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MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting March 29, 2005

15 **1. CALL TO ORDER**

16
17 The Assembly Meeting was convened by Chair Traini at 5:10 p.m. in the Assembly Chambers, Room 108 of the
18 Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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

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

24 ABSENT: None.

25
26 **3. PLEDGE OF ALLEGIANCE** Assemblymember Whittle led the pledge.

27
28 **4. MINUTES OF PREVIOUS MEETINGS**

29 4.A. Regular Meeting - January 11, 2005

30 Mr. Tesche moved,

31 Ms. Fairclough seconded,

32 and this motion was passed unanimously,

to approve the Regular Meeting Minutes
of January 11, 2005.

33
34 4.B. Regular Meeting - January 25, 2005

35 Mr. Tesche moved,

36 Mr. Sullivan seconded,

37 and this motion was passed unanimously,

to approve the Regular Meeting Minutes
of January 25, 2005.

38
39 4.C. Regular Meeting - February 1, 2005

40 Ms. Fairclough moved,

41 Mr. Sullivan seconded,

42 and this motion was passed unanimously,

to approve the Regular Meeting Minutes, as
amended, of February 1, 2005.

43
44 4.D. Regular Meeting - February 15, 2005

45 Mr. Tesche moved,

46 Mr. Sullivan seconded,

47 and this motion was passed unanimously,

to approve the Regular Meeting Minutes
of February 15, 2005.

48
49 **5. MAYOR'S REPORT** None.

50
51 **6. ASSEMBLY CHAIR'S REPORT**

52
53 Chair Traini announced he was calling a Special Assembly Meeting, scheduled for April 26, 2005, to review first-
54 quarter budget and mill rate settings.

55
56 **7. COMMITTEE REPORTS** None.

57
58 **8. ADDENDUM TO AGENDA**

59
60 Chair Traini called for a motion and read the Addendum items. He called for additional items to be added. Items AR
61 2005-74, AR 2005-76, AR 2005-75, AO 2005-52, AO 2005-53, AO 2005-54, AO 2005-55, AO 2005-56, AO 2005-57,
62 AO 2005-58, AO 2005-38(S) and AO 2005-38(S-1) were added. These items were assigned Agenda Numbers
63 9.D.20, 9.D.21, 9.B.8, 9.F.11, 9.F.12, 9.F.13, 9.F.14, 9.F.15, 9.F.16, 9.F.17, 14.C.2 and 14.C.3, respectively. To Mr.
64 Coffey, Deputy Municipal Manager Michael Abbott responded that maps, the Parks and Recreation recommendations
65 and other information would be included with the parks-related documents. Chair Traini called for additional
66 Addendum items, and there being none, he called for a vote to incorporate the Addendum items into the Regular
67 Agenda.

68
69 Mr. Tesche moved,

70 Mr. Tremaine seconded,

71 and this motion was passed,

to approve the inclusion of the Addendum items into the
Regular Agenda.

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

74 NAYES: None.

75

1 Mr. Coffey declared a conflict of interest with item 9.D.17, because his law firm represented Benihana. Chair Traini
2 directed Mr. Coffey to abstain from participating with this item. Chair Triani called for a motion on the Consent
3 Agenda.

4
5 Mr. Tesche moved, to approve the Consent Agenda.
6 Ms. Fairclough seconded,

7
8 Chair Traini called for Assemblymembers to request items be pulled and moved to the Regular Agenda for discussion.

9
10 **9. CONSENT AGENDA**

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

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

16
17 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.A.1*)

18
19 9.A.2. Resolution No. AR 2005-72, a resolution of the Anchorage Municipal Assembly honoring **Stacie**
20 **Stevens** for designing the official 2004 Veterans' Administration Poster; Mayor Begich;
21 Assemblymembers Fairclough, Coffey, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche,
22 Traini, Tremaine and Whittle.

23
24 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.A.2*)

25
26 **9.B. RESOLUTIONS FOR ACTION - OTHER**

27 9.B.1. Resolution No. AR 2005-64, a resolution of the Anchorage Municipal Assembly requesting that the
28 Administration study the **long-term debt and cash pool investment policies and procedures** of the
29 Municipality of Anchorage; Assemblymember Fairclough.

30
31 Ms. Fairclough requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.B.1*)

32
33 9.B.2. Resolution No. AR 2005-65, a resolution authorizing the Municipality of Anchorage to grant an
34 **underground electrical easement** to Chugach Electric Association across HLB Parcels 6-019A and
35 6-019B in Girdwood; Heritage Land Bank.
36 a. Assembly Memorandum No. AM 192-2005.

37
38 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.B.2*)

39
40 9.B.3. Resolution No. AR 2005-66, a resolution authorizing the Municipality to grant an electrical easement to
41 Chugach Electric Association, Inc. for the **Muldoon Middle School**, within Tract 3, The Alaska Village
42 Subdivision, located off DeBarr Road between Muldoon Road and Patterson Street, Tax #006-182-29;
43 Project Management & Engineering.
44 a. Assembly Memorandum No. AM 193-2005.

45 9.B.4. Resolution No. AR 2005-67, a resolution authorizing the Municipality to grant an electrical easement
46 across a portion of **Tract 1, Municipal Tudor Road Complex Subdivision**, Tax #008-052-12, to
47 correct omission on Plat No. 2003-183 and request additional easement area; Project Management &
48 Engineering.
49 a. Assembly Memorandum No. AM 194-2005.

50 9.B.5. Resolution No. AR 2005-68, a resolution appropriating \$75,000 from the U.S. Department of
51 Homeland Security, Federal Emergency Management Agency, Federal Regional Center, Bothell,
52 Washington, to the Federal Grants Fund 241, for **Digital Flood Insurance Rate Map and Flood**
53 **Insurance Study** for Anchorage, Alaska; Project Management & Engineering.
54 a. Assembly Memorandum No. AM 195-2005.

55 9.B.6. Resolution No. AR 2005-69, a resolution of the Municipality of Anchorage appropriating the sum of
56 \$33,260 from the State of Alaska, Department of Transportation and Public Facilities MS/CVE and
57 \$1,760 as a contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan
58 Police Service Area Fund (151), to the State Categorical Grants Fund (231) Anchorage Police
59 Department, for the **Commercial Vehicle Inspection Grant**.

60 a. Assembly Memorandum No. AM 196-2005.
61 9.B.7. Resolution No. AR 2005-70, a resolution of the Municipality of Anchorage of Anchorage appropriating
62 revenues from Intragovernmental Charges (IGC) to a Public Transportation CIP Fund (485) Federal
63 Transit Administration Section 5307 Capital Assistance Grant of \$79,000 to the Traffic Department
64 Areawide General Fund (101) 2005 General Government Operating Budget for a **radio installer** to
65 provide increased communications services to the Public Transportation Department.
66 a. Assembly Memorandum No. AM 197-2005.

67
68 9.B.8. Resolution No. AR 2005-75, a resolution of the Anchorage Municipal Assembly commemorating the
69 birthdays of Mayor Begich and Assembly Chair Traini; Assemblymember Tesche. (**Laid on the**
70 **Table**)

71
72 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See item 10.B.8*)

73
74 **9.C. BID AWARDS**

75 9.C.1. Assembly Memorandum No. AM 177-2005, recommendation of award to Tam Construction, Inc. for
76 **45th/46th Avenue – Northwood to Van Buren Water Upgrade** for the Municipality of Anchorage,
77 Anchorage Water & Wastewater Utility (ITB 25-C010) (\$580,742.50); Purchasing.

- 1 9.C.2. Assembly Memorandum No. AM 178-2005, recommendation of award to Alcan Electrical &
2 Engineering to upgrade the New Anchorage Jail **closed circuit television and digital video**
3 **recording system** for the Municipality of Anchorage, Project Management & Engineering Department
4 (ITB 25-C004) (\$272,156); Purchasing.
5

6 Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.C.2*)
7

- 8 9.C.3. Assembly Memorandum No. AM 206-2005, recommendation of award to Yukon Equipment, Inc. for
9 furnishing a **self-propelled asphalt paver** to the Municipality of Anchorage, Maintenance &
10 Operations Department, Facility & Fleet Maintenance Division (ITB 25-B012) (\$104,613); Purchasing.
11 (**Addendum**)
12

13 **9.D. NEW BUSINESS**

- 14 9.D.1. Assembly Memorandum No. AM 179-2005, **B-5 B-6 Trunk Sewer Upgrade** – Amendment No. 3 to
15 contract for professional services with CRW Engineering Group, LLC, P.O. 0000216075 (\$39,522);
16 Anchorage Water & Wastewater Utility.
17 9.D.2. Assembly Memorandum No. AM 180-2005, proprietary services contract with Virginia McMichael to
18 provide **administrative assistance** to the Chugiak Fire and Rescue, Inc. for the Municipality of
19 Anchorage, Anchorage Fire Department (\$33,708); Purchasing.
20 9.D.3. Assembly Memorandum No. AM 181-2005, Change Order No. 1 to Purchase Order No. 240947 with
21 the Agnew::Beck Consulting LLC for providing **professional services** to the Municipality of
22 Anchorage; Heritage Land Bank and the Office of Community and Economic Development (\$54,330).
23

24 Mr. Stout requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.D.3*)
25

- 26 9.D.4. Assembly Memorandum No. AM 182-2005, Change Order No. 2 to Purchase Order 231168 with the
27 **National Development Council** for providing professional services to the Municipality of Anchorage;
28 Heritage Land Bank and Community Development Department (\$5,000).
29

