

MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of October 18, 2005

1. CALL TO ORDER

The Assembly Meeting was convened by Chair Fairclough at 5:05 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: Debbie Ossiander, Dan Sullivan, Anna Fairclough, Dan Coffey, Chris Birch, Ken Stout, Paul Bauer, Dick Traini and Pamela Jennings.

ABSENT: Allan Tesche and Janice Shamberg, excused.

3. PLEDGE OF ALLEGIANCE

3.A. AFD Honor Guard to present colors.

Anchorage Fire Department Honor Guard presented colors. Honor Guard members included James Leon, Theodore Fussell, Chad Richardson, Jeff McDonald, Brian Leigh, Mike Melchert, Jeff Dobson, Joe Albrecht, Larry Alma and Chett Chiara. Mr. Albrecht played the bagpipes as the colors were presented. Mr. Leon sang the National Anthem. Fire Chief John Fullenwider led the pledge.

3.B. Swearing-In Ceremony for the Anchorage Fire Department.

Fire Department Pastor Victor Marbury presented a prayerful vocation to the recruits. Mayor Begich welcomed the newly graduating class of firefighters. They had been selected from over 1000 applicants and had just completed over 15 months of fire and emergency medical training, testing and extensive on-the-job experience. Of the new recruits, 11 would be paramedics. Mayor Begich led the group, swearing-in each new firefighter. Chief Fullenwider thanked the Assembly and Mayor for their participation with this ceremony. New recruits included Wes Acree, Tom Alexander, Aaron Allison, Richard Chon, Nicholas Davis, David Denslow, Jason Dolph, Tommy Etheredge, Robert Glorioso, Mike Huckabay, Casey Johnson, Eric Lawson, Jae Lee, Kevin Logan, Chad Martin, Brian McCathern, Sean McMillian, Steve Mendive, Trey Miller, Richie Nichols, Nik Nielson, Adam Peterson, Ryan Staten and Jared Stiglich.

4. MINUTES OF PREVIOUS MEETINGS

4.A. Regular Meeting – August 9, 2005

Mr. Coffey moved, to approve the Regular Meeting Minutes of
Ms. Ossiander seconded, August 9, 2005,

Mr. Coffey moved, to amend the minutes on Page 9, Line 71, *by deleting*
Mr. Birch seconded 'and was later withdrawn,'
and this motion was passed unanimously.

and the main motion, as amended, was passed,
with excused absences for Mr. Tesche and Ms. Shamberg.

5. MAYOR'S REPORT

Mayor Begich thanked Mr. Stout and Mr. Bauer for informing his office and joining him in addressing residents, concerning a development issue in a Muldoon neighborhood. Mr. Stout stated that he and Mr. Bauer appreciated his efforts.

6. ASSEMBLY CHAIR'S REPORT None.

7. COMMITTEE REPORTS

Ms. Ossiander reported the Title 21 Committee Meeting, scheduled for Friday would be rescheduled for the following Friday and would be continuing to address Chapter 7, concerning development standards. Minutes of previous Title 21 worksessions were posted on the Planning and Zoning website. To the Chair, she responded the public was encouraged to be involved and the meeting would be at the Assembly Conference Room, in City Hall.

Mr. Birch requested a point of personal privilege, to introduce visiting Welbo's Cub Scouts, Pack #104, sponsored by Elizabeth Ann Seton Church. Scouts present that evening included, Evan Connelly, Kellen Hall, William Hemmen, Thomas Krasnican, Patrick Scanlon, Andrew Scroggs, Forrest Simpson, AJ Behm, Trevor Chandler, Spencer Floyd,

Thomas McKean, Garrett Pfeifer, Collin Bridge, Vance Bullock, Reagan Biegel, Ben Heisler, Charlie Scott and pack leader, Tom Scanlon. They were studying city government and understanding the importance of public participation.

8. ADDENDUM TO AGENDA

Chair Fairclough called for a motion and read the Addendum items. She called for additional items and AR 2005-277, AIM 80-2005, AO 2005-160 and AO 2005-161 and AO 2005-162 were added. She assigned to these items Agenda Numbers 9.B.3, 9.E.7, 9.F.4, 9.F.5 and 9.E.1, respectively. AO 2005-138(S) was added to 11.B. She called for a vote to incorporate the Addendum items into the Consent Agenda.

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

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

NAYES: None.

ABSENT: Tesche and Shamberg, excused.

Chair Fairclough called for a motion on the Consent Agenda.

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

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

9. CONSENT AGENDA

9.A. RESOLUTIONS FOR ACTION - PROCLAMATIONS AND RECOGNITIONS

9.B. RESOLUTIONS FOR ACTION - OTHER

9.B.1. Resolution No. AR 2005-265, a resolution of the Anchorage Municipal Assembly appropriating the sum of \$13,670 from the Bureau of Justice, Office of Justice Programs, U.S. Department of Justice and \$470 as a contribution from the Anchorage Police Service Area Fund (151), Anchorage Police Department 2005 Operating Budget to the Federal Categorical Grants Fund (241) Anchorage Police Department for the **Bullet Proof Vest Partnership Program**.

a. Assembly Memorandum No. AM 745-2005.

9.B.2. Resolution No. AR 2005-268, a resolution of the Anchorage Municipal Assembly supporting construction of the **Knik Arm Crossing** in furtherance of the goals of the *Anchorage Comprehensive Plan*; Assemblymember Stout. **(Addendum)**

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

9.B.3. Resolution No. AR 2005-277, a resolution of the Anchorage Municipal Assembly requesting that the traffic signal at Tudor Road and **Folker Street** continue to be operated; Assembly Vice Chair Coffey and Assemblymember Traini. **(Laid on the Table)**

Mr. Coffey moved, to introduce AR 2005-277,
Mr. Traini seconded,
and Ms. Jennings was the concurring third.

