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MUNICIPALITY OF ANCHORAGE
ANCHORAGE ASSEMBLY

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

Minutes for Regular Meeting of April 12, 2005

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1. CALL TO ORDER

17 The Assembly Meeting was convened by Chair Traini at 5:05 p.m. in the Assembly Chambers, Room 108 of the
18 Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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

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

24 ABSENT: Dan Sullivan, excused.

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3. PLEDGE OF ALLEGIANCE Assemblymember Tremaine led the pledge.

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4. MINUTES OF PREVIOUS MEETINGS

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4.A. Regular Meeting – March 1, 2005.

Ms. Shamberg moved, to approve the Regular Meeting Minutes of March 1, 2005.
Mr. Tremaine seconded,
and this was passed without objection,
with an excused absence for Mr. Sullivan,

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4.B. Regular Meeting – March 8, 2005.

Mr. Tremaine moved, to approve the Regular Meeting Minutes of March 8, 2005.
Ms. Jennings seconded,
and this was passed without objection,
with an excused absence for Mr. Sullivan,

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5. MAYOR'S REPORT None.

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6. ASSEMBLY CHAIR'S REPORT None.

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7. COMMITTEE REPORTS

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48

8. ADDENDUM TO AGENDA

49 Chair Traini called for a motion and read the Addendum items. He called for additional items and AR 2004-86 and AO
50 2005-1(S-1) were added. He assigned to these items Agenda Numbers 9.B.5. and 13.D.2, respectively. He called for
51 additional items, and there being none, he called for a vote to incorporate the Addendum into the Regular Agenda.

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Mr. Stout moved, to approve the inclusion of the Addendum into the
Mr. Tremaine seconded, Regular Agenda.
and this motion was passed,

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

58 NAYES: None.

59 ABSENT: Sullivan, excused.

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Chair Traini stated the Question on the Consent Agenda.

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

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

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9. CONSENT AGENDA

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

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9.B. RESOLUTIONS FOR ACTION - OTHER

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75

9.B.1. Resolution No. AR 2005-79, a resolution establishing delinquent dates for the first and second half of
yearly **real property tax payments** for Tax Year 2005; Finance.
a. Assembly Memorandum No. AM 246-2005.

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

77

- 1 9.B.2. Resolution No. AR 2005-80, a resolution authorizing the Municipality to grant an **electrical easement**
2 to Chugach Electric Association, Inc. across portions of Lot 76A, Campbell Creek Greenbelt
3 Subdivision No. 8, Tax #013-071-42 and Tract E, Campbell Glen Subdivision Unit No. 2 (Taku Lake
4 Park), Tax #013-061-02; Project Management & Engineering.
5 a. Assembly Memorandum No. AM 247-2005.
6 9.B.3. Resolution No. AR 2005-82, a resolution of the Anchorage Municipal Assembly supporting legislation
7 relating to the request for a one-time capital appropriation to the **Mary Magdalene Home Alaska** to
8 provide residential services to women working to leave a life of commercial sexual exploitation;
9 Assemblymembers Jennings, Coffey, Ossiander, Stout, Tesche and Traini. **(Addendum)**

10
11 Ms. Jennings requested this item be pulled for review on the Regular Agenda. *(See item 10.B.3)*

- 12
13 9.B.4. Resolution No. AR 2005-83, a resolution of the Anchorage Municipal Assembly supporting the **Boys &**
14 **Girls Club's** effort to secure funding for a permanent location in Eagle River; Assemblymembers
15 Ossiander and Fairclough. **(Addendum)**
16 9.B.5. Resolution No. AR 2005-86, a resolution of the Anchorage Municipal Assembly recognizing April 10 -
17 16, 2005, as **National Crime Victims' Rights Week**, and honoring the programs and practitioners
18 who work to address victims' rights; Mayor Begich and Assemblymembers Fairclough, Coffey,
19 Sullivan, Tesche, Traini, Tremaine, Whittle, Stout, Jennings, Ossiander and Shamberg. **(Laid on the**
20 **Table)**

21
22 Mr. Whittle requested this item be pulled for review on the Regular Agenda. *(See item 10.B.5)*

23
24 **9.C. BID AWARDS**

- 25 9.C.1. Assembly Memorandum No. AM 226-2005, recommendation of award to Consolidated Contracting
26 and Engineering for **Dimond & East High pool facilities hot water heater replacement** for the
27 Municipality of Anchorage, Maintenance and Operations Department (ITB 25-C005) (\$177,333);
28 Purchasing.

29
30 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. *(See item 10.C.1)*

- 31
32 9.C.2. Assembly Memorandum No. AM 227-2005, recommendation of award to Potelcom for furnishing
33 single-phase and three-phase **kilowatt-hour meters** to the Municipality of Anchorage; Municipal Light
34 & Power (ITB 25-B008) (\$126,732.40); Purchasing.

35
36 **9.D. NEW BUSINESS**

- 37 9.D.1. Assembly Memorandum No. AM 228-2005, **Arts Advisory Commission** appointments (Pamela
38 Cravez, Michele Miller); Mayor's Office.

39
40 Ms. Jennings requested this item be pulled for review on the Regular Agenda. *(See item 10.D.1)*

- 41
42 9.D.2. Assembly Memorandum No. AM 229-2005, **Women's Commission** appointments (Krista Scully, Lori
43 Pickett); Mayor's Office.

44
45 Mayor Begich introduced the new appointments to the Women's Commission, Krista Scully and Lori Pickett.

- 46
47 9.D.3. Assembly Memorandum No. AM 221-2005, **Assembly Meeting Schedule** (July – December 2005);
48 Assembly Chair Traini.

49
50 Mr. Coffey requested this item be pulled for review on the Regular Agenda. *(See item 10.D.3)*

- 51
52 9.D.4. Assembly Memorandum No. AM 230-2005, cooperative agreement with Cardinal Distribution for
53 providing **emergency medical medications** for the Municipality of Anchorage, Anchorage Fire
54 Department (\$120,000); Purchasing.
55 9.D.5. Assembly Memorandum No. AM 231-2005, Change Order No. 2 to Purchase Order 241336 with
56 Chugach Electric Association (CEA) for **danger tree removal services** for the Municipality of
57 Anchorage (MOA), Anchorage Fire Department (AFD) (\$100,000); Purchasing.
58 9.D.6. Assembly Memorandum No. AM 232-2005, proprietary contract to United Fire Service for Original
59 Equipment Manufacturer (**OEM**) **parts and service** for the Municipality of Anchorage, Anchorage Fire
60 Department (\$50,000); Purchasing.
61 9.D.7. Assembly Memorandum No. AM 233-2005, proprietary purchase of **structural collapse rescue**
62 **shoring** from Airshore International for the Municipality of Anchorage, Anchorage Fire Department
63 (AFD) (\$49,626); Purchasing.
64 9.D.8. Assembly Memorandum No. AM 234-2005, proprietary purchase of **KME fire apparatus parts and**
65 **services** on an "as needed" basis from Oregon Fire Equipment Company for the Municipality of
66 Anchorage, Anchorage Fire Department (AFD) (\$43,000); Purchasing.
67 9.D.9. Assembly Memorandum No. AM 235-2005, proprietary purchase from Rae Systems for a **900MHz**
68 **wireless gas detector system and software** for the Municipality of Anchorage, Anchorage Fire
69 Department (\$31,900); Purchasing.
70 9.D.10. Assembly Memorandum No. AM 236-2005, cooperative agreement with Janssen Ortho-McNeil for
71 providing **oral contraceptives products** to the Municipality of Anchorage; Department of Health &
72 Human Services (\$96,000), Purchasing.

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

- 75
76 9.D.11. Assembly Memorandum No. AM 237-2005, cooperative agreement with R&S Northeast, LLC for
77 providing **depo-provera contraceptive products** to the Municipality of Anchorage; Department of
78 Health & Human Services (\$60,000); Purchasing.

