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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 November 22, 2005, amended

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1. CALL TO ORDER

The Assembly Meeting was convened by Chair Fairclough at 5:06 p.m. in the Assembly Chambers, Room 108 of the Loussac Library, 3600 Denali Street in Anchorage, Alaska.

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

PRESENT: Allan Tesche, Janice Shamberg, Debbie Ossiander, Dan Sullivan, Anna Fairclough, Dan Coffey, Chris Birch, Ken Stout, Paul Bauer, Dick Traini and Pamela Jennings.

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ABSENT: None.

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3. PLEDGE OF ALLEGIANCE Assemblymember Birch led the pledge.

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4. MINUTES OF PREVIOUS MEETINGS None.

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5. MAYOR'S REPORT

Mayor Begich recognized Anchorage Police Department (APD) Officer Christopher Simmons, who had served 14 years with the armed forces and was a veteran of Restore Hope in Somalia in 1973. For the past four years, Officer Simmons had been a Sergeant First Class of the 207th Long Range Surveillance Detachment with the Army National Guard. Officer Simmons thanked the Mayor and the Assembly for their recognition. He thanked APD Lieutenant Paul Honeman and his family for their support. Chair Fairclough commended Officer Simmons for his service.

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6. ASSEMBLY CHAIR'S REPORT

Chair Fairclough reported that she would be representing the Anchorage Assembly, joining Alaska Senator John Cowderly and other Alaskan government representatives, on a trade mission to Seoul Korea and Russia on December 7, 2005.

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7. COMMITTEE REPORTS

Ms. Ossiander reported that the Title 21 Committee would meet in City Hall on December 2nd, finishing their review of Design Standards in Chapter 7. The public was invited to attend.

Mr. Birch reported that he and Ms. Ossiander, as AMATS Committee Representatives, met with that body on Wednesday and would meet again on December 1st, to finalize their recommendations for development of a Long Range Transportation Plan for the community.

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8. ADDENDUM TO AGENDA

Chair Fairclough called for a motion and read the Addendum items. Items AR 2005-302, AM 849-2005, AM 850-2005, AM 846-2005, AM 847-2005, AM 851-2005, AR 2005-301, AO 2005-176, AO 2005-177, AIM 93-2005, AIM 94-2005, AIM 95-2005, AR 2005-303, AR 2005-304, AR 2005-305, AR 2005-306, AO 2005-179, AO 2005-178 were added. She assigned to these items Agenda Numbers 9.A.1, 9.C.4, 9.C.5, 9.D.10, 9.D.11, 9.D.12, 9.F.9, 9.F.10, 9.F.11, 13.A.2, 14.E.1, 9.E.3, 9.E.4, 9.B.5, 9.B.6, 9.B.7, 9.B.8, 9.F.12 and 9.F.13, respectively. She called for a vote to incorporate the Addendum items into the Consent Agenda.

Laid on the Table items included AO 2005-144(S), AO 2005-145(S) and AR 2005-262(S). With Assembly Action, these items were taken up with the corresponding Agenda budget items, including 11.C, 11.D and 11.E. Items AO 2005-150(S) and AM 855-2005 were also Laid on the Table and assigned to Agenda item 14.E. AO 2005-181 was Laid on the Table and assigned to Agenda 15, Special Orders.

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Mr. Coffey moved, to approve the inclusion of the Addendum items
Mr. Traini seconded, into the Consent Agenda,
and this was passed without objection.

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

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75

Chair Fairclough called for a motion on the Consent Agenda.

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

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

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4 **9. CONSENT AGENDA**

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

6 9.A.1. Resolution No. AR 2005-302, a resolution of the Anchorage Municipal Assembly honoring and
7 remembering **Stuart Campen Hall** of Government Hill; Assemblymembers Tesche, Fairclough, Bauer,
8 Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Sullivan, Traini and Mayor Begich. **(Laid on the**
9 **Table)**

10
11 Mr. Tesche moved, *to introduce AR 2005-302,*
12 Mr. Stout seconded,
13 and Ms. Shamberg was the concurring third.