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

9.C. BID AWARDS

9.C.1. Assembly Memorandum No. AM 760-2005, recommendation of award to Alaska Safety Inc. for furnishing **police vehicle accessory equipment** for the Municipality of Anchorage, Maintenance & Operations Department (ITB 25-B077) (\$108,687); Purchasing.

9.D. NEW BUSINESS

9.D.1. Assembly Memorandum No. AM 761-2005, recommendation of award to Statewide Petroleum Service for design/build services for the **Anchorage Water & Wastewater Utility Operations Fueling Upgrade** to the Municipality of Anchorage, Anchorage Water & Wastewater Utility (RFP 25-P031) (\$182,330); Purchasing.

9.D.2. Assembly Memorandum No. AM 762-2005, proprietary purchase of **AutoPulse Cardiopulmonary Resuscitation (CPR) systems** from ZOLL Medical Corporation for the Municipality of Anchorage, Anchorage Fire Department (AFD) (\$122,500), Purchasing.

9.D.3. Assembly Memorandum No. AM 763-2005, Amendment No. 3 with **Abused Women's Aid In Crisis (AWAIC)** - MOA PO #230419 (\$17,550); Health and Human Services.

9.D.4. Assembly Memorandum No. AM 764-2005, Change Order No. 4 to Vendor Contract 23MLP077 with Alpine Valve & Control Systems to provide **technical services, parts and labor** on an "as required" basis to the Municipality of Anchorage, Municipal Light & Power Utility (ML&P) (\$30,000); Purchasing.

9.D.5. Assembly Memorandum No. AM 765-2005, recommendation of award to CRW Engineering Group to provide professional engineering services for the **University Medical District Transit and Pedestrian Mobility Improvements** for the Municipality of Anchorage, Project Management & Engineering (RFP 25-P016) (\$425,756); Purchasing.

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

- 9.D.6. Assembly Memorandum No. AM 766-2005, recommendation of award to Kinney Engineering for providing professional engineering services for **16th Avenue Terrace Area Circulation Improvements**, (Project B), for the Municipality of Anchorage, Project Management & Engineering (RFP 25-P015) (\$113,968); Purchasing.
- 9.D.7. Assembly Memorandum No. AM 767-2005, recommendation of award to DOWL Engineers to provide professional engineering services for preparing a **Traffic Calming Study** for the eastern half of Abbott Loop, Northeast and Turnagain Communities for the Municipality of Anchorage, Traffic Department (RFP25-P037) (\$219,290); Purchasing.

9.E. INFORMATION AND REPORTS

- 9.E.1. Information Memorandum No. AIM 72-2005, transmittal of the Planning and Zoning Commission record for a rezoning application to rezone approximately 43,439 square feet from R-3SL (Multi-Family Residential District with Special Limitations) to B-3S SL (General Business District with Special Limitations) for **Tract 2, Boettcher Subdivision**, generally located south of Spenard Road and west of Northwood Drive (Spenard Community Council) (Planning and Zoning Commission Case 2005-062); Planning Department.
- a. Ordinance No AO 2005-161, an ordinance amending the zoning map and providing for the rezoning of approximately 43,439 square feet from R-3 SL (multiple-family residential with special limitations) to B-3 SL (general business with special limitations) for tract 2, Boettcher Subdivision, generally located south of Spenard Road and west of Northwood Drive; Assemblymember Sullivan. ****Laid on the Table***

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

- 9.E.2. Information Memorandum No. AIM 73-2005, Anchorage Municipal Code 3.70.090 B. Bargaining Status Report for **Plumbers and Pipefitters Local 367**; Employee Relations.
- 9.E.3. Information Memorandum No. AIM 74-2005, Quarterly Status Report of the **Study of Long Term Debt and Cash Pool Investment Policies and Practices**; Finance Department.
- 9.E.4. Information Memorandum No. AIM 75-2005, Municipality of Anchorage Operating Policy/Procedure 24-11 - Quarterly Report of **Brokerage & Investment Firms Dollar Volume** for the Period July 1, 2005 through September 30, 2005; Finance Department.
- 9.E.5. Information Memorandum No. AIM 76-2005, Notice of Contract Action with Paratransit Services, Inc. for **vanpool operations and maintenance services** for the Municipality of Anchorage, Public Transportation (PO #230705) (\$12,988.84); Purchasing.
- 9.E.6. Information Memorandum No. AIM 77-2005, Notice of Award to various contractors for **various projects** for the Municipality of Anchorage (Kincaid Park Trail Connection, Constitution Street/Seagate Court Area Storm Reconstruction, Port of Anchorage Security Access Controls, Landfill Gas Collection and Control System); Purchasing Department.

Ms. Jennings requested this item be pulled for review on the Regular Agenda. (See item 10.D.6)

- 9.E.7 Information Memorandum No. AIM 80-2005, Public Opinion Survey relative to proposed sales tax; Assemblymember Coffey. ***(Laid on the Table)***

Mr. Coffey moved, *to accept AIM 80-2005*,
Mr. Birch seconded,
and Mr. Sullivan was the concurring third.