30 Mr. Stout requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.D.4*)
31

- 32 9.D.5. Assembly Memorandum No. AM 183-2005, approval of Amendment No. 9 to Alaska Pollution Control
33 Inc. contract (P.O. No. 230856) increasing the contract by \$20,000 to an amount Not-To-Exceed
34 (NTE) \$191,950 for year round road maintenance services within the **Rabbit Creek Limited Road**
35 **Service Area** (LRSA); Maintenance & Operations Department.
36 9.D.6. Assembly Memorandum No. AM 184-2005, lease payments to the Alaska Railroad Corporation for
37 **storage yards** for the Municipality of Anchorage; Municipal Light & Power (ML&P) (\$163,204);
38 Purchasing.
39 9.D.7. Assembly Memorandum No. AM 185-2005, The **Downtown Business Improvement District**
40 (“Assessment District 1SD97”) 2005 services grant with Anchorage Downtown Partnership, Ltd.; Office
41 of Management & Budget.
42 9.D.8. Assembly Memorandum No. AM 186-2005, Amendment No. 1 to the **Utility Relocation Agreement**
43 **with Alaska Communications Systems, Inc.** (ACS) for the West Northern Lights Upgrade, Nathaniel
44 Court to Wisconsin Street, Project No. 01-10 (\$360,000); Project Management & Engineering.
45 9.D.9. Assembly Memorandum No. AM 187-2005, Amendment No. 1 to **Utility Relocation Agreement with**
46 **General Communications, Inc.** (GCI) for the West Northern Lights Boulevard Upgrade, Nathaniel
47 Court to Wisconsin Street, Project No. 01-10 (\$150,000); Project Management & Engineering.
48 9.D.10. Assembly Memorandum No. AM 188-2005, Amendment No. 6 to contract with Quality Asphalt Paving,
49 Inc. for **Denali Street Surface Rehabilitation, 40th Avenue to Fireweed Lane**, Project No. 99-24
50 (\$130,000); Project Management & Engineering.
51

52 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (*See Agenda item 10.D.10*)
53

- 54 9.D.11. Assembly Memorandum No. AM 189-2005, Amendment No. 4 to construction contract with Alaska
55 Construction and Paving, Inc. for **2002 Park Parking Lot Improvements** at Tikishla Park, Jade Park,
56 and Whisper Faith Kovach Park, Project No. 00-57 (\$1,408); Project Management & Engineering.
57 9.D.12. Assembly Memorandum No. AM 190-2005, cooperative agreement with the U.S. Department of
58 Agriculture (USDA) for **avian vector control services** for the Municipality of Anchorage, Solid Waste
59 Services (\$106,380); Purchasing.
60 9.D.13. Assembly Memorandum No. AM 191-2005, cooperative purchase of **traffic marking paint and beads**
61 from TMT Pathway, LLC for the Municipality of Anchorage, Traffic Department (\$93,973.65);
62 Purchasing.
63 9.D.14. Assembly Memorandum No. AM 207-2005, Amendment No. 4 to Contract No. 21WWU168 with
64 Guess & Rudd P.C. to provide **legal services** pertaining to regulatory issues for the Municipality of
65 Anchorage; Anchorage Water & Wastewater Utility (AWWU) (\$125,000). (**Addendum**)
66

67 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.D.14*)
68

- 69 9.D.15. Assembly Memorandum No. AM 208-2005, Amendment No. 1 to contract with Economic and
70 Engineering Services, Inc. to provide professional **consulting services** to the Municipality of
71 Anchorage; Anchorage Water and Wastewater Utility (MOA/AWWU) (\$100,000). (**Addendum**)
72

73 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.D.15*)
74

- 75 9.D.16. Assembly Memorandum No. AM 209-2005, proprietary purchase of **recycled speed humps and**
76 **accessories** from Recycled Technology, Inc. for the Municipality of Anchorage, Traffic Department
77 (\$83,837.28); Purchasing. (**Addendum**)
78

1 Ms. Shamberg requested this time be pulled for review on the Regular Agenda (*See item 10.D.16*)

- 2
3 9.D.17. Assembly Memorandum No. AM 211-2005, Benihana #4161 – Transfer of Ownership of a Beverage
4 Dispensary Liquor License (Downtown and South Addition Community Councils); Clerk's Office.
5 (**Addendum**)
6

7 Mr. Coffey declared a conflict of interest and was directed by the Chair to abstain from participating with this item.

- 8
9 9.D.18. Assembly Memorandum No. AM 212-2005, 2005/2006 Liquor License Renewal: Black Angus Steak
10 **House #2**, License #531 – Beverage Dispensary-Tourism (Fairview Community Council); Clerk's
11 Office. (**Addendum**)
12 9.D.19. Assembly Memorandum No. AM 213-2005, Reilly's LLC #2, License #216 – Transfer of Ownership of
13 a Beverage Dispensary Liquor License (Midtown, Spenard, and North Star Community Councils);
14 Clerk's Office. (**Addendum**)
15 9.D.20. Resolution AR No. 2005-74, a resolution appointing **election officials** for the regular municipal
16 election of April 5, 2005; Office of the Municipal Clerk. (**Laid on the Table**)
17 9.D.21. Resolution AR No 2005-76, a resolution of the Anchorage Municipal Assembly pertaining to possible
18 **revenue sharing** by the State of Alaska in 2005; Assemblymembers Traini and Coffey. (**Laid on the**
19 **Table**)
20

21 The Administration requested this item be pulled for review on the Regular Agenda. (*See item 10.D.21*)

22
23 **9.E. INFORMATION AND REPORTS**

- 24 9.E.1. Information Memorandum No. AIM 13-2005, Anchorage School District Six Year Capital
25 **Improvement Plan**: July 1, 2005– June 30, 2011; Anchorage School District.
26 9.E.2. Information Memorandum No. AIM 20-2005, Utility Wide SCADA System – Water Distribution
27 Facilities Group 1, H.C. Price Co., Contract #C-236179 – Report of construction contract change
28 orders (\$95,517.27); Anchorage Water & Wastewater Utility.
29 9.E.3. Information Memorandum No. AIM 21-2005, Notice of Award for Request for Quotation (RFQ) 24Q009
30 **for roof truss repairs** at the Fairview Recreation Center for the Municipality of Anchorage,
31 Maintenance and Operations Department (\$92,730); Purchasing. (**Addendum**)
32

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

- 34 9.F.1. Ordinance No. AO 2005-37, an ordinance amending the zoning map and providing for the rezoning of
35 approximately 2.8 acres, from R-1A (Single-Family Residential District) to R-O SL (Residential-Office
36 District with Special Limitations) for **Lot 1, Block 3, Highlands Subdivision**, and a portion of Tract
37 D2, Atwood Subdivision, generally located at 2000 Atwood Drive (Turnagain and South Addition
38 Community Councils) (Planning and Zoning Commission Case 2004-174); Planning Department.
39 (*Public Hearing set for 5-3-05*)
40 a. Assembly Memorandum No. AM 147-2005.
41 9.F.2. Ordinance No. AO 2005-45, an ordinance of the Anchorage Municipal Assembly authorizing the long
42 term lease between the Municipality of Anchorage as lessor and the University of Alaska as lessee of
43 **Lot 4 and Lot 5, Block 4, Merrill Field Replat**, located between Runway 06/24 and Merrill Field
44 Drive; Merrill Field Airport. (*Public Hearing set for 4-12-05*)
45 a. Assembly Memorandum No. AM 199-2005.
46

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

- 48
49 9.F.3. Ordinance No. AO 2005-46, an ordinance of the Anchorage Municipal Assembly authorizing an
50 amendment to Port of Anchorage Terminal Tariff No. 5 for **POL (Petroleum, Oil, Lubricants) crane**
51 **usage** after petroleum discharge/loading operation; Port of Anchorage. (*Public Hearing 4-12-05*)
52 a. Assembly Memorandum No. AM 200-2005.
53 9.F.4. Ordinance No. AO 2005-50, an ordinance authorizing an amendment to Port of Anchorage Terminal
54 Tariff No. 5, reducing the **wharfage rate** on cement transferred in bulk through pipelines to or from
55 shoreside storage tanks; Port of Anchorage. (*Public Hearing set for 4-12-05*)
56 a. Assembly Memorandum No. AM 204-2005.
57 9.F.5. Ordinance No. AO 2005-47, an ordinance amending Anchorage Municipal Code Section 12.25.040 to
58 reduce the 2005 maximum attainable tax revenue by an amount attributable to exclusion of the
59 **Chugiak Fire Service Area** from the 2005 Budget; Office of Management & Budget. (*Public Hearing*
60 *set for 4-19-05*)
61 a. Assembly Memorandum No. AM 201-2005.
62 9.F.6. Ordinance No. AO 2005-48, an ordinance amending Anchorage Municipal Code Section 12.25.040 to
63 reduce the 2005 maximum attainable tax revenue by an amount attributable to exclusion of the **Eagle**
64 **River Street Light Service Area** from the 2005 Budget; Office of Management & Budget. (*Public*
65 *Hearing set for 4-19-05*)
66 a. Assembly Memorandum No. AM 202-2005.
67 9.F.7. Ordinance No. AO 2005-49, an ordinance amending Anchorage Municipal Code Section 12.25.040 to
68 reduce the 2005 maximum attainable tax revenue by an amount attributable to exclusion of the
69 **Girdwood Valley Service Area** from the 2005 Budget; Office of Management & Budget. (*Public*
70 *Hearing set for 4-19-05*)
71 a. Assembly Memorandum No. AM 203-2005.
72 9.F.8. Resolution No. AR 2005-71, a resolution of the Municipality of Anchorage appropriating the sum of
73 \$110,000 from the State of Alaska, Department of Transportation & Public Facilities; and
74 reappropriating \$29,120 of contributions from the 2004 Highway Safety Officer Training Grant, State
75 Categorical Grants Fund (231) and reappropriating \$3,699 of contributions from the 2003 Prescription
76 Drug Enforcement Grant, State Categorical Grants Fund (231) and reappropriating \$3,011 of
77 contributions from the 2002 Prescription Drug Enforcement Grant, State Categorical Grants Fund
78 (231) and reappropriating \$873 of contributions from the 2003 Seat Belt Enforcement Blitz Grant,

1 State Categorical Grants Fund (231) and reappropriating \$470 of contributions from the 2003 Seat
2 Belt Enforcement Grant, State Categorical Grants Fund (231) and appropriating \$17,847 as a
3 contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police
4 Service Area Fund (151), to the State Categorical Grants Fund (231) Anchorage Police Department,
5 for the **Youth at Risk Driving Enforcement Program**; Anchorage Police Department. (*Public*
6 *Hearing set for 4-12-05*)

7 a. Assembly Memorandum No. AM 198-2005.

