tom Nelson responded that he recommended the issue be resolved through the platting process. Mr. Tremaine stated buffers were important to include between R-1 and R-6, and thought the existing homes should be offered protection. He encouraged the Platting Board Members to walk the property to determine an accurate assessment, rather than depend on aerial photographs or platting maps.

To Ms. Ossiander, Mr. Nelson responded that the standards for garages included with the ordinance had been the recommendation of the applicant. Mr. Mathews responded he did not recall including the language, but that he could comply with the standards.

To Ms. Jennings, Mr. Nelson responded it was his recommendation to remove the garage standards.

Ms. Jennings moved, to amend AO 2005-7 on Page 1, Lines 21-28, in Section 2, *by deleting* Subsections B. and C.  
Ms. Ossiander seconded,  
and this was unanimously approved,

To Mr. Coffey, Mr. Tremaine responded the buffers were important to residents who had bought property with the understanding that buffers would be provided. Mr. Coffey understood that philosophy, but stated that with increasing density following the 2020 Comprehensive Plan, it would be difficult to justify when lots were in such high demand.

Mr. Stout stated that while consideration could be given to the garage door standards in some areas of the city, he did not think it was a realistic requirement of this ordinance to mandate specifics.

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

and this motion was passed,

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

NAYES: None.

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

- 14.I. Ordinance No. AO 2005-8, an ordinance amending the zoning map and providing for the rezoning of **Government Lot 2, Section 23, T12N, R4E, S.M., AK** from PLI (Public Lands and Institutions) to R-1A (Single-Family Residential), generally located one lot west of Southbluff Circle and one lot south of Bluff Creek Circle (Bayshore-Klatt Community Council) (Planning and Zoning Commission Case 2004-129); Planning Department.
1. Assembly Memorandum No. AM 35-2005.

Chair Traini read this ordinance title and opened Public Hearing.

TIM POTTER, representing the land owners, explained the history of this property. The city and the neighborhood had approved it and it would be in conformance and compliance with the Comprehensive Plan. He stated the issues concerning the alignments of the Coastal Trail had been addressed by the Planning Commission. It had been determined to be inappropriate through zoning action to attempt to exact an easement when determination of that easement had not been made. He stated this was a simple and straightforward housekeeping item. To Mr. Tremaine, Mr. Potter explained that subdividing the property without allowance for access to the land-locked property was in



violation of Title 21 and subdivision standards. Mr. Tremaine stated this property owner had been forced to defend his rights, because of a platting error which did not allow legal access to his property.

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

Ms. Jennings moved, to approve AO 2005-8.  
Mr. Coffey seconded,

To Mr. Tremaine, Planning Director Tom Nelson responded that a trail easement for the Coastal Trail had not been finalized. There were potential legal concerns with the zoning action because location of the Coastal Trail through this area had not been determined.

and this motion was passed unanimously,

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

- 14.J. Ordinance No. AO 2005-9, an ordinance amending Anchorage Municipal Code Subsection 21.35.020, to revise or add definitions for **Dormitory, Roominghouse, and Lodginghouse**, and to amend Section 21.40.020 regarding conditional uses in the PLI (Public Lands and Institutions) District, Section 21.40.200 regarding conditional uses in the I-1 (Light Industrial) District, and Section 21.45.080 to establish minimum off-street parking requirements for dormitories (Planning and Zoning Commission Case 2004-155); Planning Department.
1. Assembly Memorandum No. AM 36-2005.

Chair Traini read this ordinance title and opened Public Hearing.

BARBARA KRAFT, with Davis, Wright and Tremaine, representing Hope Cottages, stated her client did not fit into the existing definition of the I-1 zoning. They had worked with Planning and Zoning staff to create this ordinance, which allowed dormitories in the I-1 districts. It offered good solutions for other uses that could fit into this area.

JOHN WEAVER, representing Hope Community Resources, spoke in support and stated Assembly approval would allow them to house their clientele in one central location and reduce expenses of housing and transportation costs. The money that would be saved would support additional, needed programs.

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

Ms. Jennings moved, to approve AO 2005-9.  
Mr. Coffey seconded,

To Ms. Jennings, Mr. Weaver responded this issue involved housing of short-term employees and students, which was always needed. To her question, Planning Director Tom Nelson responded the department concurred it was an improvement. Additional definitions were needed to allow this type of short-term housing.

Ms. Ossiander requested that definitions accommodate non-profit entities in Chugiak-Eagle River area, like Birchwood Camp and the Boy Scout Camp. Mr. Nelson responded the definition of lodginghouse was similar to that of a hotel, with the only difference being the numbers of guestrooms. Ms. Ossiander recommended postponement of this issue, allowing the Planning Department to address her question.

To Mr. Sullivan, Ms. Kraft responded the client had made their request to begin construction fourteen months ago.

Mr. Coffey called the Question and it was seconded by Mr. Tremaine. It was approved, 9-2, with Ms. Fairclough and Ms. Ossiander opposing. Mr. Coffey urged a YES-vote.

and this motion was passed,

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

Mr. Tesche moved for immediate reconsideration and urged a YES-vote.