14
15 Mr. Tesche requested this item be pulled for review on the Regular Agenda. *(See Item 10.A.1)*

16
17 **9.B. RESOLUTIONS FOR ACTION - OTHER**

18 9.B.1. Resolution No. AR 2005-293, a resolution of the Municipality of Anchorage appropriating the sum of
19 \$85,000 from the State of Alaska, Department of Transportation & Public Facilities and \$3,050 as a
20 contribution from the 2005 Anchorage Police Operating Budget, Anchorage Metropolitan Police
21 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
22 for the **Impaired Driving Enforcement Sustainment Program**; Anchorage Police Department.

23 a. Assembly Memorandum No. AM 835-2005.

24 9.B.2. Resolution No. AR 2005-294, a resolution adopting an alternative allocation method for the FY06
25 **Shared Fisheries Business Tax Program** and certifying that this allocation method fairly represents
26 the distribution of significant effects of fisheries business activity in the Cook Inlet Fisheries
27 Management Area; Office of Management & Budget.

28 a. Assembly Memorandum No. AM 836-2005.

29 9.B.3. Resolution No. AR 2005-295, a resolution of the Anchorage Municipal Assembly appropriating
30 \$43,573 from the State of Alaska, Department of Commerce, Community, and Economic
31 Development, to the State Categorical Grants Fund (231) for continuing implementation of the
32 **Anchorage Coastal Management Program**; Planning Department.

33 a. Assembly Memorandum No. AM 837-2005.

34 9.B.4. Resolution No. AR 2005-296, a resolution of the Anchorage Municipal Assembly appropriating
35 \$40,100 from the State of Alaska, Department of Commerce, Community, and Economic
36 Development, to the State Categorical Grants Fund (231) for continuing implementation of the
37 **Anchorage Coastal Management Program**; Planning Department.

38 a. Assembly Memorandum No. AM 838-2005.

39 9.B.5. Resolution No. AR 2005-303, a resolution of the Anchorage Municipal Assembly in opposition to the
40 proposed **Halibut Charter IFQ** proposal; Assemblymember Coffey. **(Laid on the Table)**

41
42 Mr. Coffey moved, *to introduce AR 2005-303,*
43 Mr. Stout seconded,
44 Mr. Traini was the concurring third.

45
46 Mr. Sullivan requested this item be pulled for review on the Regular Agenda. *(See item 10.B.5)*

47
48 9.B.6. Resolution No. AR 2005-304, a resolution regarding the **2006 Municipal General Operating Budget**;
49 Assembly Chair Fairclough and Assembly Vice-Chair Coffey. **(Laid on the Table)**

50
51 Mr. Coffey moved, *to introduce AR 2005-304,*
52 Ms. Ossiander seconded,
53 Mr. Stout was the concurring third.

54
55 Mr. Coffey requested this item be pulled and combined with AO 2005-144(S). *(See item 11.C.6)*

56
57 9.B.7. Resolution No. AR 2005-305, a resolution of the Anchorage Municipal Assembly pertaining to the
58 treatment of anticipated **MUSA revenue** in the 2006-2007 Municipal Biennial Budget; Assembly Vice-
59 Chair Coffey. **(Laid on the Table)**

60
61 Mr. Coffey moved, *to introduce AR 2005-305,*
62 Mr. Stout seconded,
63 Mr. Bauer was the concurring third.

64
65 Mr. Coffey requested this item be pulled and combined with AO 2005-144(S). *(See item 11.C.7)*

66
67 9.B.8. Resolution No. AR 2005-306, a resolution of the Anchorage Assembly **requiring budget cuts** in the
68 2006 General Operating Budget in the amount of \$6,400,000; Assemblymember Sullivan. **(Laid on**
69 **the Table)**

70
71 Mr. Sullivan moved, *to introduce AR 2005-306,*
72 Mr. Coffey seconded,
73 Mr. Bauer was the concurring third.