8 9.F.9. Ordinance No. AO 2005-51, an ordinance of the Anchorage Municipal Assembly to levy a **three (3)**
9 **percent sales tax** on the sale of goods with certain exemptions, with a cap and with a reimbursement
10 for collection, all within the tax cap and for the exclusive purpose of reducing property taxes
11 proportionately throughout the Municipality of Anchorage, subject to a sunset provision and submitting
12 the question of whether or not to approve said sales tax to the qualified voters of the Municipality at its
13 next Regular Election on April 4, 2006 with re-approval required at the April 7, 2009 Regular Election,
14 Assemblymember Coffey. (*Public Hearing 5-17-05*)

15 a. Assembly Memorandum No. AM 205-2005. (**Addendum**)

16 9.F.10. Resolution No. AR 2005-73, a resolution of the Municipality of Anchorage appropriating revenue within
17 the Anchorage Parks and Recreation Service Area Capital Improvement Fund (461); \$229,763 for
18 improvements to Abbott Loop Community Park; \$80,300 for improvements to Russian Jack Springs
19 Park; and, \$132,000 for development of strategic plans for **capital improvements to municipal**
20 **parks**. (*Public Hearing 4-12-05*)

21 a. Assembly Memorandum No. AM 210-2005. (**Addendum**)

22
23 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.F.10*)

24
25 9.F.11. Ordinance No. AO 2005-52, an ordinance dedicating certain municipal **lands for parks or**
26 **recreational** purposes; Assemblymembers Whittle and Stout. (**Laid on the Table**)

27 a. Assembly Memorandum AM No. AM 214-2005 (*Public Hearing set for 5-31-05*)

28
29 Chair Traini read this ordinance title, involving Baxter Bog Park. Mr. Whittle and Mr. Stout requested to be added as
30 cosponsors. Deputy Municipal Manager Michael Abbott requested that Public Hearing be set for May 31, 2005.

31
32 9.F.12. Ordinance No. AO 2005-53, an ordinance dedicating certain municipal **lands for parks or**
33 **recreational** purposes; Assemblymembers Whittle and Stout. (**Laid on the Table**)

34 a. Assembly Memorandum AM No. AM 215-2005 (*Public Hearing set for 5-31-05*)

35
36 Chair Traini read this ordinance title, involving San Antonio Park. Mr. Whittle and Mr. Stout requested to be added as
37 cosponsors. Deputy Municipal Manager Michael Abbott requested that Public Hearing be set for May 31, 2005.

38
39 9.F.13. Ordinance No. AO 2005-54, an ordinance dedicating certain municipal **lands for parks or**
40 **recreational** purposes; Assemblymember Tesche. (**Laid on the Table**)

41 a. Assembly Memorandum AM No. AM 216-2005 (*Public Hearing set for 5-31-05*)

42
43 Chair Traini read this ordinance title, involving Elizabeth Peratrovich Park. Mr. Tesche requested to be added as a
44 cosponsor. Deputy Municipal Manager Michael Abbott requested that Public Hearing be set for May 31, 2005.

45
46 9.F.14. Ordinance No. AO 2005-55, an ordinance dedicating certain municipal **lands for parks or**
47 **recreational** purposes; (**Laid on the Table**)

48 a. Assembly Memorandum AM No. AM 217-2005 (*Public Hearing set for 5-31-05*)

49
50 Chair Traini read this ordinance title, involving Tikishla Park. Deputy Municipal Manager Michael Abbott requested that
51 Public Hearing be set for May 31, 2005.

52
53 9.F.15. Ordinance No. AO 2005-56, an ordinance dedicating certain municipal **lands for parks or**
54 **recreational** purposes; Assemblymembers Tremaine and Shamberg. (**Laid on the Table**)

55 a. Assembly Memorandum AM No. AM 218-2005 (*Public Hearing set for 5-31-05*)

56
57 Chair Traini read this ordinance title, involving Southport Park. Mr. Tremaine and Ms. Shamberg requested to be
58 added as cosponsors. Deputy Municipal Manager Michael Abbott requested that Public Hearing be set for May 31,
59 2005.

60
61 9.F.16. Ordinance No. AO 2005-57, an ordinance dedicating certain municipal **lands for parks or**
62 **recreational** purposes; Assemblymembers Tremaine and Shamberg. (**Laid on the Table**) (*Public*
63 *Hearing set for 5-31-05*)

64 a. Assembly Memorandum AM No. AM 219-2005

65
66 Chair Traini read this ordinance title, involving Oceanview Bluff Park. Mr. Tremaine and Ms. Shamberg requested to
67 be added as cosponsors. Deputy Municipal Manager Michael Abbott requested that Public Hearing be set for May 31,
68 2005.

69
70 9.F.17. Ordinance No. AO 2005-58, an ordinance dedicating certain municipal **lands for parks or**
71 **recreational** purposes; Assemblymembers Tremaine and Shamberg. (**Laid on the Table**) (*Public*
72 *Hearing set for 5-31-05*)

73 a. Assembly Memorandum AM No. AM

74
75 Chair Traini read this ordinance title, involving Far North Bicentennial Park. Mr. Tremaine and Ms. Shamberg
76 requested to be added as cosponsors. Deputy Municipal Manager Michael Abbott requested that Public Hearing be
77 set for May 31, 2005.

1 Chair Traini called for a motion to approve the remainder of Consent Agenda, as amended.

2
3 Mr. Tesche moved, to approve the amended Consent Agenda.
4 Ms. Fairclough seconded,
5 and this motion was passed,
6 with Mr. Coffey abstaining on item 9.D.17,
7

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

10
11 Chair Traini announced the unanimous approval of the amended Consent Agenda, with the exception of the pulled
12 items and proceeded into discussion of those items.

13 **END OF CONSENT AGENDA**

14
15
16
17 **10. REGULAR AGENDA**

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

19 10.A.1. Resolution No. AR 2005-52, a resolution of the Anchorage Municipal Assembly honoring and thanking
20 **Ed O'Neill** for his many years of involvement and service to the community; Mayor Begich;
21 Assemblymembers Coffey, Fairclough, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche,
22 Traini, Tremaine and Whittle. (*Postponed from 3-1-05 and 3-8-05*)
23

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

25
26 Mr. Tesche moved, to approve AR 2005-52.
27 Mr. Sullivan seconded,
28 and this motion was unanimously passed,
29

30 Mr. Sullivan read the resolution and Mr. Coffey presented the award to Mr. Ed O'Neill, honoring and thanking him for
31 his many years of dedication and service to the community. Mr. O'Neill thanked the Assembly for the recognition and
32 thanked Mr. Sullivan for getting him involved with the cleanup program. Ms. Jennings, Mr. Tesche, Mr. Whittle, Mr.
33 Sullivan, Chair Traini and Mayor Begich each thanked Mr. O'Neill for his many worthwhile contributions to Anchorage,
34 making it a better place to live. The Mayor added that Mr. O'Neill had earned the respect from all those who had
35 worked with him. Mr. O'Neill stated that Alaska was number one in the nation with underage drinking and he
36 requested their support on his current program of addressing that issue.
37

38 10.A.2. Resolution No. AR 2005-72, a resolution of the Anchorage Municipal Assembly honoring **Stacie**
39 **Stevens** for designing the official 2004 Veterans' Administration Poster; Mayor Begich;
40 Assemblymembers Fairclough, Coffey, Jennings, Ossiander, Shamberg, Stout, Sullivan, Tesche,
41 Traini, Tremaine and Whittle.
42

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

44
45 Ms. Ossiander moved, to approve AR 2005-72.
46 Mr. Tremaine seconded,
47 and this motion was unanimously passed,
48

49 Ms. Ossiander read the resolution and Ms. Fairclough presented the award to Ms. Stacie Stevens, recognizing her
50 outstanding art design for the 2004 Veterans' Administrations Poster. Ms. Stevens, a Veteran of the United States Air
51 Force, thanked the Assembly for the recognition. Ms. Fairclough, Mr. Sullivan, Ms. Ossiander, Ms. Shamberg and
52 Chair Traini requested information on finding Ms. Steven's poster.
53