9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION

- 9.F.1. Ordinance No. AO 2005-149, an ordinance of the Municipality of Anchorage authorizing withdrawal of **Heritage Land Bank (HLB) Parcel #3-048** from the HLB Inventory and transfer of the parcel to Real Estate Services Division, with management authority to be delegated to Parks & Recreation Division, and further authorizing a conservation easement to be recorded against the parcel; Heritage Land Bank. (*Public Hearing 11-1-05 2-13-05*)
- a. Assembly Memorandum No. AM 759-2005.

(Clerk's Note: After this item was approved on the Consent Agenda it was approved for reconsideration. See Agenda item 10.F.1 and 10.F.5 for related Assembly Discussion and Action)

- 9.F.2. Resolution No. AR 2005-266, a resolution of the Anchorage Municipal Assembly appropriating \$450,000 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Grant and \$179,911 as a contribution from the Anchorage Police Service Area Fund (151), Anchorage Police Department 2005 Operating Budget, to the Federal Categorical Grants Fund (241), Anchorage Police Department, for the purpose of establishing a **Human Trafficking Task Force**; Anchorage Police Department. (*Public Hearing 11-1-05*)
- a. Assembly Memorandum No. AM 753-2005.
- 9.F.3. Ordinance No. AO 2005-152, an ordinance of the Anchorage Municipal Assembly amending Anchorage Municipal Code Chapter 3.97.030, **Naming of Municipal Buildings, Other Fixed Facilities and Public Places**, to limit an honorary name to a one-time use, to establish procedures in selecting the citizen naming panel and identifying appropriate names and facilities, and to include streets and roads; Assemblymember Bauer. (*Public Hearing 11-1-05*)
- a. Assembly Memorandum No. AM 770-2005. ***(Addendum)***
- 9.F.4. Ordinance No AO 2005-160, an ordinance amending Anchorage Municipal Code Chapter 10.60 adding a new Chapter 24.75 regarding **Sidewalk Vendor Licensing**, and establishing fines for violation of Sidewalk Vendor Licensing requirements; Mayor Begich. ***(Laid on the Table)***
- a. Assembly Memorandum No. AM 786-2005.

Mayor Begich moved, *to introduce AO 2005-160 with Public Hearing set for*

Mr. Coffey seconded, November 1, 2005,
and Mr. Stout was the concurring third.

9.F.5. Ordinance No. AO 2005-162, an ordinance of the Anchorage Assembly amending the **Far North Bicentennial Park Master Plan** to delete the requirements found in Section 4: "Mitigation Measures" and Section 5: "Prohibited Uses" as set forth in AO 2005-165 and to provide for multiple uses of the Far North Bicentennial Park; Assemblymember Coffey. **(Laid on the Table)** (Public Hearing ~~11-1-05~~ 12-13-05)

Mr. Coffey moved, to introduce AO 2005-162 with Public Hearing set for
Mr. Birch seconded, [November 1,] "December 13, 2005, concurrently AO 2005-
and Mr. Stout was the concurring third. 149, being introduced by the Administration that evening,

Mayor Begich requested this item be pulled for review on the Regular Agenda. See Assembly Discussion and Action, including changing the date of Public Hearing (See item 10.F.5)

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

and this motion, as amended, was passed,

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

NAYES: None,

ABSENT: Tesche and Shamberg, excused.

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

END OF CONSENT AGENDA

10. REGULAR AGENDA

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

10.B. RESOLUTIONS FOR ACTION - OTHER

10.B.2. Resolution No. AR 2005-268, a resolution of the Anchorage Municipal Assembly supporting construction of the **Knik Arm Crossing** in furtherance of the goals of the *Anchorage Comprehensive Plan*; Assemblymember Stout, Traini and Birch. **(Addendum)**

Ms. Jennings moved, to approve AR 2005-268,
Mr. Coffey seconded,

Ms. Jennings stated that the Administration had indicated they did not want to consider the Knik Arm Bridge until the economic impact statements were completed. It was premature to support this project.

Mr. Stout stated he submitted and supported this resolution because it would help to develop and assist in areas of parks and greenbelts, the needs of a growing population, provide convenient access to undeveloped land in the Matanuska-Susitna Valley, would provide an alternative emergency preparedness corridor as well as an evacuation and disaster relief route. It would give additional freight and good distribution routes and would reduce dependency upon the Glenn Highway. The environmental impact statements (EIS) would determine what support this project would see. He would not oppose postponing, until the EIS were provided.

Mr. Coffey moved, to amend AR 2005-268 on Page 2, Line 5, following 'supports
Mr. Sullivan seconded, a Knik Arm Crossing,' by adding "subject to resolution of the
and this was approved without objection. required environmental and economic issues,"...

Mr. Traini requested to be added as cosponsor. The Assembly needed to support this because Congressman Don Young had secured funding and they needed to move forward on this project.

Ms. Ossiander stated this resolution was non-specific and dealt only with supporting the concept. She supported it because it would lessen the traffic congestion on the Glenn Highway and the population pressure in her district.

Mayor Begich stated the concept of the bridge was worthy of discussion and process. Chair Fairclough responded that, if the Assembly approved supporting the concept, they would respond with a resolution, once they reviewed the evaluation. Mr. Coffey responded there were many funding and bonding options, all which all needed to be resolved, including the costs of connectivity into Anchorage, which could be significant. Mayor Begich concurred and stated there would also be other impacts to the community because of the road.

Mr. Birch supported the resolution and asked to be listed as a cosponsor. The merits of the project needed to be recognized and the opportunities it would present.

Ms. Jennings proposed postponement, until Mr. Tesche was present and could respond on this issue.