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

- 3
4 9.D.12. Assembly Memorandum No. AM 238-2005, proprietary purchase for providing **library materials** from
5 the Gale Group to the Municipality of Anchorage, Office of Economic & Community Development,
6 Library Division (\$98,000); Purchasing.
7 9.D.13. Assembly Memorandum No. AM 239-2005, Change Order No. 2 to Purchase Order 234151 with
8 Dryden & LaRue Inc. for professional services to repair/replace the existing **Eklutna Transmission**
9 **Line** for the Municipality of Anchorage, Municipal Light & Power (\$500,000), Purchasing.
10 9.D.14. Assembly Memorandum No. AM 240-2005, proprietary contracts to various suppliers to support
11 **power generation operations** for the Municipality of Anchorage, Municipal Light & Power (\$410,000);
12 Purchasing.
13 9.D.15. Assembly Memorandum No. AM 241-2005, Change Order No. 5 to Vendor Contract 22MLP043 with
14 Coffman Engineering for providing **plant engineering services** for the Municipality of Anchorage,
15 Municipal Light & Power (\$300,000); Purchasing.
16 9.D.16. Assembly Memorandum No. AM 242-2005, recommendation of award to Lounsbury & Associates for
17 providing professional engineering services for the **Fireweed Lane Reconstruction** for the
18 Municipality of Anchorage, Project Management & Engineering (RFP 24-P011 – Project B)
19 (\$1,497,722); Purchasing.
20

21 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.D.16)

- 22
23 9.D.17. Assembly Memorandum No. AM 243-2005, recommendation of award to VEI Consultants for providing
24 professional engineering services for the **W. Marston Drive/Foraker Drive/Lateral Water**
25 **Improvement District Project** (Project D) for the Municipality of Anchorage, Project Management &
26 Engineering Department (RFP 24-P031) (\$629,372.90), Purchasing.
27 9.D.18. Assembly Memorandum No. AM 244-2005, contract Amendment No. 3 to Goodfellow Brothers, Inc.
28 for the **construction of Elmore Road, DeArmoun Road to Huffman Road**, PM&E No. 00-22
29 (\$313,792.86); Project Management & Engineering.
30

31 Mr. Tremaine requested this item be pulled for review on the Regular Agenda. (See item 10.D.18)

- 32
33 9.D.19. Assembly Memorandum No. AM 245-2005, contract Amendment No. 2 to the professional services
34 contract with HDR Alaska, Inc. for **Lower Fire Lake Dam Rehabilitation**, Project No. 99-31,
35 (\$85,000); Project Management & Engineering.
36 9.D.20. Assembly Memorandum No. AM 251-2005, Amendment No. 1 to contract with Resource Data, Inc. for
37 professional services for **software application support** for AWWU (\$975,000); Anchorage Water &
38 Wastewater Utility. (**Addendum**)
39 9.D.21. Assembly Memorandum No. AM 252-2005, recommendation of award to Westin Engineering, Inc. for
40 providing services to update the **Information Technology Master Plan** for 2005-2010 for the
41 Municipality of Anchorage, Anchorage Water & Wastewater Utility (RFP 24-P053) (\$175,000);
42 Purchasing. (**Addendum**)
43 9.D.22. Assembly Memorandum No. AM 253-2005, proprietary purchase with Wiland and Associates to
44 provide consulting services for the **Homeland Security Exercise and Evaluation Program** for the
45 Municipality of Anchorage, Office of Emergency Management (\$66,663.80); Purchasing. (**Addendum**)
46 9.D.23. Assembly Memorandum No. AM 254-2005, statutory Second Injury Fund and state administrative
47 service fees for **Worker's Compensation, Operations** (\$257,846); Risk Management. (**Addendum**)
48 9.D.24. Assembly Memorandum No. AM 255-2005, recommendation of award to SLR International
49 Corporation, dba SLR Alaska, for providing engineering services to conduct a **Landfill Water Quality**
50 **Monitoring Program** for the Municipality of Anchorage; Solid Waste Services (RFP 25-P005)
51 (\$118,416); Purchasing. (**Addendum**)
52

53 **9.E. INFORMATION AND REPORTS**

- 54 9.E.1. Information Memorandum No. AIM 22-2005, Internal Audit Report 2005-2 – **2004 Parts, Fuel and**
55 **Chemicals Inventory, Anchorage Water and Wastewater Utility**; Internal Audit.
56 9.E.2. Information Memorandum No. AIM 23-2005, Internal Audit Report 2005-3 – **2004 Municipal Payroll**
57 **Review, Finance Department**; Internal Audit.
58 9.E.3. Information Memorandum No. AIM 24-2005, Internal Audit Report 2005-4 – **Annual Municipal**
59 **Procurement Review, Purchasing Department**; Internal Audit.
60 9.E.4. Information Memorandum No. AIM 25-2005, **MOA Trust Fund Status** – 2004 Year in Review;
61 Municipal Treasurer.
62 9.E.5. Information Memorandum No. AIM 26-2005, **Investment Advisory Commission Annual Report** –
63 2004 Year in Review; Municipal Treasurer.
64

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

- 66 9.F.1. Ordinance No. AO 2005-60, an ordinance authorizing the third renewal option of the lease of **Lot 7-B,**
67 **Port of Anchorage Subdivision**, totaling 380,559 square feet, to Tesoro Alaska Company. (*Public*
68 *Hearing set for 5-3-05*)
69 a. Assembly Memorandum No. AM 249-2005.
70

71 Deputy Municipal Manager Michael Abbott requested this item be pulled for review on the Regular Agenda. (See item
72 10.F.1)

- 73
74 9.F.2. Ordinance No. AO 2005-61, an ordinance amending Anchorage Municipal Code Chapter 21.47
75 regarding **Sign Standards**, Maximum Luminance Standards and Regulations, Nonconforming
76 Internally Illuminated Signs, Changeable Copy Interval for Certain Non-Residential Signs,
77 Measurement Standards for Non-Residential Signs In Residential Zoning Districts, and other minor
78 revisions to clarify code provisions; Planning Department. (*Pubic Hearing set for. 5-3-05*)

- 1 a. Assembly Memorandum No. AM 250-2005.
2 9.F.3. Resolution No. AR 2005-81, a resolution of the Municipality appropriating \$44,500,000 of proceeds of
3 General Obligation Bonds to the Anchorage Roads and Drainage Service Area CIP Fund (441),
4 \$1,930,000 to the Areawide Public Transportation General CIP Fund (485), and \$480,000 to the
5 Areawide General CIP Fund (401), to pay the costs of **road and storm drainage, public**
6 **transportation, and public safety capital improvement projects**; Office of Management & Budget.
7 (*Pubic Hearing set for 4-19-05*)
8 a. Assembly Memorandum No. AM 248-2005.
9 9.F.4. Resolution No. AR 2005-78, a resolution of the Municipality of Anchorage providing for a **revision of**
10 **the 2005 General Government Operating Budget**; Office of Management & Budget. (*Public Hearing*
11 *4-26-05*) (*Special Meeting*) (**To be Submitted**)
12 9.F.5. Ordinance No. AO 2005-59, an ordinance setting the rate of **tax levy for the General Government**
13 and levying taxes for the Municipality of Anchorage Areawide General Purposes including all service
14 areas of the Municipality and excluding municipal schools for the Municipal Tax Year 2005 and
15 approving the amount of municipal general government property tax for Fiscal Year 2005; Office of
16 Management & Budget. (*Public Hearing 4-26-05*) (*Special Meeting*) (**To be Submitted**)
17 9.F.6. Ordinance No. AO 2005-62, an ordinance setting the rate of **tax levy and levying taxes for the**
18 **Anchorage School District** for the Municipal Tax Year 2005 and approving the total amount of
19 municipal property tax for the Anchorage School District for Calendar Year 2005; Office of
20 Management and Budget. (*Public Hearing 4-26-05*) (*Special Meeting*) (**To be Submitted**)
21

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

23
24 and the motion to approve the amended Consent Agenda was passed,

25
26 AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
27 NAYES: None.
28 ABSENT: Sullivan, excused.
29

30 Chair Traini announced the approval of the amended Consent Agenda, with the exception of the pulled items and
31 proceeded into discussion of those items.
32

33 END OF CONSENT AGENDA

34 10. REGULAR AGENDA

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

36 10.B. RESOLUTIONS FOR ACTION - OTHER

37
38 10.B.1. Resolution No. AR 2005-79, a resolution establishing delinquent dates for the first and second half of
39 yearly **real property tax payments** for Tax Year 2005; Finance.
40 a. Assembly Memorandum No. AM 246-2005.
41
42