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

55 10.B.1. Resolution No. AR 2005-64, a resolution of the Anchorage Municipal Assembly requesting that the
56 Administration study the **long-term debt and cash pool investment policies and procedures** of the
57 Municipality of Anchorage; Assemblymember Fairclough, Chair Traini, Sullivan, Coffey, Ossiander and
58 Stout.
59

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

61
62 Ms. Fairclough moved, to approve AR 2005-64.
63 Ms. Ossiander seconded,
64

65 To Ms. Fairclough, Chief Fiscal Officer Jeff Sinz responded that the Municipality's financial management included
66 managing the cash for the school district and would include analysis of long-term of debt. Ms. Jennings responded
67 that the Finance Department was doing a thorough job, refunding many bonds and saving millions of dollars. Ms.
68 Fairclough responded that questions still remained, including defining a healthy debt load for the community.
69

70 and this motion was passed without objection,
71

72 10.B.2. Resolution No. AR 2005-65, a resolution authorizing the Municipality of Anchorage to grant an
73 **underground electrical easement** to Chugach Electric Association across HLB Parcels 6-019A and
74 6-019B in Girdwood; Heritage Land Bank.
75 a. Assembly Memorandum No. AM 192-2005.
76

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

1 Ms. Ossiander moved, to approve AR 2005-65,
2 Ms. Shamberg seconded,

3
4 To Ossiander, Heritage Land Bank Executive Director Robin Ward responded the transaction involved a Girdwood
5 Townsite lot with overhead lines and the agreement to bury the lines was finalized prior to the approval of the
6 undergrounding ordinance. Ms. Ossiander stated she would support the ordinance because the costs would be
7 recovered from the sale of the property.

8
9 and this motion was unanimously passed,

10
11 Ms. Fairclough requested that the body return to this resolution and there were no objections. To her question, Ms.
12 Ward responded that the funds were from capital projects, previously approved by the Assembly, and the issue would
13 not come before the Assembly again.

14
15 10.B.8. Resolution No. AR 2005-75, a resolution of the Anchorage Municipal Assembly commemorating the
16 birthdays of **Mayor Begich and Assembly Chair Traini**; Assemblymember Tesche. **(Laid on the**
17 **Table)**

18
19 Mr. Tesche read this resolution title. Mr. Tesche moved, Mr. Tremaine seconded, Mr. Coffey was the concurring third
20 and the body unanimously approved this resolution, recognizing the birthdays of Mayor Begich and Assembly Chair
21 Dick Traini. Chair Traini requested that Municipal Clerk, Barbara Gruenstein, also be recognized with a March
22 birthday.

23
24 **10.C. BID AWARDS**

25 10.C.2. Assembly Memorandum No. AM 178-2005, recommendation of award to Alcan Electrical &
26 Engineering to upgrade the New Anchorage Jail **closed circuit television and digital video**
27 **recording system** for the Municipality of Anchorage, Project Management & Engineering Department
28 (ITB 25-C004) (\$272,156); Purchasing.

29
30 Chair Traini read this memorandum title and called for a motion.

31
32 Ms. Shamberg moved, to approve AM 178-2005.
33 Mr. Tesche seconded,

34
35 To Ms. Shamberg, Municipal Engineer Howard Holtan responded there was interest money remaining from the original
36 bonds. It was available for the project and they had decided to spend it on needed security cameras and other related
37 items.

38
39 and this motion was unanimously passed,

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

42 10.D.3. Assembly Memorandum No. AM 181-2005, Change Order No. 1 to Purchase Order No. 240947 with
43 the Agnew::Beck Consulting LLC for providing **professional services** to the Municipality of
44 Anchorage; Heritage Land Bank and the Office of Community and Economic Development (\$54,330).

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

47
48 Mr. Stout moved, to approve AM 181-2005.
49 Mr. Tesche seconded,

50
51 Mr. Stout questioned the necessity of additional costs and services, beyond the original contract. Heritage Land Bank
52 Executive Director Robin Ward responded the contract started out as being a land use study to determine the numbers
53 of residential units that would be possible in the Crow Creek area for expansion of the Anchorage Water and
54 Wastewater Utility. More information had been requested by the community on the transportation corridor. The
55 determination had been made, while the consultants were on task with this issue, that this could be used as a first step
56 for a master plan for the area to identify subdivision possibilities.

57
58 and this motion was unanimously passed,

59
60 10.D.4. Assembly Memorandum No. AM 182-2005, Change Order No. 2 to Purchase Order 231168 with the
61 **National Development Council** for providing professional services to the Municipality of Anchorage;
62 Heritage Land Bank and Community Development Department (\$5,000).

63
64 Chair Traini read this memorandum title and called for a motion.

65
66 Mr. Stout moved, to approve AM 182-2005.
67 Mr. Tesche seconded,

68
69 Mr. Stout stated he had the same questions concerning the additional costs of this contract. Heritage Land Bank
70 Executive Director Robin Ward responded this involved \$5000 for a satellite imagery study. They were doing a terrain-
71 suitability study for possible heli-skiing operations in the Glacier Winter Creek area.

72
73 Ms. Ossiander stated that she had also questioned this cost associated with the Creekside Town Center concept. She
74 was assured the Assemblymembers would receive summaries of the studies and associated costs.

75
76 and this motion was passed without objection,
77

1 10.D.10. Assembly Memorandum No. AM 188-2005, Amendment No. 6 to contract with Quality Asphalt Paving,
2 Inc. for **Denali Street Surface Rehabilitation, 40th Avenue to Fireweed Lane**, Project No. 99-24
3 (\$130,000); Project Management & Engineering.
4

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

6
7 Mr. Coffey moved, to approve AM 188-2005.
8 Mr. Tremaine seconded,
9

10 To Mr. Coffey, Municipal Engineer Howard Holtan responded the actual work was completed last summer. Mr. Coffey
11 responded the delay of payment could put a burden on the contractors with this project and with the project of Elmore
12 Road. Mr. Holtan responded he would get a detailed response to explain why payment was being made now.

13
14 and this motion was passed without objection,
15

16 10.D.14. Assembly Memorandum No. AM 207-2005, Amendment No. 4 to Contract No. 21WWU168 with
17 Guess & Rudd P.C. to provide **legal services** pertaining to regulatory issues for the Municipality of
18 Anchorage; Anchorage Water & Wastewater Utility (AWWU) (\$125,000). (**Addendum**)
19

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

21
22 Ms. Ossiander moved, to approve AM 207-2005.
23 Mr. Tremaine seconded,
24

25 Ms. Ossiander stated the body had not received sufficient information to make decisions concerning deregulation
26 issues. She was pleased there was a worksession scheduled and questioned if this memorandum could be delayed
27 until after that time. Deputy Municipal Manager Michael Abbott responded this was a time-sensitive issue and that the
28 issue before the Regulatory Commission was not concerning deregulation, but involved a rate issue that the State
29 Commission was going to challenge. This memorandum would allow time to prepare a case on that issue and get
30 ready for the hearing.

31
32 and this motion was passed without objection,
33

34 10.D.15. Assembly Memorandum No. AM 208-2005, Amendment No. 1 to contract with Economic and
35 Engineering Services, Inc. to provide professional **consulting services** to the Municipality of
36 Anchorage; Anchorage Water and Wastewater Utility (MOA/AWWU) (\$100,000). (**Addendum**)
37

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

39
40 Ms. Ossiander moved, to approve AM 208-2005.
41 Mr. Tremaine seconded,
42

43 Ms. Ossiander stated her questions involved the same scenario as the preceding memorandum.

44
45 To Mr. Coffey, Deputy Municipal Manager responded this would fund the expert attorney for the case.

46
47 and this motion was passed without objection,
48

49 10.D.16. Assembly Memorandum No. AM 209-2005, proprietary purchase of **recycled speed humps and**
50 **accessories** from Recycled Technology, Inc. for the Municipality of Anchorage, Traffic Department
51 (\$83,837.28); Purchasing. (**Addendum**)
52

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

54
55 Ms. Shamberg moved, to approve AM 209-2005.
56 Mr. Tremaine seconded,
57

58 To Ms. Shamberg, Municipal Traffic Director Lance Wilber responded that this would involve 33 to 45 speed humps,
59 targeted towards neighborhoods. The costs of labor were included in the operating budget. He responded that
60 thousands of speed humps were needed in the city. In specific locations they would be replacing temporary speed
61 humps with permanent ones.

62
63 To Ms. Jennings, Mr. Wilber responded the department was still completing the criteria for speed humps. Ms.
64 Jennings responded that Assemblymembers wanted that information as soon as it was completed, so they would be
65 able to address the needs of their districts.