Ms. Jennings moved, to postpone AR 2005-268,
Mayor Begich seconded,
and this motion failed, 1-7.

AYES: Jennings.

NAYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer and Train.

ABSENT: Tesche and Shamberg, excused.

Question was put on the main motion, as amended.

and the main motion, as amended, was passed.

AYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer and Train.

NAYES: Jennings.

ABSENT: Tesche and Shamberg, excused.

Chair Fairclough requested that Assemblymembers associated with AMATS relay the message that Anchorage was concerned with economic ramifications of the road systems.

10.B.3. Resolution No. AR 2005-277, a resolution of the Anchorage Municipal Assembly requesting that the traffic signal at Tudor Road and **Folker Street** continue to be operated; Assembly Vice Chair Coffey and Assemblymember Traini. **(Laid on the Table)**

Mr. Traini moved, to approve AR 2005-277,

Mr. Coffey seconded,

Mr. Train read this resolution title and explained he and Mr. Coffey had met with a large number of constituents, objecting to the proposed traffic signal change on Folker. These folks had not been aware of the signal changes and were requesting that the stop lights at Folker and Piper remain operational.

To Ms. Jennings, Deputy Municipal Manager Michael Abbott responded that these were state right of ways and the ultimate decision would be determined by the State Department of Transportation.

Mr. Coffey stated the primary and secondary objectives of the project needed to be determined. There were many factors involved when making a decision on a traffic signal. While waiting to address the Tudor Road Corridor Study, he requested consideration of not putting the public and businesses at risk by removing that light. That was the reason for the resolution.

Mr. Traini stated the question was if Piper would be used to augment the U-Med District or be for the neighborhood. The residents had lived there for years and thought their neighborhoods were being destroyed. The Assembly needed to act in the best interest of these citizens until the corridor study determined the best route.

Chair Fairclough put the Question.

and the motion was unanimously passed,
with excused absences for Mr. Tesche and Ms. Shamberg.

To Mr. Coffey, Mayor Begich responded that a copy would be forwarded to the State Department of Transportation.

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

10.D. NEW BUSINESS

10.D.5. Assembly Memorandum No. AM 765-2005, recommendation of award to CRW Engineering Group to provide professional engineering services for the **University Medical District Transit and Pedestrian Mobility Improvements** for the Municipality of Anchorage, Project Management & Engineering (RFP 25-P016) (\$425,756); Purchasing.

Ms. Ossiander moved, to approve AM 765-2005,

Mr. Sullivan seconded,

Ms. Ossiander stated postponement should be considered for this item, until it was determined which major roads would go through the area. To Ms. Ossiander, Municipal Engineer Howard Holtan responded this award would allow the city to proceed with the design for transit and pedestrian mobility in the U-Med District, as identified as greatly needed, in the 2004 analysis.

Mr. Stout questioned why the work was contracted to large engineering firms, when services could be provided by the Municipality's talented and professional engineering staff. He requested consideration of including proper bus stop pull-outs.

Mr. Coffey reported on his meeting with Traffic Department Administrator Lance Wilbur and University officials and understood the U-Med District. Mr. Holtan responded there were about 18 locations identified for needing improvements, three of which were along Bragaw. He responded it was a comprehensive plan, providing for connection from pedestrian generators, such as student housing and major campus buildings. He did not see any conflicts with any future road extensions. Mayor Begich responded these designs had been determined under the original U-Med District Master Plan. Mr. Coffey supported the improvements and understood their importance, but did not want to have to re-do them as the roads were expanded. He urged a YES-vote.

Chair Fairclough put the Question.

and the motion passed, 9-0.

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

NAYES: None.

ABSENT: Tesche and Shamberg, excused.

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

2 10.E.1. Information Memorandum No. AIM 72-2005, transmittal of the Planning and Zoning Commission
3 record for a rezoning application to rezone approximately 43,439 square feet from R-3SL (Multi-Family
4 Residential District with Special Limitations) to B-3S SL (General Business District with Special
5 Limitations) for **Tract 2, Boettcher Subdivision**, generally located south of Spenard Road and west of
6 Northwood Drive (Spenard Community Council) (Planning and Zoning Commission Case 2005-062);
7 Planning Department. (*Public Hearing 11-22-05*)

- 8 a. Ordinance No AO 2005-161, an ordinance amending the zoning map and providing for the
9 rezoning of approximately 43,439 square feet from R-3 SL (Multiple-Family Residential with
10 Special Limitations) to B-3 SL (General Business with Special Limitations) for tract 2,
11 Boettcher Subdivision, generally located south of Spenard Road and west of Northwood Drive;
12 Assemblymember Sullivan. (**Laid on the Table**) (*Public Hearing set for 11.22-05*)

13
14 Mr. Sullivan moved, to accept AIM 72-2005,
15 Mr. Coffey seconded,

16
17 Mr. Sullivan moved, to substitute ~~[AIM 72-2005]~~ "AO 2005-161," with Public
18 Mr. Coffey seconded, Hearing set for November 22, 2005,
19 Ms. Ossiander was the concurring third.

20
21 10.E.6. Information Memorandum No. AIM 77-2005, Notice of Award to various contractors for **various**
22 **projects** for the Municipality of Anchorage (Kincaid Park Trail Connection, Constitution Street/Seagate
23 Court Area Storm Reconstruction, Port of Anchorage Security Access Controls, Landfill Gas Collection
24 and Control System); Purchasing Department.