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

44
45 Ms. Shamberg moved, to approve AR 2005-79.
46 Mr. Coffey seconded,
47

48 To Ms. Shamberg, Municipal Treasurer Dan Moore responded the city scheduled the first and second tax payments to
49 be due mid-June and mid-August, respectively. Taxpayers could pay in advance, if there was a burden of making both
50 payments within the three-month period. To Chair Traini, he responded the formal tax notices were sent out in May.
51

52 and this motion was unanimously passed,
53 with an excused absence for Sullivan,
54

55 10.B.3. Resolution No. AR 2005-82, a resolution of the Anchorage Municipal Assembly supporting legislation
56 relating to the request for a one-time capital appropriation to the **Mary Magdalene Home Alaska** to
57 provide residential services to women working to leave a life of commercial sexual exploitation;
58 Assemblymembers Jennings, Coffey, Ossiander, Stout, Tesche [and], Traini and Whittle.
59 (**Addendum**)
60

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

62
63 Ms. Jennings moved, to approve AR 2005-82.
64 Mr. Tesche seconded,
65

66 Ms. Jennings read the resolution, describing a capital appropriation supporting the Mary Magdalene Home Alaska,
67 offering assistance for commercially, sexually exploited women.
68

69 Mr. Whittle thanked her for reading it into the record and requested to be added as a cosponsor to this resolution.
70

71 Chair Traini urged unanimous support.

72
73 and this motion, as amended, was passed without objection,
74 with an excused absence for Mr. Sullivan,
75

76 10.B.5. Resolution No. AR 2005-86, a resolution of the Anchorage Municipal Assembly recognizing April 10 -
77 16, 2005, as **National Crime Victims' Rights Week**, and honoring the programs and practitioners
78 who work to address victims' rights; Mayor Begich and Assemblymembers Fairclough, Coffey,

1 Sullivan, Tesche, Traini, Tremaine, [and] Whittle, Stout, Jennings, Ossiander and Shamberg. (**Laid on**
2 **the Table**)

3
4 Chair Traini read this resolution title and Mr. Stout, Ms. Jennings, Ms. Ossiander and Ms. Shamberg requested to be
5 added as cosponsors. Chair Traini called for a motion.

6
7 Mr. Whittle moved, to approve AR 2005-86, as amended.
8 Ms. Fairclough seconded

9
10 Mr. Whittle read the resolution and Ms. Fairclough presented the award to Nurse Practitioner Leona Raider, an active
11 member of the Family Advocacy Program. Ms. Raider accepted the award and thanked the Assembly and the
12 Administration for recognizing victims of all types of abuse, neglect and violence.

13
14 and this motion, as amended, was passed without objection,
15 with an excused absence for Mr. Sullivan,

16
17 **10.C. BID AWARDS**

18 10.C.1. Assembly Memorandum No. AM 226-2005, recommendation of award to Consolidated Contracting
19 and Engineering for **Dimond & East High pool facilities hot water heater replacement** for the
20 Municipality of Anchorage, Maintenance and Operations Department (ITB 25-C005) (\$177,333);
21 Purchasing.

22
23 Chair Traini read this memorandum title and called for a motion.

24
25 Mr. Tremaine moved, to approve AM 226-2005.
26 Mr. Coffey seconded,

27
28 Mr. Tremaine stated that the contractor's bids had been one-half of the costs of the estimate. Municipal Maintenance
29 and Operations Director Alan Czajkowski responded they were improving their process of preparing estimates.

30
31 To Mr. Coffey, Deputy Municipal Manager Michael Abbott responded there were fee proposals being addressed by the
32 Parks and Recreation Commission that week, which would come before the Assembly for final action.

33
34 To Chair Traini, Mr. Abbott responded the new fees had been proposed for the 2005 budget. Chair Traini urged
35 because if the fee proposals were not approved by the Assembly, programs would have to be reduced because the
36 anticipated revenue would not be available.

37
38 To Ms. Jennings, Mr. Abbott responded that the Administration was addressing possibilities of joint ventures to share
39 maintenance and operations costs of swimming pools. Also being considered were alternate management services for
40 existing municipal pools and program management. Mr. Abbott stated the Assembly would be kept informed.

41
42 Ms. Ossiander stated that it was important to address the park plan as a whole.

43
44 and this motion was passed without objection,
45 with an excused absence for Mr. Sullivan,

46
47 **10.D. NEW BUSINESS**

48 10.D.1. Assembly Memorandum No. AM 228-2005, **Arts Advisory Commission** appointments (Pamela
49 Cravez, Michele Miller); Mayor's Office.

50
51 Chair Traini read this memorandum title and called for a motion.

52
53 Ms. Jennings moved, to approve AM 228-2005.
54 Mr. Tesche seconded,

55
56 Ms. Jennings thanked Pamela Cravez and Michele Miller, for volunteering their time.

57
58 and this motion was passed without objection,
59 with an excused absence for Mr. Sullivan,

60
61 10.D.3. Assembly Memorandum No. AM 221-2005, **Assembly Meeting Schedule** (July – December 2005);
62 Assembly Chair Traini.

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

65
66 Mr. Coffey moved, to approve AM 221-2005.
67 Ms. Jennings seconded,

68
69 Mr. Coffey pulled this item to allow members an opportunity to make changes. Chair Traini responded there were
70 three meetings scheduled for November to review the budget and the calendar could be modified throughout the year.

71
72 and this was passed without objection,
73 with an excused absence for Mr. Sullivan,

74
75 10.D.10. Assembly Memorandum No. AM 236-2005, cooperative agreement with Janssen Ortho-McNeil for
76 providing **oral contraceptives products** to the Municipality of Anchorage; Department of Health &
77 Human Services (\$96,000); Purchasing.

78

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

2
3 Mr. Coffey moved, to approve AM 236-2005.
4 Mr. Tremaine seconded,

5
6 Mr. Coffey questioned why the Municipality should be issuing oral contraceptives. Ms. Fairclough responded the
7 reproductive clinics also offered services to victims of rape.

8
9 To Chair Traini, Health and Human Services Director Beverly Wooley responded that the bulk of the appropriations
10 supported the reproductive health clinics, assisting with all the issues.

11
12 Mr. Coffey responded that he wanted to review the spending details before action was taken on the memorandum.

13
14 Mr. Coffey moved, to *postpone* AM 236-2005 for one week.
15 Mr. Stout seconded,

16
17 Mr. Coffey approved of the use of contraception for the prevention of sexually transmitted diseases (STDs), but
18 questioned the use of oral contraceptives for this purpose. Ms. Wooley responded she would get the distribution of the
19 funds, discerning the oral contraceptives and STDs.

20
21 To Mr. Tesche, Mayor Begich responded that this program had originated in the 1960's. To Mr. Tesche, Ms. Wooley
22 responded that their clinics had enough supplies to sustain for a week.

23
24 Mr. Stout stated that since this was an expensive item, it was appropriate to wait and review the distributions of funds.

25
26 and the motion to postpone failed,

27
28 AYES: Fairclough, Traini, Stout and Coffey.
29 NAYES: Whittle, Tremaine, Tesche, Jennings, Ossiander and Shamberg.
30 ABSENT: Sullivan, excused.

31
32 Ms. Wooley stated the Reproductive Health Clinic saw 6500 clients annually, with about 200-225 clients seeking
33 assistance from the Sexual Assault Response Team (SART).

34
35 To Chair Traini, Ms. Wooley responded that the clinics provided education and barrier methods for protection, or
36 medications to clear up infections of STDs. The clinics were legally not allowed to require parental permission and
37 they would not deny service to anyone. They encouraged parental involvement.

38
39 To Ms. Ossiander, Ms. Wooley responded that 93% of the clinic's clientele qualified to pay on a sliding fee scale.

40
41 Chair Traini put the Question on the main motion.

42
43 and the main motion was passed,

44
45 AYES: Fairclough, Whittle, Tremaine, Tesche, Jennings, Ossiander and Shamberg.
46 NAYES: Traini, Stout and Coffey.
47 ABSENT: Sullivan, excused.

48
49 Mr. Tesche moved, for *immediate reconsideration* of AM 236-2005.
50 Ms. Jennings seconded,

51
52 Ms. Fairclough stated that a vote for immediate reconsideration could be viewed as inappropriate, if an
53 Assemblymember was absent, and it was courteous to wait for all members to be included. Mr. Tesche responded
54 that Robert's Rules of Order did not prohibit the motion. Chair Traini concurred and put the Question.