66
67 To Mr. Tremaine, Mr. Wilber responded this contract involved the same provider. Mr. Tremaine requested notification
68 when the department was ready to choose neighborhoods. Mr. Wilber responded the position of Traffic Engineer
69 would soon be filled in the department.
70

71 To Ms. Ossiander, Mr. Wilber responded these supplies were sole source with the original provider because the
72 supplies and the equipment would be compatible with the existing materials.
73

74 Mr. Coffey stated that while developing criteria for speed humps and their destination, and because of the limited
75 quantity, focus needed to remain on protecting the neighborhood streets that would be temporarily and heavily used
76 during construction season.
77

78 and this motion was passed with no objection,

1
2 10.D.21. Resolution AR No 2005-76, a resolution of the Anchorage Municipal Assembly pertaining to possible
3 **revenue sharing** by the State of Alaska in 2005; Assemblymembers Traini [and] Coffey, Sullivan,
4 Fairclough, Whittle, Tremaine, Stout, Ossiander, Shamberg, Tesche and Jennings. (**Laid on the**
5 **Table**)
6

7 Assemblymembers Sullivan, Fairclough, Tremaine, Whittle, Stout, Ossiander, Shamberg, Coffey and Jennings
8 requested to be listed as cosponsors to this document.
9

10 Mayor Begich moved, to approve AR 2005-76.
11 Mr. Tesche seconded,
12

13 Mayor Begich stated that he fully supported revenue sharing for municipal property tax rebates, but was concerned
14 with Section 2, reflecting the date of the proposed application to reduce the mill rate, when the State of Alaska
15 Legislative Session did not end until May. He also wanted to protect the Municipality from using one-time money. He
16 proposed new language to address if the Legislature defaulted on appropriating the funds, the public would clearly
17 know who failed to provide the money.
18

19 Chair Traini stated that the purpose of this document was to assist legislators to understand the importance of revenue
20 sharing and to promise them that if revenue sharing was allowed for the city, the money would go directly and
21 completely to property tax relief.
22

23 Mr. Coffey requested that Mayor Begich create new language to amend the document.
24

25 Mr. Tesche moved, to postpone AR 2005-76 until later in the meeting.
26 Mr. Coffey seconded,
27 and this passed without objection,
28

29 Chair Traini returned to this item for consideration of substitute language from Mayor Begich and Mr. Coffey.
30

31 Mayor Begich moved, to amend AR 2005-76 *by changing* on Page 1, Line 39,
32 Mr. Tesche seconded, Section 2. The application of all state revenue sharing
33 appropriations shall be [~~reflected in a reduced mill rate~~
34 ~~established by the Anchorage Assembly in April, 2005.~~] “used
35 to reduce property taxes through a rebate or refund so that
36 such revenue sharing does not impact the Municipal tax cap
37 calculations.”
38

39 Mr. Coffey stated the new language avoided the question of calculation concerning the tax cap. He urged a YES-vote.
40

41 Mr. Tesche stated that the Assembly would likely take action on the mill levy before the State Legislature took action
42 on Municipal revenue sharing. Mayor Begich added that the Administration wanted to avoid dependency upon state
43 appropriations that might end abruptly. Mr. Tesche responded this item would assist in restoring municipal assistance
44 and revenue sharing, affecting local taxes. He urged a YES-vote.
45

46 and this was approved without objection,
47

48 Chair Traini called the Question on the main motion.
49

50 and this motion, as amended, was passed,
51

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

55 **10.E. INFORMATION AND REPORTS** None were pulled for review.
56

57 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

58 10.F.2. Ordinance No. AO 2005-45, an ordinance of the Anchorage Municipal Assembly authorizing the long
59 term lease between the Municipality of Anchorage as lessor and the University of Alaska as lessee of
60 **Lot 4 and Lot 5, Block 4, Merrill Field Replat**, located between Runway 06/24 and Merrill Field
61 Drive; Merrill Field Airport. (*Public Hearing set for 4-12-05*)
62 a. Assembly Memorandum No. AM 199-2005.
63

64 Chair Traini read the ordinance title and called for a motion. Ms. Shamberg requested the correct spelling of
65 “University” in the title.
66

67 Mr. Stout moved, to introduce AO 2005-45, as amended, with Public Hearing
68 Mr. Coffey seconded, set for April 12, 2005.
69 Ms. Fairclough was the concurring third,
70

71 To Mr. Stout, Merrill Field General Manager David Lundebj responded that if the University of Alaska failed to
72 complete the proposed improvements in the first three years, the lease would default, which could cause termination.
73 The history of improvements from leaseholders was stable. Mr. Stout stated it appeared to be a good lease, with good
74 improvements.
75

76 10.F.10. Resolution No. AR 2005-73, a resolution of the Municipality of Anchorage appropriating revenue within
77 the Anchorage Parks and Recreation Service Area Capital Improvement Fund (461); \$229,763 for
78 improvements to Abbott Loop Community Park; \$80,300 for improvements to Russian Jack Springs

1 Park; and, \$132,000 for development of strategic plans for **capital improvements to municipal**
2 **parks.** (*Public Hearing 4-12-05*)

3 a. Assembly Memorandum No. AM 210-2005. (**Addendum**)
4

5 Chair Traini read the resolution title and called for a vote.
6

7 Ms. Ossiander moved, *to introduce* AR 2005-73, with Public Hearing
8 Mr. Tremaine seconded, set for April 12, 2005.
9 Mr. Whittle was the concurring third,
10

11 To Ms. Ossiander, Mayor Begich responded that a complete history and summary of the park plan would be shared
12 with Assemblymembers at the Public Hearing, including answers to her questions of already appropriated and
13 additional moneys for this project.
14

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

16 11.A. Resolution No. AR 2005-49, a resolution of the Municipality of Anchorage adopting the **Anchorage**
17 **All-Hazard Mitigation Plan; Project Management & Engineering.**

18 1. Assembly Memorandum No. AM 142-2005. (*Postponed from 3-1-05*)
19

20 Chair Traini read this resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing.
21

22 Ms. Fairclough moved, to approve AR 2005-49.
23 Mr. Tremaine seconded,
24 and this was unanimously passed,
25 with Mr. Stout temporarily out of Chambers at the time of the vote,
26

27 **12. APPEARANCE REQUESTS**

28
29 Ms. Jennings requested a point of personal privilege to allow one of her constituents to testify.
30

31 RICHARD RUESS testified, detailing the history of his defective home with documentation and photos. He had
32 purchased the house in 2004 from Builder Morris K. Mathews of 6-M Cedar Homes, Incorporated. A structural
33 inspection, at his expense, had identified an insufficient foundation and subsequent damage to the house. This led to
34 an examination by municipal inspectors, which revealed the probable cause of structural failure. He suspected there
35 had also been a lack of ground compaction prior to construction and the drainage for the neighborhood was
36 inadequate. He could not find city records of soil tests performed prior to issuance of the building permits, nor proof of
37 inspections, as required by code. Mr. Ruess thought there was a lack of proper municipal inspections for house
38 construction and he added that his neighbors on both sides were also experiencing significant structural concerns with
39 their homes. Ms. Jennings responded that it was important for the Assembly to hear of the lack of inspection for
40 homes in the city, with the faulty construction being the burden of the homeowner. Mr. Tesche urged Mr. Ruess to
41 share his case with the Administration and hire an attorney for help to receive compensation. He also urged him to
42 meet with the Homebuilders Association Board of Directors. Mr. Ruess stated that the Municipal Ombudsman Greg
43 Moyer was already familiar with his case. Ms. Shamberg stated there had been discussion on requiring certifications,
44 using independent home inspections. Chair Traini stated that third-party inspectors were being used in Eagle River.
45 Ms. Jennings requested that the Municipal Manager find out why inspections were not being completed. Mr. Sullivan
46 stated he was looking forward to reviewing the report of this issue from Ombudsman Greg Moyer. Mr. Tremaine
47 requested worksessions to address conditional certificates of occupancy and improve the inspection process. Mr.
48 Coffey stated that there was an ordinance that mandated proper inspections, but there was no recompense to the
49 homeowner. Municipal Manager Denis LeBlanc responded that the majority of contractors were honest, but there
50 were a very few who presented challenges to the Municipality, and his office would look into this issue and act
51 aggressively to help resolve this issue. Mr. Tremaine requested consideration of an ordinance change to impose
52 additional penalties on contractors who do not follow code requirements. Mayor Begich responded that the building
53 code update would be reviewed.
54

55 **13. CONTINUED PUBLIC HEARINGS**

56 13.A. Ordinance No. AO 2005-15, an ordinance amending the zoning map and providing for the rezoning
57 consisting of approximately 5.5 acres from R-3 (Multiple-Family Residential District) and R-5 (Rural
58 Residential District) to B-3 SL (General Business District with Special Limitations), for **Hillcrest**
59 **Subdivision**, Block 1, Lots 1 and 2, and Block 5, Lots 1 through 6, and Hillcrest Park Subdivision
60 Number 1, Tracts C and D; generally located on the east side of Old Seward Highway and the west
61 side of Short Street, south of Abbott Road and north of Lakewood Court (Bayshore/Klatt Community
62 Council) (Planning and Zoning Commission Case 2004-151); Assembly Chair Traini.
63 (*Postponed from 3-8-05*) (**Carried Over to 4-12-05**)
64

65 Ms. Ossiander called for a Point of Order to question if there was time for this item to be taken up that evening,
66 because there was a gentleman in the audience present to testify. Chair Traini responded that it would be Carried
67 Over to the next Assembly Meeting, on April 12, 2005. At that time Mr. Tremaine would have the opportunity to
68 postpone the ordinance until April 19th.
69

70 13.B. Ordinance No. AO 2005-1, an ordinance of the Anchorage Municipal Assembly amending Anchorage
71 Municipal Code Section 2.40.030 relating to the definition and recognition of **Community Councils**;
72 Assemblymembers Tesche and Traini. (*Public Hearing was Re-opened and Carried Over from 3-1-*
73 *05*) (**Carried Over to 4-12-05**)
74 1. Assembly Memorandum No. AM 1-2005.
75

76 Ms. Fairclough requested this item be addressed, to inform of the Assembly's intent to members of community
77 councils present. Mr. Tesche responded that there were fifteen or sixteen floor amendments prepared by members
78 and there was not enough time left in the meeting to address the issue. He recommended that at the conclusion of the