25
26 Ms. Jennings moved, to accept AIM 77-2005,
27 Mr. Coffey seconded,

28
29 To Ms. Jennings, Purchasing Officer Bart Mauldin responded the bid had come in at \$2.7 million over what was
30 available, and they had rejected it. The decision was made to let a new bid in the spring, and they would be
31 requesting a time extension from the Environmental Protection Agency. The EPA had addressed methane gas being
32 release into the atmosphere.

33
34 To Ms. Ossiander, Mr. Mauldin responded they were confident that EPA would work with them, but there still may be
35 minor penalties imposed.

36
37 To Mr. Coffey, Mr. Mauldin responded this issue pertained to the Highland Landfill. Municipal Manger Denis LeBlanc
38 responded the methane was gas being produced in such quantities that they had install a flare system to burn off the
39 gas. EPA required a more sophisticated system.

40
41 Mr. Stout requested that the Assembly be kept informed of this situation, including imposed fines and action taken. Mr.
42 LeBlanc concurred.

43
44 Chair Fairclough put the Question.

45
46 and the motion passed, 9-0.

47
48 AYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

49 NAYES: None.

50 ABSENT: Tesche and Shamberg, excused.

51
52 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

53 10.F.1. Ordinance No. AO 2005-149, an ordinance of the Municipality of Anchorage authorizing withdrawal of
54 **Heritage Land Bank (HLB) Parcel #3-048** from the HLB Inventory and transfer of the parcel to Real
55 Estate Services Division, with management authority to be delegated to Parks & Recreation Division,
56 and further authorizing a conservation easement to be recorded against the parcel; Heritage Land
57 Bank. (*Public Hearing 11-1-05 12-13-05*)

- 58 a. Assembly Memorandum No. AM 759-2005.

59
60 *Clerk's Note: After this item had been approved on the Consent Agenda, it was approved for reconsideration. See*
61 *Agenda item 10.F.5 for related Assembly Discussion and Action.)*

62
63 Mr. Coffey moved to amend AO 2005-149, by changing the Public Hearing date to December 13, 2005. It was
64 seconded by Mr. Sullivan and the motion was approved without objection.

65
66 10.F.5. Ordinance No. AO 2005-162, an ordinance of the Anchorage Assembly amending the **Far North**
67 **Bicentennial Park Master Plan** to delete the requirements found in Section 4: "Mitigation Measures"
68 and Section 5: "Prohibited Uses" as set forth in AO 2005-165 and to provide for multiple uses of the
69 Far North Bicentennial Park; Assemblymember Coffey. (**Laid on the Table**) (*Public Hearing 12-13-05*)

70
71 Mr. Coffey moved, to introduce AO 2005-162 with Public Hearing set for
72 Mr. Sullivan seconded, ~~[November 1]~~ "December 13," 2005, concurrently with AO
73 and Mr. Stout was the concurring third. 2005-149, "following a review from the Parks and Recreation
74 and this was later amended and approved, Commission."

75
76 To Mayor Begich, Mr. Coffey responded that he had created this ordinance to change the requirement of mitigation for
77 ball fields in parks. Mayor Begich responded this plan was already in process. Mr. Coffey responded that he planned

to submit this to the Parks and Recreation Commission and follow process. Mr. Coffey recommended both ordinances follow the same time frame for public process.

To Mr. Jennings, Mr. Coffey responded his intent was to make the decision of adding ball fields, based on merits, not through mitigation.

To Mr. Sullivan, Mayor Begich responded the next Parks and Recreation Commission meeting was scheduled for November 10th. Chair Fairclough requested that Economic and Community Development Director Mary Jane Michael check to see if this could be added to their agenda.

Mr. Coffey moved to send AO 2005-162 to the Parks and Recreation Committee for review, and proposed to amend the Public Hearing for the first meeting in December and the second concurred. There were no objections.

Chair Fairclough put the Question.

and this motion, as amended, was approved.

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

NAYES: Jennings.

ABSENT: Tesche and Shamberg, excused.

Mr. Coffey moved, *for immediate reconsideration of AO 2005-149,*
Mr. Bauer seconded,
and this motion was passed,
with one objection from Ms. Jennings.

(Clerk's Note: See Agenda item 9.F.1 for related Assembly Action and Discussion.)

11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS

11.A. Assembly Memorandum AM 727-2005 Animal Control Advisory Board Reappointments (Laura Bain, ~~Sandy Traini~~); Mayor Begich.

Mr. Coffey moved, to approve AM 727-2005, confirming the reappointment of
Ms. Jennings seconded, Laura Bain,

Mr. Coffey stated this was a bifurcated item, and the reappointment of Sandy Traini had been confirmed on October 11th. Mayor Begich responded that Laura Bain had been contacted and she clearly understood the Assembly's requested that her attendance improve. Members of the board had indicated Ms. Bain was a contributing member.

and this motion was approved without objection,
with excused absences from Mr. Tesche and Ms. Shamberg.

11.B. Ordinance No. AO 2005-138, an ordinance amending Anchorage Municipal Code by repealing Chapter 2.80, pertaining to the Assembly Budget and Legislative Services Office, and enacting a new Section 2.20.055, pertaining to the **Municipal Clerk's Office**; Assembly Chair Fairclough & Assembly Vice-Chair Coffey and Assembly Members Bauer, Birch, Stout, Sullivan and Ossiander.