55
56 and this motion failed,

57
58 AYES: Fairclough, Traini and Coffey.
59 NAYES: Whittle, Tremaine, Tesche, Stout, Jennings, Ossiander and Shamberg.
60 ABSENT: Sullivan, excused.

61
62 10.D.11. Assembly Memorandum No. AM 237-2005, cooperative agreement with R&S Northeast, LLC for
63 providing **depo-provera contraceptive products** to the Municipality of Anchorage; Department of
64 Health & Human Services (\$60,000); Purchasing.

65
66 Chair Traini read this memorandum title and called for a motion.

67
68 Mr. Coffey moved, to approve AM 237-2005.
69 Ms. Jennings seconded,

70
71 To Mr. Coffey, Ms. Wooley and the Mayor responded this involved the same issue, as was discussed in item 10.D.10.

72
73 Chair Traini requested that the department review language in the memorandum, on Line 7, suggesting that depo-
74 provera injections prevented sexually transmitted diseases. Ms. Wooley concurred.

75
76 Mr. Stout stated he wanted to review the distributions of funds before action was taken.

77
78 Mr. Stout moved, to *postpone* AM 237-2005.

1 Mr. Coffey seconded,
2

3 Mr. Tesche opposed postponement, but concurred with reviewing the information. Ms. Wooley responded they would
4 be happy to provide the fund distributions of this appropriation.
5

6 To Chair Traini, Ms. Wooley responded that depo-provera was an injectable contraceptive, there were no age
7 requirements and they were legally required to assist everyone who came to their clinics. If they lost their federal
8 funding, it would severely hamper their ability to provide the services.
9

10 Ms. Fairclough restated the question raised by Assemblymembers, "How much money are we spending on
11 contraceptives versus fighting sexually transmitted diseases?" Ms. Wooley concurred.
12

13 Chair Traini put the Question.
14

15 and the motion to postpone failed,
16

17 AYES: Fairclough, Traini, Stout and Coffey.
18 NAYES: Whittle, Tremaine, Tesche, Jennings, Ossiander and Shamberg.
19 ABSENT: Sullivan, excused.
20

21 Chair Traini put the Question.
22

23 and the main motion passed,
24

25 AYES: Fairclough, Whittle, Tremaine, Tesche, Jennings, Ossiander and Shamberg.
26 NAYES: Traini, Stout and Coffey.
27 ABSENT: Sullivan, excused.
28

29 Mr. Tesche moved for immediate reconsideration and urged a NO-vote.
30

31 Mr. Tesche moved, *for immediate reconsideration of AM 237-2005.*
32 Mr. Tremaine seconded,
33 and this motion failed,
34

35 AYES: Fairclough, Traini, Stout and Coffey.
36 NAYES: Whittle, Tremaine, Tesche, Jennings, Ossiander and Shamberg.
37 ABSENT: Sullivan, excused.
38

39 10.D.16. Assembly Memorandum No. AM 242-2005, recommendation of award to Lounsbury & Associates for
40 providing professional engineering services for the **Fireweed Lane Reconstruction** for the
41 Municipality of Anchorage, Project Management & Engineering (RFP 24-P011 – Project B)
42 (\$1,497,722); Purchasing.
43

44 Chair Traini stated the Question.
45

46 Mr. Coffey moved, *to approve AM 242-2005.*
47 Ms. Jennings seconded,
48

49 Mr. Coffey stated he was familiar with this issue and urged reviewing all options for Fireweed Lane. Chair Traini
50 concurred that a study was important to view everyone's concerns.
51

52 and this passed without objection,
53 with an excused absence for Mr. Sullivan,
54

55 10.D.18. Assembly Memorandum No. AM 244-2005, contract Amendment No. 3 to Goodfellow Brothers, Inc.
56 for the **construction of Elmore Road, DeArmoun Road to Huffman Road**, PM&E No. 00-22
57 (\$313,792.86); Project Management & Engineering.
58

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

61 Mr. Tremaine moved, *to approve AM 244-2005.*
62 Ms. Jennings seconded,
63

64 Mr. Tremaine stated that there was a consensus that Goodfellow Brothers, Inc. had done an exemplary job. He
65 recommended that consideration be made for allowances for bidding credit, to reward good contractors for good work
66 completed.
67

68 Mr. Coffey stated that questions had been raised that the construction had been completed in October, 2004 and
69 payment was now being made.
70

71 Ms. Ossiander concurred with Mr. Tremaine, stating that Elmore Road had been a major topic of environmental and
72 engineering concerns for many years. Municipal Engineer Howard Holtan responded that Goodfellow Brothers
73 Contractors was no longer doing business in the Anchorage area.
74

75 Mr. Coffey stated that he had spoken with contractors complaining of payment delays. Mr. Holtan responded that the
76 remaining staff at Goodfellow had been unfamiliar with the project and it had taken time to determine the final costs.
77 Mayor Begich encouraged contractors to contact the Municipality to discuss specific concerns so payment could be
78 made upon completion of projects.

1
2 and the motion was passed without objection,
3 with an excused absence for Mr. Sullivan,
4

5 **10.E. INFORMATION AND REPORTS** None were pulled for review.
6

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

8 10.F.1. Ordinance No. AO 2005-60, an ordinance authorizing the third renewal option of the lease of **Lot 7-B,**
9 **Port of Anchorage Subdivision**, totaling 380,559 square feet, to Tesoro Alaska Company. (*Public*
10 *Hearing set for 5-3-05*)

11 a. Assembly Memorandum No. AM 249-2005.
12

13 Chair Traini read the ordinance title. Deputy Municipal Manager Michael Abbott moved for a new Public Hearing date
14 of April 19th, it was seconded by Ms. Ossiander with Mr. Tremaine as the concurring third. Municipal Clerk Barbara
15 Gruenstein responded the original date of May 3rd had already been posted and was necessary to keep to meet
16 noticing requirements. She recommended postponement until later in the meeting to get a legal opinion. Ms.
17 Fairclough so moved, it was seconded by Mr. Tremaine and there were no objections.
18

19 Chair Traini returned the body to discussion of this issue. Mr. Abbott stated that he understood the requirement of
20 time frames and deadlines and stated the Administration would make the May 3, 2005 date work for Public Hearing.
21

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

23 11.A. Ordinance No. AO 2005-38, an ordinance of the Anchorage Municipal Assembly amending
24 Anchorage Municipal Code Section 15.75 regarding **Pesticide Control** to modify drift protection and
25 public notice 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.

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.

36 (*Public Hearing Closed 3-29-05; Postponed from 3-29-05*)
37

38 Chair Traini stated there were still continuing negotiations on finalizing this ordinance.
39

40 Mr. Coffey moved, *to postpone* AR 2005-38 until April 19, 2005.
41 Ms. Jennings seconded,
42

43 Mr. Coffey stated there were active discussions continuing to reach consensus on this issue and there was intent to
44 present a final ordinance, including a number of changes and additions. The Administration had concurred.
45

46 To Ms. Fairclough, Chair Traini responded that Public Hearing had closed on March 29th and it was not his intention to
47 allow additional public testimony.
48

49 and this motion was approved,
50 with one objection from Mr. Tremaine,
51 and an excused absence for Mr. Sullivan,
52

53 11.B. Resolution No. AR 2005-57, a resolution of the Municipality of Anchorage appropriating \$750,000 from
54 the MOA Trust Fund (730) for expert **financial management and support services** in Calendar Year
55 2005; Finance.

56 1. Assembly Memorandum No. AM 165-2005.