1 Public Hearing that evening, this matter be postponed indefinitely to allow time to reach a consensus on a new
2 ordinance, reflecting the proposed changes. To Chair Traini, Mr. Tesche responded that the public had not had the
3 opportunity to review the amendments.
4

5 Ms. Fairclough stated that she would be a YES-vote to postpone indefinitely. To her question, several members in the
6 audience responded with a show of hands, indicating they were present for this issue.
7

8 Mr. Sullivan requested a worksession to discuss the proposed changes.
9

10 Ms. Shamberg stated that there were things in the ordinance that community council members were eager to see
11 passed. She requested considering bifurcating the issues that needed to be addressed in a timely fashion. Chair
12 Traini called for a short recess to allow Assemblymembers time to discuss the options for action on this item.
13

14 Chair Traini convened the Assembly Meeting. To Mr. Coffey, Chair Traini responded that a worksession could not be
15 scheduled if the item was postponed indefinitely.
16

17 Chair Traini opened Public Hearing.
18

19 DIANNE HOLMES, representing the Rabbit Creek Community Council, testified that the bylaws had been reviewed by
20 the Rabbit Creek Bylaws Subcommittee. They had submitted brief recommendations for Assembly consideration.
21 They requested clarification of the age requirement for membership to be 18 years, to lift the donations limit and, if
22 considering the dues ceiling, to lift it to \$15. She stated that their council would keep their dues at \$3 per person and
23 would accept donations. She mentioned Chair Traini's consideration of a "hardship clause."
24

25 Chair Traini adjourned the meeting. To Ms. Holmes, he responded that she would be allowed to testify on this item
26 when it came before the Assembly again.
27

28 *(Clerk's Note: The Assembly Meeting was adjourned at 11:00, and AO 2005-1 was Carried Over to April 12, 2005.)*
29

30 14. NEW PUBLIC HEARINGS

31 14.A. Ordinance No. AO 2005-20, an ordinance determining and approving the total amount of the **annual**
32 **operating budget of the Anchorage School District** for its fiscal year 2005-2006 and determining
33 and appropriating the portion of the Assembly approved budget amount to be made available from
34 local sources; Anchorage School District.

- 35 1. Assembly Memorandum No. AM 73-2005.
- 36 2. Ordinance No. AO 2005-20(S), an ordinance determining and approving the total
37 amount of the annual operating budget of the Anchorage School District for its fiscal year
38 2005-2006 and determining and appropriating the portion of the Assembly approved budget
39 amount to be made available from local sources; Anchorage School District.
- 40 3. Assembly Memorandum No. AM 73-2005(A).
41

42 Chair Traini read this ordinance title. To answer the questions of conflicts of interest, Ms Fairclough posed the
43 Question, for each Assemblymember who had spouses working for the Anchorage School District (ASD).
44

45 Mr. Sullivan stated that his wife was a tenured teacher working for the ASD. Ms. Fairclough put the Question.
46

47 Ms. Fairclough moved, "Does Mr. Sullivan have a substantial financial interest in
48 Mr. Coffey seconded, the Anchorage School District's Budget?"
49 and this motion failed,
50

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

55 Chair Traini ruled that Mr. Sullivan did not have a conflict of interest and directed him to participate.
56

57 Chair Traini stated that his wife was a tenured teacher working for the ASD. Ms. Fairclough put the Question.
58

59 Ms. Fairclough moved, "Does Chair Traini have a substantial financial interest in
60 Mr. Coffey seconded, the Anchorage School District's Budget?"
61 and this motion failed,
62

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

66 *(Clerk's Note: Mr. Tremaine was temporarily out of Chambers at the time of the vote.)*
67

68 Acting Chair Tesche ruled that Mr. Traini did not have a conflict of interest and directed him to participate.
69

70 Mr. Stout stated that his wife was a retired teacher and was currently substitute teaching at South High. Ms.
71 Fairclough put the Question
72

73 Ms. Fairclough moved, "Does Mr. Stout have a substantial financial interest in
74 Mr. Coffey seconded, the Anchorage School District's Budget?"
75 and this motion failed,
76

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

1 ABSTAIN: Stout.

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

3
4 Chair Traini ruled that Mr. Stout did not have a conflict of interest and directed him to participate.

5
6 Mr. Tremaine stated that his wife worked with the ASD. Ms. Fairclough put the Question.

7
8 Ms. Fairclough moved, "Does Mr. Tremaine have a substantial financial interest in
9 Mr. Coffey seconded, the Anchorage School District's Budget?"
10 and this motion failed,

11
12 AYES: None.

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

14 ABSTAIN: Tremaine.

15
16 Chair Traini ruled that Mr. Tremaine did not have a conflict of interest and directed him to participate. Chair Traini read
17 the ordinance title and opened Public Hearing.

18
19 TIM STEELE, Chair of the Anchorage School Board (ASB), stated that a new Substitute Version of the ordinance was
20 before the Assembly. They had been working on the budget for six months to review all avenues to save money. To
21 Mr. Tremaine, Mr. Steele responded the new Substitute Version included almost two million dollars in interest savings
22 from the bonds.

23
24 CAROL COMEAU, Superintendent of the ASD, summarized the new budget increases, including the costs of the
25 teachers' retirement system, the opening of Eagle River High School, the expanded space for Service High School and
26 Chugach Optional, Eagle Academy Charter School, Winterberry Charter School, Special Education, bilingual
27 languages classes, costs of workers' compensation, litigation costs of union contracts and transportation costs. She
28 stated that there were many additional mandates for schools to meet, including emergency preparedness. The ASB
29 was asking to use \$6.5 million of the Fund Balance for one-time-only expenditures, if additional money was not
30 appropriated from the State of Alaska. She urged support of the proposed budget. Mr. Sullivan responded that it
31 would be easy to expect one-time-only expenditures every year. Ms. Comeau responded these particular expenses
32 were over and above normal expenditures and they wanted to support the curriculum and maintain the 5% fund
33 balance, as recommended by the auditors. Chief Fiscal Officer Jeff Sinz responded that the ASD was in compliance
34 with the Fund Balance Policy adopted by the Assembly.

35
36 To Mr. Sullivan, Ms. Comeau responded that the ASD and the union would be going to arbitration and she believed
37 there was adequate funding available. She responded that the recent bargaining negotiations with the school
38 principals had led to a 3% raise. She stated that in order to deliver a high quality education in our community,
39 employees needed to be compensated adequately. To Ms. Jennings, Ms. Comeau responded that new maintenance
40 trucks were needed, replacing older vehicles which had been purchased from the city as surplus equipment. She
41 responded the defibrillators were justified because auditors had indicated they were lacking emergency shelters and
42 equipment for a crisis plan. She stated that schools were now mandated for emergency preparedness.

43
44 GUY OKADA, Principal of the King Career Center, former Principal of Dimond High School and President of the
45 Anchorage Principals' Association, testified in support of the ordinance. To Mr. Sullivan he responded that all students
46 needed to be provided for and there was a great need for additional vocational and technical training centers. To Mr.
47 Sullivan, Ms. Comeau responded there was a need for another career center, but all students were still expected to
48 pass a full-scope curriculum so they would have all opportunities opened for them when they graduate. Ms. Comeau
49 did not think the future education expansion in Anchorage would include another career center and thought that
50 technical skills could be taught in the public schools. She stated there needed to be more discussion on the matter.

51
52 TIM STEELE supported the proposed school operating budget. He wanted to state for the record that the proposed
53 budget included up to ten million dollars of cuts in programs, increased class size and included cuts to principals,
54 teachers and administrative positions. If additional funds were appropriated, those cuts would be reinstated.

55
56 With no additional public testimony, Chair Traini closed Public Hearing and called for a motion.

57
58 Mr. Tesche moved, to approve AO 2005-20(S).
59 Mr. Tremaine seconded,

60
61 Mr. Tesche concurred with the Public Hearing statements and recommended a YES-vote.

62
63 Ms. Jennings stated that she appreciated the process the ASD used for creating the operating budget.

64
65 Mr. Sullivan appreciated the discussion on workforce training. Studies had identified that there would be a critical
66 shortage with technical education in the future and predicted a large importation of workers if it was not resolved.

67
68 Mr. Whittle complemented the School Board, the Administration and the community for their work, for their new ideas
69 and consideration of all the new options available, including the commitment to develop more Charter Schools. The
70 people wanted the options and the ASB was supporting community needs.

71
72 and this motion was unanimously passed,

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

75 NAYES: None.

76
77 14.B. Ordinance No. AO 2005-35, an ordinance amending the zoning map and providing for the rezoning of
78 approximately 30.50 acres from R-3 (Multiple-Family Residential) to PLI (Public Lands and Institutions)

1 for **Tract 3, Alaska Village Subdivision**, generally located south of DeBarr Road and east of
2 Patterson Road (Northeast Community Council) (Planning and Zoning Commission Case 2004-179);
3 Planning Department.

4 1. Assembly Memorandum No. AM 145-2005.

5
6 Chair Traini read this ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
7 called for motion.

8
9 Mr. Tesche moved, to approve AO 2005-35.
10 Mr. Sullivan seconded,

11
12 To Mr. Coffey, Planning and Zoning Administrator Jerry Weaver responded that the possible grant from the Kroc
13 Foundation had been anticipated and provisions had been included in the grant application that it would be zoned PLI.

14
15 and this motion was passed,

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

19
20 To Ms. Ossiander, Mr. Weaver responded the groups who were in process of completing permit applications would be
21 held harmless with the delay.