Mr. Tesche moved, for immediate reconsideration of AO 2005-9.  
Mr. Tremaine seconded,  
and this motion failed,

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

- 14.K. Ordinance No. AO 2005-27, an ordinance of the Municipality of Anchorage authorizing sale by competitive bid to the highest qualifying bidder for at least fair market value plus costs of three vacant parcels identified as **HLB Parcels No. 4-026, 4-027 and 4-028**, located at the corner of West 29<sup>th</sup> Avenue and Cope Street in West Anchorage; Heritage Land Bank.
1. Assembly Memorandum No. AM 102-2005.

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. Tremaine moved, to approve AO 2005-27.

Mr. Coffey seconded,  
and this motion was unanimously passed,

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

- 14.L. Ordinance No. AO 2005-28, an ordinance of the Municipality of Anchorage authorizing sale of **Heritage Land Bank Parcel #4-022**, a .9-acre parcel commonly known as Lot 7, Block 28E, Original Townsite, E Addition, at minimum of fair market value, plus costs; Heritage Land Bank.  
1. Assembly Memorandum No. AM 103-2005.

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. Tremaine moved, to approve AO 2005-28.  
Mr. Coffey seconded,  
and this was unanimously passed,

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

To Ms. Fairclough, Heritage Land Bank Executive Director Robin Ward responded the money from the sale would go into the Heritage Land Bank.

- 14.M. 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.  
1. Assembly Memorandum No. AM 94-2005.

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

Ms. Fairclough moved, to approve AR 2005-32.  
Mr. Tremaine seconded,  
and this was passed without objection,

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

- 14.N. 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.  
1. Assembly Memorandum No. AM 95-2005.

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

Ms. Fairclough moved, to approve AR 2005-33.  
Ms. Jennings seconded,  
and this was passed with no objections,

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

- 14.O. 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.  
1. Assembly Memorandum No. AM 96-2005.

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

Ms. Fairclough moved, to approve AR 2005-34.  
Mr. Tremaine seconded,  
and this was passed unanimously,

- 14.P. 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.  
1. Assembly Memorandum No. AM 97-2005.

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

Ms. Fairclough moved, to approve AR 2005-35.

Mr. Coffey seconded,

To Mr. Coffey, Deputy Municipal Manager Michael Abbott responded this was an agreement with the state to run the program jointly.

and this was passed unanimously,

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

- 14.Q. 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.
1. Assembly Memorandum No. AM 98-2005.

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

Mr. Tremaine moved, to approve AR 2005-36.  
Ms. Ossiander seconded,  
and this motion was passed unanimously,

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

- 14.R. 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 Department.
1. Assembly Memorandum No. AM 99-2005.

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

Ms. Jennings moved, to approve AR 2005-37.  
Mr. Coffey seconded,  
and this motion passed unanimously,

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

- 14.S. 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.
1. Assembly Memorandum No. AM 100-2005.

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

Mr. Tesche moved, to approve AR 2005-38.  
Mr. Coffey seconded,  
and this motion was unanimously passed,

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

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

- 14.T. 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.
1. Assembly Memorandum No. AM 119-2005.

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

Ms. Fairclough moved, to approve AR 2005-42.  
Ms. Ossiander seconded,  
and this motion was unanimously passed,

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

- 14.U. 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.
1. Assembly Memorandum No. AM 101-2005.

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

Mr. Tremaine moved, to approve AR 2005-39.  
Ms. Ossiander seconded,  
and this motion was passed unanimously,

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

NAYES: None.

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

Mr. Coffey stated this involved additional tenant renovations for City Hall, when they were already paying triple-net and other expenses. Mayor Begich responded that they were aggressively working on improving the situation.

#### 15. SPECIAL ORDERS

- 15.A. Resolution No. AR 2005-58, a resolution of the Anchorage Municipal Assembly recognizing **National Women's History Month** – March 2005; Mayor Begich and Assemblymembers Fairclough, Jennings, Ossiander, Shamberg, Coffey, Stout, Sullivan, Tesche, Traini, Tremaine and Whittle.

Ms. Fairclough moved, to introduce AR 2005-58.  
Ms. Jennings seconded,  
Ms. Ossiander was the concurring third,

Ms. Fairclough read the resolution and requested an administrative correction to the title.

Mr. Tesche stated he was honored to be a sponsor of this resolution and supported the women in American who were involved with this progressive social change. He urged a YES-vote.

Mr. Whittle supported this resolution and urged a YES-vote.

and this motion, as amended, was approved,

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

NAYES: None.

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS None.

19. EXECUTIVE SESSIONS None.

#### 20. ADJOURNMENT

Chair Traini adjourned the Assembly Meeting at 12:00 a.m.

ATTEST:

---

DICK TRAINI, Assembly Chair

---

BARBARA GRUENSTEIN, Municipal Clerk  
Date Minutes Approved: April 12, 2005.  
MC/BG

*(Approved Meeting Minutes are available in the Municipal Clerk's Office, 632 West 6<sup>th</sup> Avenue, Suite 250, Anchorage, Alaska, telephone (907)343-4505, or on the Municipal Web Site at [www.Muni.org~Assembly~Minutes~year~month/day](http://www.Muni.org~Assembly~Minutes~year~month/day))*