57 (*Public Hearing Closed 3-29-05; Postponed from 3-29-05*)
58

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

61 Ms. Jennings moved, *to approve* AR 2005-57.
62 Ms. Shamberg seconded,
63 and this motion was unanimously passed,
64

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

66 NAYES: None.

67 ABSENT: Sullivan, excused.
68

69 **12. APPEARANCE REQUESTS**

70 12.A. **Kerry Hawkins**, regarding 16th Annual Spring Clean-Up in Mountain View.
71

72 KERRY HAWKINS announced the 18th Annual Spring Clean-Up in Mountain View, scheduled for April 30th to May 7th.
73 Volunteer groups would include the Mountain View Youth B-Team and the Russian Jack Community Council. On May
74 14th there would be a BBQ, live music and a celebrity roast to celebrate. To Mr. Tesche, Mr. Hawkins responded that
75 last year the Spring Clean-Up collected over 300 tons of garbage. He responded they needed 100 volunteers to
76 conduct the clean-up. Mr. Tesche thanked all the volunteers and Municipal Manager Denis LeBlanc and his office for
77 their support. Ms. Jennings thanked Mr. Hawkins for all his efforts in the community, making Anchorage a better city.
78

1 12.B. **Theresa Nangle Obermeyer, Ph.D.**, regarding Law Day May 1, 2005, dedicated to "The American
2 Jury".
3

4 THERESA NANGLE OBERMEYER, PH.D. testified in support of Law Day on and stated that, as an American, she
5 would always be able to voice her opinion, even after all her arrests and abuse that she had endured over the years.
6

7 **13. CONTINUED PUBLIC HEARINGS**

8 13.A. Ordinance No. AO 2005-15, an ordinance amending the zoning map and providing for the rezoning
9 consisting of approximately 5.5 acres from R-3 (Multiple-Family Residential District) and R-5 (Rural
10 Residential District) to B-3 SL (General Business District with Special Limitations), for **Hillcrest**
11 **Subdivision**, Block 1, Lots 1 and 2, and Block 5, Lots 1 through 6, and Hillcrest Park Subdivision
12 Number 1, Tracts C and D; generally located on the east side of Old Seward Highway and the west
13 side of Short Street, south of Abbott Road and north of Lakewood Court (Bayshore/Klatt Community
14 Council) (Planning and Zoning Commission Case 2004-151); Assembly Chair Traini.
15 (*Postponed from 3-8-05; Carried Over from 3-29-05*) (**Postponed until 4-10-05**)
16

17 Chair Traini read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
18 called for a motion.
19

20 Ms. Fairclough moved, to approve AO 2005-15.
21 Ms. Ossiander seconded,

22 Mr. Tremaine moved, to postpone AO 2005-15 to April 19, 2005.
23 Mayor Begich seconded,
24 and this was approved without objection,
25
26

27 To Chair Traini, Mr. Tremaine responded that the petitioner was not in the audience and he was hesitant to move
28 forward. He had missed the worksession because he had been busy with issues in Girdwood and wanted to wait until
29 he was updated on the negotiations between the neighbors. Ms. Shamberg concurred. Municipal Clerk Barbara
30 Gruenstein responded that Mr. Smith would be out of town until April 19th. Mr. Tremaine moved for postponement until
31 the 19th. The Administration concurred and there were no objections.
32

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

38 1. Assembly Memorandum No. AM 146-2005.
39 (*Carried Over from 3-29-05*)
40

41 Chair Traini read this ordinance title and opened Public Hearing.
42

43 HARVEY PRICKETT, with Dean Architects, described the "neotraditional design" development as surpassing
44 requirements set by Title 21, including rear-garage entry, front porches, areas for snow storage, visual enhancements,
45 buffers, open space, additional parking, connectivity to bike paths and bus stops, sidewalks and high standards for
46 aesthetic value for the community. He requested Assembly approval. To Mr. Tesche, Mr. Prickett responded that the
47 design allowed for foot traffic connectivity to bus stops and involved 34 single units, each selling for \$167,000. Mr.
48 Tesche responded that this type of quality design was fulfilling the needs of Anchorage. To Mr. Whittle, Mr. Prickett
49 responded that the design was family-friendly and allowed space for children to play. To Mr. Stout, Mr. Prickett
50 responded there were no other similar designs in Anchorage, with the exception of Bootlegger's Cove, developed in
51 the 1960's. Ms. Jennings stated she approved of the design and appearance, with garages in the back and front
52 porches. To Mr. Coffey, Mr. Prickett responded the traffic signal at Lore and Lake Otis was not the responsibility of the
53 developer, but he understood there would be improvements made to Lore and assumed traffic lights would be added.
54 He concurred with the Comprehensive Plan, emphasizing increased density in this area, and felt it was good public
55 policy. He stated that decisions concerning density would have to be resolved by the Assembly and the
56 Administration. To Chair Traini, Mr. Prickett responded that two-car garages were included with each unit and
57 additional family vehicles, boats and snow machines would need to be stored outside the subdivision.
58

59 JEFF SPEES stated he would have difficulty catching the bus at the corner at Lake Otis and Lore with the proposed
60 additional traffic from this higher density. The bus stop would become less accessible. There were no current plans to
61 put in a traffic signal at that intersection and he viewed it as a safety issue. Mr. Coffey responded that the proposed
62 density increase would not warrant a traffic analysis, but appreciated Mr. Spees' comments. Ms. Jennings thanked
63 him for his testimony. To her question, he responded that as the density increased, people would not be able to cross
64 the five-lane street.
65

66 AL TIMOTHY SR. testified of his concerns of the new design for high density. He requested consideration of requiring
67 more space for vehicles and space and activities for children in the subdivision. He stated that traffic and bus stops
68 needed to be addressed. Mr. Timothy made several recommendations to improve the increasing density, including
69 fencing the subdivision, increasing the numbers of units per building, allowing taller buildings, increasing the buffers
70 and improving traffic ingress and egress. Mr. Tesche thanked him for his testimony and responded that he did not
71 agree with the idea of total government-imposed restrictions on development.
72

73 DON CHRISTENSEN, a 45-year resident of the subject area, opposed the rezone and was concerned with the
74 increased density which would bring increased crime, homelessness and too much traffic. He felt betrayed because a
75 government decision was changing the zoning. He urged the Assembly to oppose the ordinance.
76

77 KURT RYAN opposed the rezone and thought it would change their quality of life, compared to when they had
78 originally purchased their home 35 years ago. Residents opposed a change of zoning and they were concerned that

1 drainage in the area could not support additional housing. He urged the Assembly not to approve the rezone, and if
2 they did, to consider conditional uses to put additional larger buffer zones with vegetation and additional parking.

3
4 DANIEL CAMPOS opposed the rezone because of traffic, parking and safety issues and worried about his wife pulling
5 into traffic onto Lake Otis. He urged the Assembly not to support the rezone, and if they did, to consider adding buffers
6 and more parking to maintain their quality of life.

7
8 ETHEL CHRISTENSEN opposed the rezone. She shared history of the area and her concern about losing their
9 quality of life.

10
11 MIKE LEGER, with the Holy Cross Catholic Church, opposed the increased density because of the increased traffic on
12 Lore Road. A church member had been hit and hospitalized in a vehicle accident at the intersection of Lore and Lake
13 Otis. To Mr. Coffey, he responded the church was addressing increasing the size of the church parking lot. He
14 understood the property was wet and they would have to make improvements to be able to use it as a parking lot.

15
16 CINDY CAMPOS testified against the rezone because there would be too many people. There would be more kids
17 crossing the street who would be in danger of getting hit.

18
19 With no additional public testimony, Chair Traini closed Public Hearing and stated the Question.

20
21 Mr. Tesche moved, to approve AO 2005-36.
22 Mr. Tremaine seconded,

23
24 Mr. Tesche moved, to amend AO 2005-36 on Page 2, Line 27, *by adding:*
25 Mr. Tremaine seconded, "Section 3: This rezoning is subject to the following special
26 limitation: A neotraditional design consistent with drawings
27 submitted to (the) Assembly on April 12, 2005 shall be utilized
28 for all development on this property."

29
30 Mr. Tesche requested that if this was approved, that the designs be submitted to the Municipal Clerk as official record.

31
32 To Ms. Ossiander, Planning and Zoning Administrator Jerry Weaver responded the approval of limitations meant
33 additional construction or decks would not be allowed. The department fully supported the neotraditional design
34 concept.

35
36 Mr. Coffey read the code standards for approval of a rezone, which described this property and surrounding areas with
37 intention for a density increase. It may be considered an area in transition and the adjacent property would suffer
38 consequences. He also noted that allowable amendments for special limitations might include limiting structures or
39 uses that would adversely affect the surrounding neighborhoods. There was also compliance with the Comprehensive
40 Plan, allowing development with site criteria and standards for increased density. They had failed to take into
41 consideration the surrounding neighborhood, addressing traffic and signals. The Planning and Zoning Commission
42 had discussed that the upgrades of Lore Road would not work well with multiple family structures. He stated there was
43 statutory authority for Mr. Tesche's amendment.

44
45 Ms. Ossiander stated that the implications of the Tesche Amendment would not allow remodeling to the structures.
46 Mr. Coffey concurred and stated remodeling would require a rezone. Mr. Tesche responded that a simple remodel
47 would not require a rezone. He requested a YES-vote on the amendment.