1. Assembly Memorandum No. AM 702-2005. **(Addendum)**

2. Ordinance No. AO 2005-138(S), an ordinance amending Anchorage Municipal Code by repealing Chapter 2.80, pertaining to the Assembly Budget and Legislative Services Office, and enacting a new Section 2.20.055, pertaining to the Municipal Clerk's Office; Assembly Chair Fairclough & Assembly Vice-Chair Coffey and Assembly Members Bauer, Birch, Stout, Sullivan and Ossiander. **(Laid on the Table)**

(AO 2005-138 was Amended and Approved on 10-11-05; Notice of Reconsideration given by Mr. Coffey on 10-12-05.)

Mr. Coffey stated that he gave notice of reconsideration immediately following the approval of the ordinance on October 11th. He stated additional clarification was needed and he urged a YES-vote.

Mr. Coffey moved, *for reconsideration of AO 2005-138,*
Mr. Birch seconded,
and this passed without objection.

Mr. Coffey moved, *to substitute "AO 2005-138(S)" for [AO 2005-138],*
Mr. Sullivan seconded,

Mr. Coffey stated that, with the assistance of the Municipal Attorney's Office, the substitute version more clearly defined the four positions, including the Municipal Clerk, the Assembly Attorney, the Deputy Clerk and the Ombudsman. Each would be appointed by the Presiding Assembly Officer and Clerk and confirmed by the Assembly. Staff members in each of those offices were exempt, and subject to the supervision of their immediate supervisor.

Mr. Birch supported the changes. He urged a YES-vote.

To Ms. Ossiander, Mr. Coffey responded Line 8 on Page 2 clarified that staff members were considered executive.

To Mr. Traini, Chair Fairclough responded there were two positions in the Clerk's Office which were not executive, and with the new job descriptions, one position would be reclassified as executive.

Chair Fairclough put the Question to the motion to substitute.

and this motion was passed unanimously.

Question was put to the motion to approve.

and this motion was passed, 9-0.

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

NAYES: None.

ABSENT: Tesche and Shamberg, excused.

12. APPEARANCE REQUESTS

13. CONTINUED PUBLIC HEARINGS

13.A. Ordinance No. AO 2005-126, an ordinance amending Anchorage Municipal Code Title 12 to enact a **sales and use tax** on the sale of goods within the Municipality for the exclusive purpose of reducing property taxes proportionately throughout the Municipality, with certain exemptions, with a cap and with reimbursement for collection, all within the tax cap, subject to a sunset provision, and submitting the question of whether or not to approve a sales tax to the qualified voters of the Municipality at its next Regular Election on April 4, 2006 with re-approval required at a subsequent Regular Election as established by ordinance; Assemblymember Coffey.

1. Ordinance No. AO 2005-126(S), an ordinance amending Anchorage Municipal Code Title 12 to enact a sales and use tax on the sale of goods within the Municipality for the exclusive purpose of reducing property taxes proportionately throughout the Municipality, with certain exemptions, with a cap and with reimbursement for collection, all within the tax cap, subject to a sunset provision, and submitting the question of whether or not to approve a sales tax to the qualified voters of the Municipality at its next Regular Election on April 4, 2006 with re-approval required at a subsequent Regular Election as established by ordinance; Assemblymember Coffey.

(Carried Over from 9-27-05; Continued from 10-11-05; Postponed to the 2nd Meeting in January)

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

Mr. Coffey moved,

to postpone AO 2005-126 and AO 2005-126(S) to the

Mr. Sullivan seconded,

second meeting in January, 2006,

Mr. Coffey stated they were in the final stages, including collecting a poll in November, and the ordinance would be ready for consideration in January, 2006.

Mr. Sullivan stated he was finalizing an S-1 version for Mr. Coffey's ordinance, and would be ready for introduction the following week.

and the motion was passed without objection.

14. NEW PUBLIC HEARINGS (

14.A. Ordinance No. AO 2005-123, an ordinance amending Anchorage Municipal Code Section 21.35.020 to amend definitions for gross floor area and lot coverage and to add new definitions for large domestic animals and related facilities; to amend Sections 21.40.070, 21.40.080, 21.40.090, 21.40.100, 21.40.110, 21.40.115, and 21.40.117 to add **Large Domestic Animal Facilities** as permitted accessory or conditional uses in the R-5A Rural Residential District (Large Lot), R-6 Suburban Residential District (Large Lot), R-7 Intermediate Rural Residential District, R-8 Rural Residential District (Large Lot), R-9 Rural Residential District, R-10 Residential Alpine/Slope District, and R-11 Turnagain Arm District; to amend Subsection 21.40.020D.13. to replace the use of equestrian facilities with large domestic animal facilities; to amend Chapter 21.45 to add accessory building standards and to establish supplementary district standards for large domestic animal facilities; and to amend Chapter 21.50 to establish conditional use standards for large domestic animal facilities (Planning and Zoning Commission Case 2004-137); Planning Department.

1. Assembly Memorandum No. AM 657-2005. *(Postponing to 11-22-05)*

Chair Fairclough read the ordinance title. Ms. Ossiander explained that she was finalizing a new version of the ordinance, AO 2005-150, which addressed the same issues, but in a slightly different manner. The numbers of large animals allowed would be dependent upon acreage and certain conditions of facilities. It offered additional clarity in other areas and addressed specifically zoned areas.

Chair Fairclough stated Public Hearing would be opened that evening and continued to November 22, 2005. Ms. Ossiander's new ordinance would have the same Public Hearing date.

Mr. Traini requested the Animal Control Advisory Board review this issue. Ms. Ossiander responded it was her intent to respond to enforcement concerns of the Planning Department and also had requested a review from the Animal Control Advisory Board, addressing the issues and compliance with Title 21. Mr. Traini stated his decision on this matter would rely on the recommendations of the Animal Control Advisory Board.