74
75 Ms. Jennings requested this item be pulled and combined with AO 2005-144(S). *(See item 11.C.5)*

76
77 **9.C. BID AWARDS**

- 1 9.C.1. Assembly Memorandum No. AM 823-2005, recommendation of award to Alaska Truck Center for
2 furnishing a **sewer jet truck** to the Municipality of Anchorage, Anchorage Water and Wastewater
3 Utility (AWWU) (ITB 25-B090) (\$194,118); Purchasing.
- 4 9.C.2. Assembly Memorandum No. AM 824-2005, recommendation of award to Yukon Equipment for
5 furnishing a **three (3) cubic yard loader** to the Municipality of Anchorage, Anchorage Water and
6 Wastewater Utility (AWWU) (ITB 25-B091) (\$135,300); Purchasing.
- 7 9.C.3. Assembly Memorandum No. AM 825-2005, recommendation of award to North Star Paving &
8 Construction, Inc. for the **Campbell Creek at Minnesota Drive Water Quality Enhancement Pond
9 Upgrade Project** for the Municipality of Anchorage, Project Management & Engineering (ITB 25-
10 C061) (\$1,439,189); Purchasing.
- 11 9.C.4. Assembly Memorandum No. AM 849-2005, recommendation of award to Kanaq'lq Construction for the
12 **Vance-Wesleyan Upgrade Project** for the Municipality of Anchorage, Anchorage Water &
13 Wastewater Utility (ITB 25-C064) (\$174,331.71); Purchasing. **(Addendum)**
- 14 9.C.5. Assembly Memorandum No. AM 850-2005, recommendation of award to Alcan Electrical &
15 Engineering, Inc. for the **Anchorage Police Department Security System Project** for the
16 Municipality of Anchorage, Maintenance and Operations Department (ITB 25-C066) (\$302,258.00);
17 Purchasing. **(Addendum)**

18
19 **9.D. NEW BUSINESS**

- 20 9.D.1. Assembly Memorandum No. AM 826-2005, **Municipal Prefunding Investment Board** appointment
21 (Ross Risvold); Mayor's Office.
- 22 9.D.2. Assembly Memorandum No. AM 827-2005, utility agreement with the State of Alaska, Department of
23 Transportation and Public Facilities (ADOT/PF), for water and sewer improvements in the **Arctic
24 Boulevard Surface Rehabilitation Project** for the Municipality of Anchorage, Anchorage Water and
25 Wastewater Utility (\$941,483); Purchasing.
- 26 9.D.3. Assembly Memorandum No. AM 828-2005, proprietary purchase of **computer software update
27 licenses and support renewal** from Oracle Corporation for the Municipality of Anchorage, Anchorage
28 Water & Wastewater Utility (AWWU) (\$50,469.14); Purchasing.
- 29 9.D.4. Assembly Memorandum No. AM 829-2005, request for authorization for the Department of Health and
30 Human Services to enter into a grant agreement with Covenant House for **Youth Reception Center
31 Program** (\$150,000).

32
33 Mr. Birch requested this item be pulled for review on the Regular Agenda. *(See item 10.D.4)*

- 34
35 9.D.5. Assembly Memorandum No. AM 830-2005, recommendation of award to Libramation, Inc. for
36 providing seven **library self-check units** to the Municipality of Anchorage, Office of Economic &
37 Community Development (RFP 25-P036) (\$121,195); Purchasing.
- 38 9.D.6. Assembly Memorandum No. AM 831-2005, proprietary purchase Heating, Ventilating and Air
39 Conditioning (**HVAC**) **system controls replacement** with Siemens Building Technologies, Inc. at
40 various municipal facilities for the Municipality of Anchorage; Maintenance and Operations Department
41 (\$66,783); Purchasing.
- 42 9.D.7. Assembly Memorandum No. AM 832-2005, recommendation of award to PDC Inc. Engineers for
43 providing **engineering services** on an "as required" basis for the Municipality of Anchorage, Municipal
44 Light & Power (RFP 25-P039) (\$1,500,000); Purchasing.
- 45 9.D.8. Assembly Memorandum No. AM 833-2005, Amendment No. 2 to the Utility Relocation Agreement with
46 Tesoro Refining and Marketing Company (Tesoro) for the **West Northern Lights Boulevard Upgrade,
47 Nathaniel Court to Wisconsin Street**, Project No. 01-10 (\$160,000); Project Management &
48 Engineering.