48
49 Ms. Fairclough recommended additional language to ensure the design presented would be used for the development.
50 Ms. Jennings concurred. Mr. Tesche concurred and so moved.

51
52 Mr. Tesche moved, to amend the Tesche Amendment *by adding, to read:*
53 Mr. Tremaine seconded, Section 3: This rezoning is subject to the following special
54 and this was approved without objection, limitation: A neotraditional design consistent with drawings
55 with an excused absence for Mr. Sullivan, submitted to (the) Assembly on April 12, 2005 shall be utilized
56 for all development on this property. "This special limitation
57 expires upon issue of final certificate of occupancy for the last
58 unit constructed on this property."

59
60 Mr. Tremaine stated the current R-2A zoning was described in Title 21 as 10 dwellings per acre. Mr. Weaver
61 concurred. Mr. Tremaine stated alternative R-2M zoning would allow up to 8 units per acre. Mr. Weaver responded
62 there was inconsistency with language in the R-2M description and that site condos would not be allowed. Municipal
63 Attorney Fred Boness responded he would have to research the issue before giving a legal opinion.

64
65 Ms. Ossiander stated there were issues concerning traffic. Mr. Weaver responded that traffic had had considerable
66 review from the public and the staff. The applicants indicated they would offer improvements for connections to Lake
67 Otis. Currently a traffic study was not warranted, but as the area continued to develop, that would change.

68
69 To Ms. Fairclough, Mr. Weaver responded that the current R-2A zoning would allow the petitioner to build single-family
70 structures or duplexes. It also would allow branch libraries, public and private schools, playgrounds, family residential
71 care facilities and churches. Mr. Weaver responded that a site condo development would not be allowed. Ms.
72 Fairclough responded that builders should have the opportunity to develop their property in a reasonable way, there
73 was a need for additional entry-levels homes and this area had been identified as a residential corridor in 2020. She
74 understood the public transportation and the safety issue, but she urged consideration of high density development in
75 this area, particularly because it was already on a five-lane road.

76
77 Mr. Tesche concurred with Ms. Fairclough and supported the main motion.
78

1 To Mr. Coffey, Mr. Tremaine responded the intent of density was silent in the code, but density was governed by
2 minimum lot requirements. R-2M had specific guidance for density.
3

4 Ms. Fairclough stated that inconsistencies had developed with Title 21, which was the reason the Administration had
5 addressed a rewrite. She stated this was a good example. She stated that while the surrounding neighborhood
6 opposed the proposed subdivision, there was a developer offering a higher density, directly in the transportation
7 corridor and this property rezoned was consistent with the Title 21 rewrite and the Comprehensive Plan.
8

9 Mr. Coffey moved, to amend AO 2005-36, by reducing allowed units
10 Ms. Fairclough seconded, from [36] to "24."
11 and this was later withdrawn,
12

13 Mr. Coffey stated that the definition of density was confusing in code and he proposed a reduction in the numbers of
14 units, offering compromise to both sides. Mr. Perkitt responded that the development could not be limited to 24
15 because economically it would not be feasible. Mr. Coffey withdrew this motion and Ms. Fairclough concurred.
16

17 Mr. Coffey stated that while he concurred with Ms. Fairclough's argument, he was concerned it would be a radical
18 change from what currently existed. He disagreed with the Planning and Zoning Commission, and thought the traffic
19 congestion was problematic. There were conflicting directions from the Comprehensive Plan and the Title 21. He
20 thought this change was too much, too soon, and that this project would be more appropriate when other issues in the
21 area were addressed. He would not support the motion.
22

23 Mr. Tesche stated that inconsistencies with the different plans would be worked out in the next year or two. He stated
24 this was an opportunity to move forward immediately with the intent of their direction in the Comprehensive Plan and
25 Title 21, creating more moderately-priced housing. He urged a YES-vote.
26

27 Mr. Stout stated the original homeowners had purchased their homes and property in good faith, thinking the zoning
28 would remain stable. He opposed extremely high density and he opposed changing the existing zoning to create
29 higher density. He opposed the motion.
30

31 Ms. Ossiander stated this design offered many appropriate accommodations that were attractive for higher density
32 areas and she supported the motion.
33

34 Ms. Fairclough urged a YES-vote.
35

36 Mr. Whittle urged a YES-vote, but thought the traffic needed to be addressed in the near future.
37

38 Mr. Traini stated this was near his neighborhood and he was concerned with the changes a rezoned would cause there,
39 with increased traffic and safety concerns. He urged a NO-vote.
40

41 Ms. Shamborg stated there was a need for density housing and there was already a five-lane highway in this area.
42 She would support it.
43

44 Mr. Tremaine stated there was no choice but to be a YES-vote.
45

46 Mr. Coffey stated the competing needs were not balanced and he would not support it.
47

48 and this motion was passed,
49

50 AYES: Fairclough, Whittle, Tremaine, Tesche, Jennings, Ossiander and Shamborg.
51

52 NAYES: Traini, Stout and Coffey.
53

54 ABSENT: Sullivan, excused.
55

56 Ms. Fairclough moved, for immediate reconsideration of AO 2005-36.
57 Mr. Coffey seconded,
58 and this motion failed,
59

60 AYES: Traini, Stout and Coffey.
61

62 NAYES: Fairclough, Whittle, Tremaine, Tesche, Jennings, Ossiander and Shamborg.
63

64 ABSENT: Sullivan, excused.
65

- 66 13.C. Ordinance No. AO 2005-26, an ordinance of the Anchorage Municipal Assembly amending
67 **Anchorage Municipal Vehicle and Traffic Code** Section 9.04.010, Definitions, to repeal Parking
68 Enforcement Officer, define a Peace Officer, and to include parking enforcement by police officers
69 together with traffic enforcement; and amending Section 9.30.240, Enforcement Officers, to include a
70 peace officer for violations of Chapters 9.30, 9.32, and 9.34, and prohibiting photo radar;
71 Assemblymember Coffey. (Continued from 2-15-05) (**Continued to 7-12-05**)
72 1. Assembly Memorandum No. AM 118-2005.
73

74 Chair Traini read the ordinance title. To his question, Mr. Coffey responded that he had confirmed with the
75 Administration their intention to continue to July 12th. Chair Traini stated he would open public testimony, but urged
76 the public to wait to testify when it came before the Assembly again, with possible new versions of the ordinance to
77 consider. Chair Traini opened Public Hearing. There being no one to testify, he called for a motion.
78

79 Mr. Coffey moved, to continue AO 2005-26, with Public Hearing set
80 Mr. Tesche seconded, for July 12, 2005.
81 and this was approved without objection,
82 with an excused absence for Mr. Sullivan,
83

- 1
2 13.D. Ordinance No. AO 2005-1(S-1), an ordinance of the Anchorage Municipal Assembly amending
3 Anchorage Municipal Code Section 2.40.030 relating to the definition and recognition of **Community**
4 **Councils**; Assemblymembers Tesche, Traini, Tremaine, Shamborg and Whittle.
5 1. Assembly Memorandum No. AM 1-2005.
6 2. Ordinance AO 2005-1, an ordinance of the Anchorage Municipal Assembly amending AMC
7 2.40.030 relating to the definition and recognition of Community Councils; Assemblymembers
8 Tesche and Traini,
9 (*Public Hearing was Re-Opened and Continued from 3-1-05; Carried Over From 3-29-05*)

10
11 Chair Traini read this ordinance title and Mr. Tesche distributed the most recent substitute version. Chair Traini
12 opened Public Hearing on AO 2005-1(S-1).

13
14 KATHLEEN PLUNKETT testified that the community had been actively involved with improving the parks in their area
15 with donations, some of which were over \$250, which made them in violation of the regulations. They asked for
16 consideration of changing that language, to allow larger donations. To Ms. Ossiander, Ms. Plunkett responded she did
17 not think it was necessary for a \$250 limit to avoid large cash contributions from any business or group that might wish
18 to sway the decision of the community council.

19
20 PETER MJOS, President of Roger Park Community Council, testified that the system of community councils and the
21 federation, when conducted properly, was participatory democracy at its best, with a forum open to anyone. The
22 council urged consideration of no membership fee to encourage all residents to be involved. They asked for
23 allowances for seeking special assessments for specifically designated projects which would benefit their community.