To Chair Fairclough, Animal Control Advisory Board Chair Neil Koeniger responded they would review the matter at their next regular meeting or they would schedule a special meeting to accommodate the Assembly and the public. They would make their recommendations available to the Assembly by November 22nd.

To Mr. Stout, Chair Fairclough responded the people testifying that evening would be allowed to testify again on the new ordinance.

Chair Fairclough opened Public Hearing.

BOB DOUCETTE, resident next to Diamond-H Ranch, opposed allowing large animals in their residential area. He and others complained of horse manure in the roads and trails, and the impact of accommodating up to 200 horses per day. To Mr. Birch, Mr. Doucette responded the commercial horse business was operated out of a private home and thought it may be illegal. The roads and trails were rarely maintained. To Mr. Sullivan, he responded that Assemblymember Shamberg had arranged for an inspection from the Land Use Enforcement Office, but they had inspected the roads when they were clean. Ms. Ossiander stated a business in a residential area would not be permitted to negatively impact the neighborhood.

BOBBI WELLS, Chair of Birchwood Community Council, opposed the ordinance, and preferred that the issue be heard by Animal Control. Current Ordinances were not adequate to protect the health, safety and welfare of both residents and animals. She cited Municipal Code, which addressed the issues. They supported domestic animals in rural areas, but there were many issues, including enforcement, that still needed to be addressed.

DIANNE HOLMES opposed the ordinance. She addressed some of the main concerns, including contamination of adjacent properties and health and safety issues and made recommendations for improvements. Residents were rightfully concerned about wells becoming contaminated and commercial operations in residential areas. These residential neighborhoods were not being protected. Home-based businesses for large animals should not be allowed because they would not comply with the Comprehensive Plan and would open the door for other uses.

STEVE STEENMEYER, owner of a horse business, testified for personal property rights. They had offered to provide trail maintenance for all horses using the park. He challenged the folks who had complained about the horse manure that they cleaned up daily. To Mr. Birch, he responded that he did use Pacer, and they were careful of private property and the traffic. To Mr. Sullivan, Mr. Steenmeyer responded he cleaned up after his horses continually. Mr. Sullivan stated there had been reports that his wagons were causing damage to the trails. Mr. Steenmeyer worked in conjunction with the Horse Counsel and had offered to maintain the trail wear, if they supplied the dirt. To Ms. Jennings, he responded he had 15 horses, which were kept outdoors on their two acres.

CRYSTAL LEE-EDDY, with the US Department of Agriculture and Natural Resources and Conservation, was aware of the soil contamination and leaching. To Ms. Ossiander, she responded she would be happy to meet with anyone, to answer their questions. Ms. Ossiander stated her new ordinance required a soil conservation plan. To Ms. Jennings, she responded that upon request, their department offered their services for free and the results were kept confidential, including information on contaminated wells.

TINA STEENMEIER, horse stable and business owner, asked for support and understanding of their respectable business. She requested that the neighbors address the problem directly to them personally. She suggested creating an equestrian community.

TRINA HEIKES, representing the horse businesses, stated the Assembly was being used to mitigate the issue. The horses had been there for 15-20 years and the complaining neighbor had lived there for two years.

BETH TERRY stated there were more horses than the land would support. She loved horses and their activities, but the commercial business was high impact and causing damage to the environment, including contaminating wells. To Chair Fairclough, she responded this business was not a legal business in this area.

JOHN KRISHANK, Birchwood resident, opposed the ordinance.

HELEN ADAMS, who kept her horse at a residence in Birchwood, opposed the ordinance and stated it was an enforcement issue.

KAREN HURGETTE, llama owner, urged to include specification of the types of animals, because they all were different. To Ms. Jennings, she responded llamas required much less space to maintain.

With no additional testimony, Chair Fairclough called the Question.

Mr. Coffey moved,
Mr. Birch seconded,
and this passed without objection.

to Continue Public Hearing on AO 2005-123 to November 22, 2005 and refer this matter to the Animal Control Advisory Board, with their response no later than November 18, 2005,

Ms. Ossiander moved,
Mr. Stout seconded,
and this passed without objection.

to Postpone Public Hearing on AO 2005-150 to ~~[October 25,]~~ "November 22," 2005 and refer this matter to the Animal Control Advisory Board, with their response no later than November 18, 2005, and be taken up by the Assembly in conjunction with AO 2005-123,

- 14.B. Ordinance No. AO 2005-129, an ordinance of the Municipality of Anchorage creating Special Assessment District 04-36 for **reconstruction of Leawood Drive and Roy Street**, and determining to proceed with proposed improvements therein; Project Management & Engineering
1. Assembly Memorandum No. AM 686-2005.

Chair Fairclough read the ordinance title and opened Public Hearing.

IDA CLARK, resident of Leawood Road, supported the ordinance.