22
23 14.C. Ordinance No. AO 2005-38, an ordinance of the Anchorage Municipal Assembly amending Anchorage
24 Municipal Code Section 15.75 regarding **Pesticide Control** to modify drift protection and public notice
25 for commercial pesticide application and application by the Municipality of Anchorage;
26 Assemblymembers Coffey, Ossiander, Fairclough, Stout, Sullivan and Traini.

27 1. Assembly Memorandum No. AM 153-2005.

28 2. Ordinance No. AO 2005-38(S), an ordinance of the Anchorage Municipal Assembly amending
29 Anchorage Municipal Code Section 15.75 regarding Pesticide Control to modify drift protection
30 and public notice for commercial pesticide application and application by the Municipality of
31 Anchorage; Assemblymembers Coffey and Ossiander. **(Laid on the Table)**

32 3. Ordinance No. AO 2005-38(S-1), an ordinance of the Anchorage Municipal Assembly
33 amending Anchorage Municipal Code Section 15.75 regarding Pesticide Control to modify drift
34 protection and public notice for commercial pesticide application and application by the
35 Municipality of Anchorage; Assemblymember Tesche. **(Laid on the Table)**

36
37 Chair Traini read this ordinance title. Mr. Coffey announced that an "S" Version and an "S-1" Version had been Laid
38 on the Table that evening. Chair Traini opened Public Hearing.

39
40 REBECCA GOODRICH testified against all types and uses of pesticides. She was familiar with the harmful effects
41 that pesticides have to humans.

42
43 MILLY JOSEPHSON testified in support of the current ordinance and against the proposed changes that allowed
44 application with less notification. To Ms. Shamberg, Ms. Josephson responded the students present were members of
45 Alaska Youth for Environmental Action. To Mr. Sullivan, she responded that she was a student at West High.

46
47 LANA TYSON, member of Alaska Youth for Environmental Action, supported the pesticide ordinance and the original
48 precautions that the government had made. To Mr. Sullivan, she responded she was a senior at West High. Ms.
49 Jennings congratulated the students of West High, for their recent achievement of an Environmental Award at the
50 Spirit of Youth gathering.

51
52 ABBY KOZAREK supported the current ordinance. To Ms. Jennings, she responded that she appreciated the
53 warnings because she played Frisbee, ran on local trail systems and had picnics at the Park Strip. She supported the
54 notification system. To Jennings, she responded that she disapproved of the changes that would exempt notification
55 of application close to the ground, because it was a public area where children played and the wind speed increase
56 would cause pesticides to travel to unmarked areas and effect more people.

57
58 KEN PERRY, owner of Paratex Pied Piper Pest Control, testified in support of the substitute version. He stated that
59 spraying a building at a height of three feet or less did not need public notification and pesticide application would not
60 affect the health and safety of citizens. To Mr. Tesche, he responded that pesticides hand-sprayed in a downward
61 fashion, to a height of three feet, fell in a direct, controlled pattern. To Ms. Jennings, he responded that the substitute
62 version would allow him to spray Providence Hospital without notification, but he would never consider it. The
63 additional requirements of notification were a burden to his business, with the extra time and costs.

64
65 KAY BROWN, a cancer survivor, asked not to weaken the notifications system. There were people who had immune
66 disorders and would experience a high chemical reaction. She supported the S-1 version with pre-notification
67 requirements.

68
69 TOM ATKINSON, President of the Alaska Center of the Environment, testified against use of pesticides. He opposed
70 the Substitute Version, and was concerned with the drift of overspray.

71
72 VARSHA MATHRANI, Environmental Health Coordinator at Alaska Community Action on Toxics, testified against the
73 use of pesticides and urged consideration of non-toxic alternatives to chemicals. To Mr. Whittle, she responded that
74 Alaska was highly susceptible to persistent chemical contamination, because of the climate. To Ossiander, Ms.
75 Mathrani responded the pesticides used by commercial applicators were not available to the public.

76
77 DR. ARNDT VON HIPPEL opposed the use of all pesticides. There was harm to walk on sprayed grounds and
78 precautions needed to be taken to protect children and loose animals. There was an increase of incidents of Lou

1 Gehrig's Disease and other health concerns, due to chemical exposure. There were alternatives that would work, like
2 soapy water or bear spray.

3
4 DR. ADAM GROVE, a pediatrician, testified there had been a rise in low sperm counts in men that had been directly
5 linked with organopesticides, causing a rise in birth defects, interrupted hormone systems and lowered immune
6 systems. He fully agreed that professionals were better trained for chemical application. To Mr. Coffey, he responded
7 that he was in support of the strengthening the notification system for chemical pesticide application.

8
9 DR. BRIGIT LEGER testified in support of the S-1 Version, strengthening the notification system. She spoke of
10 patients in her practice being hospitalized with hives or severe asthma, following exposure to pesticides. Doctors
11 across the nation were seeing many changes in hormones and an increase of breast cancer due to chemical
12 exposure.

13
14 POLLY CARR opposed the S-Version and supported the S-1 Version.

15
16 PAMELA MILLER opposed pesticide use and proposed additional worksession to address public health and safety
17 issues associated with chemicals. The types of pesticides used for external building application were among the most
18 toxic and precaution was necessary. She spoke of the health effects that occurred with very low exposure to toxins,
19 including cancer and damage to neurological and immune systems. She urged the Assembly to slow their review and
20 urged additional public testimony for understanding of long-term public health effects. Ms. Jennings thanked her for
21 her testimony.

22
23 JAY EMERSON, owner of a pesticide business specializing in carpenter ant termination, testified against notification.
24 The burden of additional time and costs would run him out of business. He testified of the concerns with ants across
25 the state and mentioned the required termite inspection upon the sale of the house in some states. To Mr. Coffey, he
26 responded that some of the chemicals used were not available to the public. He had never sprayed when the wind
27 was blowing and stated that the chemicals he used were safe. To Mr. Tesche, Mr. Emerson responded that, of the
28 three pesticides businesses in Anchorage, one had just gone out of business and he was considering moving to the
29 Valley. To Mr. Sullivan, he responded that he used a notification system when he treated multiplexes. He did not
30 spray when the wind blew.

31
32 ALAN COLTER testified that he was concerned with the overspray and thought that all citizens had a right to know
33 when and what their neighbors were spraying. He urged support of the notification system.

34
35 ANDRE CAMARA, Coordinator of the Alaska Center for the Environment (ACE), approved of the notification system.
36 He opposed use of toxins and chemical pesticides and spoke of the public health and safety risks, particularly to
37 children and pets.

38
39 JOHN STOUT testified in support of using pesticides without notification.

40
41 With no additional public testimony, Chair Traini closed Public Hearing and called for a motion.

42
43 Mr. Tesche moved, *to postpone* AO 2005-38 until April 12, 2005,
44 Mr. Tremaine seconded, *with a worksession scheduled on April 8th.*
45 and this motion was unanimously approved,
46

47 Assembly Utility Analyst Mike Gutierrez stated that a worksession would be scheduled for April 8, 2005 and would
48 include all substitute versions. Mr. Tesche invited all members of the industry to attend and participate.

49
50 14.D. Ordinance No. AO 2005-36, an ordinance amending the zoning map and providing for the rezoning of
51 approximately 2.1 acres, from R-2A (Two Family Residential District) to R-2M (Multiple Family
52 Residential District), for **Lot 16A, Section 9, T12N, R3W, S.M., AK**, generally located on the
53 southeast corner of Lake Otis Parkway and Lore Road (Abbott Loop Community Council) (Planning
54 and Zoning Commission Case 2004-172); Planning Department.

55 1. Assembly Memorandum No. AM 146-2005. **(Carried Over to 4-12-05)**

56
57 14.E. Ordinance No. AO 2005-42, an ordinance amending Anchorage Municipal Code Subsection
58 21.40.020B to allow **temporary uses** of up to 90 days in the PLI (Public Lands and Institutions)
59 District (Planning and Zoning Commission Case 2004-168); Planning Department.

60 1. Assembly Memorandum No. AM 168-2005. **(Continued to 5-31-05)**

61
62 Chair Traini read this ordinance title and opened Public Hearing.

63
64 GEORGE LOCHNER, President of the Chugiak-Eagle River Chamber of Commerce, testified that the local Eagle
65 River Bear Paw Festival held annual events and parades on private property and public lands. He spoke of the
66 several required permits, including insurance policies and prepared maps of parade and activity locations. He
67 respectfully requested preventing additional permits going through the Planning Department or Community Councils,
68 because it would delay or cause cancellation of their events. He made recommendations for improving the system.

69
70 Mr. Tremaine addressed the new requirements for the Bear Paw Festival. Planning and Zoning Administrator Jerry
71 Weaver responded there were still improvements that were needed to this ordinance to make the process a one-
72 permit-review. He would concur with postponement until all changes were made. To Mr. Sullivan, Mr. Weaver
73 responded that they would consider issuing a waiver for the Bear Paw Festival. Ms. Ossiander stated that she had a
74 copy of the current permit, involving multiple pages and permits, for interested persons to review. Ms. Fairclough had
75 a similar stack of permitting paperwork for the Fur Rendezvous.