24
25 ED EARNHART, resident of Taku Community Council, testified in support of the ordinance, but thought there needed
26 to be a campaign to promote the council system because it was important to inform the people and the community.
27 Ms. Jennings agreed with his idea of advertising community councils and encouraging more people to get involved.

28
29 KATY NOLAN, representing the Huffman/O'Malley Community Council, testified in support of the ordinance, except to
30 urge the Assembly to recognize their right of self-governing. They recommended an amendment on Page 2 that would
31 give the councils the ability to self-govern. To Mr. Tremaine, she responded a change to Section 6.g in the S-1
32 Version would also be beneficial.

33
34 STU HALL and DIANNE HOLMES testified they had addressed the proposed changes and made recommendations to
35 improve the ordinance with their S-1 Version. They supported a maximum of \$25 for dues, a hardship clause and the
36 acceptance of larger gifts or grants to fund local projects. They supported requests of taking action on items at the
37 next meeting. They supported the Ossiander Amendment, regarding the use of the membership lists. They supported
38 the ability of self-governing, with defined obligations of councils. They approved the use of the latest edition of
39 Robert's Rules of Order, Revised, 2004. To Ms. Shamborg, Ms. Holmes recommended to amend the proposed
40 meeting schedule to be more applicable with councils' summer meetings. Mr. Tremaine stated it would be difficult for
41 the Girdwood Community Council to comply with the meeting schedules. He proposed additional language to define
42 interim meetings and he opposed the elimination of executive council decisions. Ms. Holmes concurred. To Ms.
43 Jennings, Ms. Holmes responded there were councils that had received large sums for community park improvements
44 or other expenses. Mr. Hall stated that his council had also accepted gifts, and other councils had accepted donations
45 for improvements needed to their area, when the government would not offer funding. He stated that community
46 councils had matured, had good judgment in their leadership and could best decide their own donations.

47
48 AL TAMAGNI, President of the Abbott Loop Community Council, supported the ordinance. He approved of the
49 amendments and supported the authority of the council executive committee.

50
51 Acting Chair Tesche call for additional public testimony and there being none, he closed Public Hearing and called for
52 a motion. Mr. Traini resumed the Chair, and Mr. Tesche thanked Stu Hall and Dianne Holmes for their contribution.
53 He moved to approve the S-1 Version and recommended a YES-vote.

54
55 Mr. Tesche moved, to approve AO 2005-1(S-1).
56 Mr. Tremaine seconded,

57
58 Mr. Tremaine moved, to amend AO 2005-1(S-1) on Page 3, Line 15, *by adding a*
59 Ms. Shamborg seconded, *new Subsection C., to read: "Girdwood is not considered a*
60 *and this was passed without objection, community council for purposes of this section."*
61 *with an excused absence for Mr. Sullivan,*

62
63 Mr. Tremaine stated there were councils that did not need to meet as often and this schedule was more appropriate.

64
65 Mr. Tremaine moved, to amend AO 2005-1(S-1) on Page 2, Line 27, Section 6.c,
66 Mr. Tesche seconded, *by changing,* to read: Regular meetings of the council at
67 *and this passed without objection,* periodic intervals, at least [~~four~~] "two" times in a calendar
68 *with an excused absence for Mr. Sullivan,* year...

69
70 Mr. Tremaine moved, to amend AO 2005-1(S-1) on Section 6.d, *by deleting,* to
71 Mr. Tesche seconded, read: The election of officers and, if desired, an executive
72 *and this passed with one objection,* committee or like body to conduct the business of the council
73 *with an excused absence for Mr. Sullivan,* between meetings; however, any member of the council may
74 request that an action of such a body be brought to a vote of
75 the council at the next council meeting. [~~all council members~~
76 ~~must have an equal voice in policy decision.~~].
77

1 Ms. Ossiander moved, to amend AO 2005-1(S-1) on Page 2, Line 18, *by deleting* to
2 Mr. Tesche seconded, read: These by-laws shall be [~~presented to the Assembly~~
3 ~~prior to recognition~~] "filed with the [FCC] Grant Administrator
4 and be available to the public" and shall provide for:
5

6 Ms. Ossiander stated that instead of coming before the Assembly, the by-laws could be filed with Assembly Budget
7 Analyst Mike Gutierrez. She stated it was not her intent to have all council by-laws approved by the Assembly, which
8 was stated on Page 3, Section 2, which required Assembly approval. Mr. Coffey responded that this provision would
9 possibly eliminate the recognition process.
10

11 Chair Traini recommended improving the language of the amendment by having the council by-laws be presented to
12 the Assembly as a priority condition, required by the Charter and filed with the FCC Grant Administrator.
13

14 Mr. Tremaine stated that the Federation of Community Councils (FCC) was an entity of the moment, was not a
15 permanent part of the process, defined by Code or the Charter, and he would not support the Ossiander Amendment.
16 Ms. Ossiander responded that she would accept the omission of FCC as a friendly amendment and there were no
17 objections.
18

19 and this motion, as amended, failed,
20

21 AYES: Stout and Ossiander.

22 NAYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Jennings, Shamberg and Coffey.

23 ABSENT: Sullivan, excused.
24

25 Ms. Fairclough stated she appreciated all the time and commitment that had gone into negotiation of this document.
26 She referred to the Charter, describing councils encouraging citizens' maximum community involvement and self-
27 determination, specific to the intent of the original ordinance, which was not being followed. She moved to postpone.
28

29 Ms. Fairclough moved, to postpone indefinitely AO 2005-1(S-1).
30 Mr. Coffey seconded,
31

32 Ms. Fairclough stated that she was representing the councils that she had spoken with and did not believe the
33 Assembly should act.
34

35 Ms. Shamberg stated that councils had requested a change to allow them to receive contributions, which was included
36 in this S-1 Version, and she would not support the motion.
37

38 Ms. Ossiander stated she was respectfully supporting councils in her area and she fully supported the motion.
39

40 and this motion failed,
41

42 AYES: Fairclough, Traini, Ossiander and Coffey.

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

44 ABSENT: Sullivan, excused.
45

46 Ms. Ossiander moved, to amend AO 2005-1(S-1) on Page 2, Line 45 by
47 Ms. Jennings seconded, *substituting* to read: 6.f. [An annual report to the council
48 and this was approve without objection, ~~members summarizing all council business conducted in the~~
49 with an excused absence for Mr. Sullivan, ~~preceding 12 months or a compilation of approved minutes.~~
50 "Minutes shall be taken at all meetings."
51

52 Ms. Ossiander moved, to amend AO 2005-1(S-1) on Page 1, Line 46, *by substituting*
53 Ms. Jennings seconded, [\$25.00] to \$15.00.
54

55 Ms. Ossiander stated the councils in her area normally did not charge dues and wanted to lower the ceiling of dues.
56 She stated the idea was to encourage participation.
57

58 and this was approved with one objection,
59 with an excused absence for Mr. Sullivan,
60

61 Ms. Ossiander moved, to amend AO 2005-1(S-1) on Page 3, Line 10, by adding a
62 Ms. Fairclough seconded, new Number 7, to read: "Has been approved by the
63 members of the excising council representing the district."
64

65 Ms. Ossiander stated this had also been addressed by councils in her area, when a new council wanted to be
66 established, following a disagreement on an issue. This had been a political reaction and not truly representative of
67 the community.
68

69 Mr. Tesche stated this action would not have allowed the Assembly to address council boundary lines the preceding
70 year. Under the Charter and the Municipal Code, the decision on formal recognition of councils lies with the Assembly,
71 not with the existing community councils. He recommended a NO-vote.
72

73 Mr. Coffey and Ms. Jennings concurred with Mr. Tesche.
74

75 Mr. Stout stated that the council boundary lines would not be addressed again soon. He stated the councils needed to
76 be approved by the Assembly and the Ossiander Amendment was not overly restrictive. He would be in support.
77

78 and this motion failed,

1
2 AYES: Fairclough, Tremaine, Stout and Ossiander.
3 NAYES: Whittle, Traini, Tesche, Jennings, Shamberg and Coffey.
4 ABSENT: Sullivan, excused.

5
6 Mr. Tesche requested that his name be reinstated as a prime sponsor of this ordinance. Chair Traini, Mr. Tremaine,
7 Mr. Whittle and Ms. Shamberg requested their names also be re-added as co-sponsors.

8
9 Chair Traini called for a vote on the main motion AO 2005-1(S-1), as amended.