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

1 Mr. Coffey moved, to approve AO 20905-129,
2 Mr. Traini seconded,
3 and this was passed without objection, 8-0.
4

5 AYES: Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

6 NAYES: None.

7 ABSENT: Tesche and Shamberg, excused.

8 *(Clerk's Note: Ms. Ossiander was temporarily out of Chambers at the time of the vote.)*
9

- 10 14.C. Resolution No. AR 2005-257, a resolution of the Municipality of Anchorage, Alaska, accepting and
11 appropriating a State of Alaska Clean Water Fund loan offer increase in the amount of \$2,000,000 for
12 financing a portion of the costs of the **SCADA Sewer Project**; Anchorage Water & Wastewater Utility
13 1. Assembly Memorandum No. AM 707-2005.
14

15 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
16 and called the Question.
17

18 Mr. Coffey moved, to approve AR 2005-257,
19 Mr. Stout seconded,
20

21 To Ms. Jennings, Anchorage Water and Wastewater Utility General Manager Mark Premo responded the total project
22 was \$25 million, with various sources of funds, including this low-interest loan money from the State of Alaska.
23

24 and this motion was passed without objection, 8-0.
25

26 AYES: Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

27 NAYES: None.

28 ABSENT: Tesche and Shamberg, excused.

29 *(Clerk's Note: Ms. Ossiander was temporarily out of Chambers at the time of the vote.)*
30

- 31 14.D. Resolution No. AR 2005-258, a resolution of the Municipality of Anchorage appropriating \$960,814
32 from the Alaska Department of Health and Social Services as a grant to the State Categorical Grants
33 Fund (231), Department of Health and Human Services to fund **Community Health Nursing**
34 **Services**.
35 1. Assembly Memorandum No. AM 708-2005.
36

37 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
38 and called the Question.
39

40 Mr. Coffey moved, to approve AR 2005-258,
41 Ms. Jennings seconded,
42 and this motion passed, 9-0.
43

44 AYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

45 NAYES: None.

46 ABSENT: Tesche and Shamberg, excused.
47

- 48 14.E. Resolution No. AR 2005-259, a resolution appropriating \$1,364,550 from a State of Alaska
49 Department of Transportation and Public Facilities (ADOT&PF) Transfer of Responsibilities Agreement
50 (TORA) with the Municipality of Anchorage to the State Categorical Grants Fund (231) under the
51 Municipal Traffic Department for the **On Street Sign Inventory**; Traffic Department.
52 1. Assembly Memorandum No. AM 709-2005.
53

54 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
55 and called the Question. To Ms. Ossiander, the Administration responded this was for areawide services.
56

57 Mr. Coffey moved, to approve AR 2005-258,
58 Ms. Jennings seconded,
59

60 To Mr. Coffey, Municipal Traffic Engineer Robert Kniefel responded this program was to inventory signs and to transfer
61 data to the electronic database system, to quickly determine location and maintenance records. Municipal employees
62 and contract workers would collect data and a consultant would complete the database.
63

64 To Mr. Birch, Mr. Kniefel responded that half of the appropriation would be spent on labor with the balance on
65 computer software and hardware.
66

67 To Mr. Traini, Mr. Kniefel responded the state grant was \$1.3 million and \$135,000 in matching funds was still needed.
68

69 Ms. Jennings and Ms. Ossiander each requested that Mr. Kniefel address specific missing or incorrect street signs in
70 their districts.
71

72 and this motion passed, 8-1.
73

74 AYES: Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer and Jennings.

75 NAYES: Traini.

76 ABSENT: Tesche and Shamberg, excused.
77

- 114.F. Resolution No. AR 2005-261, a resolution of the Municipality of Anchorage appropriating \$126,558 from Alaska Housing Finance Corporation (AHFC) as a supplemental grant to the State Categorical Grants Fund (231), the Office of Economic and Community Development to fund the **Weatherization Assistance Program**.
1. Assembly Memorandum No. AM 713-2005.

Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing and called the Question.

Mr. Coffey moved,

Ms. Jennings seconded,

and this passed without objection.

to approve AR 2005-261,

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

NAYES: None.

ABSENT: Tesche and Shamberg, excused.

15. SPECIAL ORDERS

Mr. Coffey requested all amendments and proposals to the Long Range Transportation Plan be prepared, in time for the worksession, scheduled for Friday. Ms. Ossiander requested the Transportation Department prepare a cost summary of their projects for their review.

Mr. Stout requested a synopsis from the lobbyists who were contracted to the Municipality. Chair Fairclough responded there was a lobbyist worksession scheduled. .

16. UNFINISHED AGENDA None.

17. AUDIENCE PARTICIPATION None.

18. ASSEMBLY COMMENTS

Ms. Ossiander welcomed all questions concerning large animals.

Chair Fairclough stated the topics for the Friday worksessions would include Large Domestic Animal Facilities, General, Capital and Utility Budget, Fur Rendezvous and the Long Range Transportation Plan.

Mr. Sullivan wished everyone a happy Alaska Day, marking the purchase of Alaska 138 years ago.

Mr. Birch commended the Assembly for confirming the Assembly Reorganization Plan, which would improve the efficiency of operations and would save money in their department.

Mr. Coffey thanked the Municipal Clerk and the Assembly Office staff, for their excellent job during the transition in their office. He thanked the Administration, in particular Municipal Attorney Fred Boness and Deputy Municipal Attorney Rhonda Fehlen Westover for their support and efforts with the reorganization.

19. EXECUTIVE SESSIONS None.

20. ADJOURNMENT

Chair Fairclough called for a motion to adjourn the meeting.

Mr. Sullivan moved,

Mr. Coffey seconded,

and this motion was passed.

to adjourn the Regular Assembly Meeting,

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

NAYES: None.

ABSENT: Tesche and Shamberg, excused.

The Regular Assembly Meeting was adjourned at 8:37.

ATTEST:

ANNA FAIRCLOUGH, Assembly Chair

BARBARA GRUENSTEIN, Municipal Clerk

Date Minutes Approved: November 8, 2005.

MC/BG

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