76
77 MARY PIGNALBERI, Executive Director of Fur Rendezvous, urged consideration of improvements to the process,
78 which would directly affect Fur Rondy events. She respectfully requested a worksession to study all aspects of the

1 new permitting system. To Mr. Tesche, Ms. Pignalberi responded that the Fur Rondy would benefit from a multi-year-
2 permit. To Ms. Ossiander, she responded there was a need for speed and efficiency with getting the many permit
3 applications completed.
4

5 GEORGE VAKALIS, Assistant Superintendent of the Anchorage School District (ASD), testified the ordinance created
6 some concerns for the School District. Because most schools were in PLI-zoned property, the ordinance would
7 require the schools to go through the multi-application permitting process, and it would apply to their use of portable
8 school buildings and Connex storage units. The ASD respectfully requested the item be postponed.
9

10 With no additional public testimony, Chair Traini called the Question.

11
12 Ms. Ossiander moved, *to Continue* AO 2005-42 to May 31, 2005, with continued
13 Mr. Stout seconded, Public Hearing, following a worksession.
14

15 Chair Traini concurred with Mr. Tremaine's request of continued Public Hearing and agreed to allow the persons
16 before the Assembly that evening to testify again.
17

18 and this was approved with no objection,
19

20 14.F. Resolution No. AR 2005-51, a resolution of the Municipality of Anchorage, Alaska, confirming and
21 levying assessments for the sewer special improvements within **Levy-Upon-Connection (LUC) Roll**
22 **05-S-1**, setting date of payment and providing for penalties and interest in the event of delinquency;
23 Anchorage Water & Wastewater Utility.
24 1. Assembly Memorandum No. AM 144-2005.
25

26 Chair Traini read the resolution title and opened public testimony.

27
28 GREG CLAYTON, a homeowner connected to municipal sewer in Spruce Heights Subdivision, testified that his rates
29 had recently been increased. His property was shown on the map as Item 18 and he urged the Assembly not to
30 include his property in this rate increase, which he thought was unjustified.
31

32 To Mr. Tremaine, Anchorage Water and Wastewater (AWWU) Planning Supervisor Don Keefer, responded the
33 property had been recently reassessed while AWWU repairs were being made and they had discovered that this
34 property had missed the last trunk assessments on large parcels and they were getting caught up. The homeowner
35 responded this was a single lot, supporting a single-family home and he was being assessed as if there were two
36 homes. He stated that he was only allowed one AWWU service for this property and questioned if an additional
37 assessment had even been imposed on this lot.
38

39 To Mr. Sullivan, Mr. Keefer responded that if this resolution was approved, the assessment roll would have to be
40 brought back to accommodate any changes. The entire piece of property was required to be assessed and the prior
41 assessment only caught a portion of the property. They were now addressing the remainder of the lot.
42

43 With no addition public testimony, Chair Traini closed Public Hearing and called the Question.

44
45 Ms. Fairclough moved, *to approve* AR 2005-51.
46 Mr. Tremaine seconded,
47

48 Ms. Fairclough moved, *to amend* AR 2005-51, *by bifurcating* Item 18.
49 Mr. Tremaine seconded,
50

51 Ms. Fairclough stated that this action would allow Mr. Clayton the opportunity to address or appeal his increased lot
52 assessment with AWWU. She urged a YES-vote on the main motion.
53

54 To Mr. Coffey, Mr. Keefer responded that, if the assessment was lowered, bifurcating this item would not have any
55 effect on any other lots. It would allow this property to be addressed and the lot would be included on the next
56 assessment roll.
57

58 and this motion was approved without objection,
59

60 Mr. Coffey moved, *to amend* AR 2005-51 *by adding* the appropriate date on
61 Mr. Tremaine seconded, Page 1, Line 18.
62 and this was approved without objection,
63 with Mr. Tesche temporarily out of Chambers,
64

65 To Ms. Ossiander, Mr. Keefer responded that a property owner could appeal AWWU assessments to the Regulatory
66 Commission of Alaska. They try to resolve issues locally, including through the Municipal Ombudsman's Office.
67

68 Ms. Fairclough stated that a title search would indicate the original assessments on the property.
69

70 Chair Traini called the Question on the main motion, as amended.
71

72 and the motion was passed,
73 with Mr. Tesche and Mr. Tremaine temporarily out of Chambers,
74

75 AYES: Fairclough, Whittle, Sullivan, Traini, Stout, Jennings, Ossiander, Shamberg and Coffey.
76 NAYES: None.
77

78 Mr. Keefer requested that the deletion of Item 18 also be reflected in the assessment total.

1
2 Mr. Coffey moved, *for immediate reconsideration* of AR 2005-51, as amended.
3 Mr. Sullivan seconded,
4 and this was unanimously approved,

5
6 Mr. Coffey moved, to amend AR 2005-51 *by deleting* Item 18 from the
7 Mr. Sullivan seconded, attached assessment totals.
8 and this was unanimously approved,
9

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

11
12 Ms. Fairclough moved, to approve AR 2005-51, as amended.
13 Mr. Tremaine seconded,
14 and this motion was passed,

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

18
19 To Chair Traini, Mr. Keefer responded that the item would be on the next LUC Roll, within eight weeks.

20
21 Mr. Sullivan moved, *to postpone* the action of the bifurcated item, Number 18, until
22 Mr. Tremaine seconded, the next Sanitary Sewer LUC Roll was presented to the
23 and this was passed without objection, Assembly.
24

25 14.G. Ordinance No. AO 2005-39, an ordinance authorizing the **disposal of a municipal interest**, via
26 relinquishment of easements no longer required, on Lot 6, Block 2 of Coven Village Subdivision and
27 on Lot 1, Moose's Tooth Subdivision; Municipal Light & Power.
28 1. Assembly Memorandum No. AM 166-2005.

29
30 Chair Traini read this ordinance title and opened public testimony. With no one to testify, he closed Public Hearing and
31 called for a motion.

32
33 Mr. Tesche moved, to approve AO 2005-39.
34 Ms. Fairclough seconded,
35 and this was passed unanimously,
36 with Tremaine, Stout and Ossiander temporarily out of Chambers,
37

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

40
41 14.H. Ordinance No. AO 2005-40, an ordinance authorizing the disposal of a municipal interest, via
42 relinquishment of easements no longer required, on **Lot 5A, Block 5, SLM Subdivision**; Municipal
43 Light & Power.
44 1. Assembly Memorandum No. AM 167-2005.

45
46 Chair Traini read this ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
47 called for a motion.

48
49 Ms. Fairclough moved, to approve AO 2005-40.
50 Ms. Jennings seconded,
51 and this motion was passed unanimously,
52 with Mr. Tremaine and Ms. Ossiander temporarily out of Chambers,
53

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

56
57 14.I. Resolution No. AR 2005-57, a resolution of the Municipality of Anchorage appropriating \$750,000 from
58 the MOA Trust Fund (730) for expert **financial management and support services** in Calendar Year
59 2005; Finance.
60 1. Assembly Memorandum No. AM 165-2005.

61
62 Chair Traini read the resolution title and opened public testimony. With no one to testify, he closed Public Hearing.

63
64 Ms. Shamberg moved, to approve AR 2005-57.
65 Ms. Jennings seconded,
66

67 Ms. Jennings requested the details of the Municipal Trust Fund's performance. Municipal Treasurer Daniel Moore
68 responded there had been a delay and the annual reports would be available for the April 12th meeting. He responded
69 the Trust Fund was doing well, with a strong performance showing a 9% return for 2004.

70
71 Mr. Coffey recommended the reports be reviewed before action was taken on the resolution.

72
73 Mr. Coffey moved, *to postpone* AR 2005-57 until April 12, 2005.
74 Ms. Jennings seconded,
75 and this was approved without objection,
76

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

- 1
2 14.J. Ordinance No. AO 2005-41, an ordinance authorizing a **capital lease/purchase agreement** to
3 acquire an emergency response fire apparatus for the Anchorage Fire Department; Chugiak Fire
4 Service Area.
5

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

9 Ms. Fairclough moved, to approve AO 2005-41.
10 Ms. Ossiander seconded,
11 and this was unanimously passed,
12

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

16 **15. SPECIAL ORDERS** None.
17

18 **16. UNFINISHED AGENDA** None.
19

20 **17. AUDIENCE PARTICIPATION**
21

22 CHRIS DEILE, a homeless and medically uninsured man, had contracted Lyme disease while in the Lower 48 and had
23 been denied medical treatment and was at risk of permanent neurological damage and death. He had been denied
24 assistance from seven different states. He had lived in Anchorage for 18 years and had returned and was now
25 seeking support in Anchorage. He had not been able to find a lawyer to represent him. There was no free pro-bono
26 legal representation available when federal statute EMTALA 1395dd was violated, therefore it was ignored. He
27 wanted to move to Canada, but they did not want him because of their requirements. He would not go to there to seek
28 help because he was not Canadian and he did not think it was right to burden their system due to the corruption in the
29 U.S.
30

31 **18. ASSEMBLY COMMENTS** None.
32

33 **19. EXECUTIVE SESSIONS** None.
34

35 **20. ADJOURNMENT**
36

37 Chair Traini adjourned the meeting at 11:00 p.m.
38
39
40
41
42
43
44

DICK TRAINI, Assembly Chair

46
47 ATTEST:
48
49
50
51
52

53 BARBARA GRUENSTEIN, Municipal Clerk
54 Date Minutes Approved: May 5, 2005.
55 MC/BG
56

57 *(Approved Meeting Minutes are available in the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska,*
58 *telephone (907)343-4505, or on the Municipal Web Site at www.Muni.org~Assembly~Minutes~year~month/day)*
59

60 Agenda Published in the ALASKA JOURNAL OF COMMERCE, P.O. 519-05