10 and this motion was passed,

11
12
13 AYES: Whittle, Tremaine, Stout, Traini, Tesche, Jennings, Shamberg and Coffey.
14 NAYES: Fairclough and Ossiander.
15 ABSENT: Sullivan, excused.

16
17 **14. NEW PUBLIC HEARINGS**

- 18 14.A. Ordinance No. AO 2005-46, an ordinance of the Anchorage Municipal Assembly authorizing an
19 amendment to Port of Anchorage Terminal Tariff No. 5 for **POL (Petroleum, Oil, Lubricants) crane**
20 **usage** after petroleum discharge/loading operation.
21 1. Assembly Memorandum No. AM 200-2005.

22
23 Chair Traini read this ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
24 called the Question.

25
26 Mr. Tesche moved, to approve AO 2005-46.
27 Mr. Tremaine seconded,
28 and this motion was passed without objection,
29 with Mr. Whittle temporarily out of Chambers,
30 and with an excused absence for Mr. Sullivan,

- 31
32 14.B. Ordinance No. AO 2005-50, an ordinance authorizing an amendment to Port of Anchorage Terminal
33 Tariff No. 5, reducing the **wharfage rate** on cement transferred in bulk through pipelines to or from
34 shoreside storage tanks.
35 1. Assembly Memorandum No. AM 204-2005.

36
37 Chair Traini read this ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
38 called the Question.

39
40 Ms. Ossiander moved, to approve AO 2005-50.
41 Mr. Tremaine seconded,
42 and this motion was passed without objection,
43 with Mr. Whittle and Mr. Tesche temporarily out of Chambers,
44 and with an excused absence for Mr. Sullivan,

- 45
46 14.C. Resolution No. AR 2005-71, a resolution of the Municipality of Anchorage appropriating the sum of
47 \$110,000 from the State of Alaska, Department of Transportation & Public Facilities; and
48 reappropriating \$29,120 of contributions from the 2004 Highway Safety Officer Training Grant, State
49 Categorical Grants Fund (231) and reappropriating \$3,699 of contributions from the 2003 Prescription
50 Drug Enforcement Grant, State Categorical Grants Fund (231) and reappropriating \$3,011 of
51 contributions from the 2002 Prescription Drug Enforcement Grant, State Categorical Grants Fund
52 (231) and reappropriating \$873 of contributions from the 2003 Seat Belt Enforcement Blitz Grant,
53 State Categorical Grants Fund (231) and reappropriating \$470 of contributions from the 2003 Seat
54 Belt Enforcement Grant, State Categorical Grants Fund (231) and appropriating \$17,847 as a
55 contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police
56 Service Area Fund (151), to the State Categorical Grants Fund (231) Anchorage Police Department,
57 for the **Youth at Risk Driving Enforcement Program**.
58 1. Assembly Memorandum No. AM 198-2005.

59
60 Chair Traini read this resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing and
61 called for a motion.

62
63 Ms. Jennings moved, to approve AR 2005-71.
64 Mr. Tremaine seconded,
65 and this motion was passed without objection,
66 with Mr. Tesche temporarily out of Chambers,
67 and with an excused absence for Mr. Sullivan,

- 68
69 14.D. Ordinance No. AO 2005-45, an ordinance of the Anchorage Municipal Assembly authorizing the long
70 term lease between the Municipality of Anchorage as lessor and the University of Alaska as lessee of
71 **Lot 4 and Lot 5, Block 4, Merrill Field Replat**, located between Runway 06/24 and Merrill Field
72 Drive; Merrill Field Airport.
73 1. Assembly Memorandum No. AM 199-2005.

74
75 Chair Traini read this ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing and
76 called for a motion.

77
78 Mr. Tremaine moved, to approve AO 2005-45.

1 Ms. Jennings seconded,

2
3 TED CASSIER, University of Alaska Anchorage (UAA) Provost of Academic Affairs, supported this ordinance.

4
5 JAN GALLARD, UAA Dean of Community and Technical College, recognized several associates, faculty, professional
6 and technical staff members, members of the community and students in the audience, present to show their support
7 of the ordinance. She testified their goal was to conduct research to resolve the practical and real problems in the
8 aviation industry and to conduct research in an applied manner that would influence aviation education. It was their
9 intent to make the aviation industry safe and prosperous. Ms. Jennings responded she fully supported the programs
10 and projects with the university and she was in full support of the ordinance.

11
12 With no additional public testimony, Chair Traini closed Public Hearing put the Question.

13
14 and this motion was passed without objection,
15 with Mr. Tesche temporarily out of Chambers,
16 and with an excused absence for Mr. Sullivan,

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

23 1. Assembly Memorandum No. AM 210-2005.

24
25 Chair Traini read this resolution title. Ms Fairclough stated it was her intention to continue Public Hearing to allow time
26 for Assemblymembers to review the Park Trails Plan.

27
28 Ms. Fairclough moved, *to continue* Public Hearing on AR 2005-73 to
29 Mr. Coffey seconded, April 19, 2005.
30 and this was later withdrawn,

31
32 To Ms. Fairclough, Parks and Recreation Director Jeff Dillon responded this document involved existing funds sitting in
33 the capital improvements budget, waiting for allocation and was not related to the current Park Plan. Mayor Begich
34 described matching funds for other projects throughout the community. Mr. Dillon stated the Rasmuson Foundation
35 had indicated an additional \$400,000 grant would be available in the future.

36
37 Mr. Coffey stated that he had received this document at 3:00 that afternoon, with no time to review it, and that was the
38 reason he would support postponement.

39
40 Chair Traini opened Public Hearing.

41
42 VIC MOLOZZI, Chair of the Parks and Recreation Commission and President of the Parks Foundation, testified that
43 the document before the Assembly would allow the Park Foundation to use private dollars to match with public dollars,
44 providing capital funding to the Park and Recreation Department. He stated that they had already attracted \$650,000
45 in donations.

46
47 There being no addition public testimony, Chair Traini closed Public Hearing. Ms. Fairclough withdrew her motion to
48 postpone and the second concurred. She stated that she appreciated these were capital improvements and stated
49 that this had been Laid on the Table the week before, with no public notice. She stated that the document had been
50 received by Assemblymembers late that afternoon, with no time to review the information. She appreciated the efforts
51 to gain matching funds and urged a YES-vote. Chair Traini called the Question.

52
53 Mr. Coffey moved, *to approve* AR 2005-73.
54 Mr. Tremaine seconded,
55 and this motion was passed without objection,
56 with Mr. Stout temporarily out of Chambers,
57 and with an excused absence for Mr. Sullivan,

58
59 **15. SPECIAL ORDERS** None.

60
61 **16. UNFINISHED AGENDA** None.

62
63 **17. AUDIENCE PARTICIPATION** None.

64
65 **18. ASSEMBLY COMMENTS**

66
67 Assemblymembers Coffey and Ossiander each requested a worksession be scheduled to discuss the sign ordinance.

68
69 Ms. Fairclough thanked Mr. Abbot and Mr. Holtan for their assistance with recent important issues to her community.
70 She stated the Administration was doing a fabulous job and acknowledged Municipal Attorney Fred Boness and
71 Economic and Community Development Director Mary Jane Michael.

72
73 **19. EXECUTIVE SESSIONS** None.

74
75 **20. ADJOURNMENT**

76
77 Mr. Tremaine moved, *to adjourn* the Regular Assembly Meeting.
78 Mayor Begich seconded,

1 and this motion was passed,
2

3 AYES: Fairclough, Whittle, Tremaine, Traini, Tesche, Stout, Jennings, Ossiander, Shamberg and Coffey.
4 NAYES: None.
5 ABSENT: Sullivan, excused.
6

7 The Regular Assembly Meeting was adjourned at 10:30 p.m.
8
9

10
11
12 _____
13 DICK TRAINI, Assembly Chair

14 ATTEST:
15
16
17
18
19

20 _____
21 BARBARA GRUENSTEIN, Municipal Clerk
22 Date Minutes Approved: May 17, 2005.
23 MC/BG
24

25 *(Approved Meeting Minutes are available in the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage, Alaska,*
26 *telephone (907)343-4505, or on the Municipal Web Site at www.Muni.org~Assembly~Minutes~year~month/day)*
27

28 Agenda Published in the ALASKA JOURNAL OF COMMERCE P.O. 520-05
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