49
50 Mr. Coffey requested this item be pulled for review on the Regular Agenda. *(See item 10.D.8)*

- 51
52 9.D.9. Assembly Memorandum No. AM 834-2005, Amendment No. 1 to professional services contract with
53 DOWL Engineers for the **Fireweed Lane-LaTouche Street Upgrade, Seward Highway to Northern
54 Lights Boulevard**, Project No. 04-18 (\$103,000); Project Management & Engineering.

55
56 Mr. Coffey requested this item be pulled for review on the Regular Agenda. *(See item 10.D.9)*

- 57
58 9.D.10. Assembly Memorandum No. AM 846-2005, **Rosen Restaurant/Café #2664** – Transfer of Ownership
59 and Name Change for a Restaurant/Eating Place Liquor License (Spenard Community Council);
60 Clerk's Office. **(Addendum)**
- 61 9.D.11. Assembly Memorandum No. AM 847-2005, **2006/2007 Liquor License Renewals**: New York & New
62 York Restaurant #2664 – Restaurant/Eating; Snow Goose Restaurant & Brewery #4058, Black Angus
63 Meat Market #132 – Beverage Dispensary; Bernie's Bungalow Lounge #4425 – Beverage Dispensary-
64 Duplicate; Snow Goose Restaurant & Brewery #4059 – Brewpub; V.F.W. Post #1685 lic. #1841 –
65 Club; Mom & Pop's Grocery & Liquor #3219, Shopper's Cache (Package Store) (Spenard, North Star,
66 Midtown, Downtown, Chugiak Community Councils); Clerk's Office. **(Addendum)**
- 67 9.D.12. Assembly Memorandum No. AM 851-2005, proprietary purchase to Motorola Inc. for providing
68 **portable radios** to the Municipality of Anchorage, Anchorage Police Department (APD) (\$127,734.40)
69 and Municipal Light & Power (ML&P) (\$28,253.60); Purchasing. **(Addendum)**

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

- 72 9.E.1. Information Memorandum No. AIM 91-2005, **contracts awarded between \$50,000 and \$100,000
73 through formal competitive processes** for the month of October 2005; Purchasing.
- 74 9.E.2. Information Memorandum No. AIM 92-2005, **Sole Source Procurement Report** for the month of
75 October 2005; Purchasing.
- 76 9.E.3. Information Memorandum No. AIM 94-2005, Anchorage **Parks and Recreation Fees Update**; Mayor
77 Begich. **(Laid on the Table)**

78
79 Mr. Coffey moved, *to introduce AIM 94-2005,*

1 Mr. Bauer seconded,
2 and Ms. Jennings was the concurring third.

3
4 Mr. Coffey requested this item be pulled for review on the Regular Agenda. (See item 10.E.3)

5
6 9.E.4. Information Memorandum No. AIM 95-2005, Code Enforcement Changes Update; Mayor Begich.
7 (**Laid on the Table**)

8
9 Mr. Coffey moved, to introduce AIM 95-2005,
10 Ms. Jennings seconded,
11 and Mr. Bauer was the concurring third.

12
13 Ms. Jennings requested this item be pulled for review on the Regular Agenda. (See item 10.E.4)

14
15 **9.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

16 9.F.1. Ordinance No. AO 2005-173, an ordinance authorizing an **electrical easement** across municipal
17 property to Matanuska Electric Association, Inc., in the northeast corner of Tract 3, Eagleridge
18 Subdivision Phase A, Plat 81-292, within Section 13, T14N, R2W, S.M. Alaska, located at Gruening
19 Middle School site near Eagle River Road, Tax #050-872-01; Project Management & Engineering.
20 (*Public Hearing 12-13-05*)

21 a. Assembly Memorandum No. AM 843-2005.

22 9.F.2. Ordinance No. AO 2005-174, an ordinance authorizing the sale of **Lots 9 and 10, Ridgeview**
23 **Subdivision**, located at the intersection of Old Seward and East 70th Avenue, in Anchorage (Parcel ID
24 Nos. 014-111-19 and 014-111-20); Heritage Land Bank & Real Estate Services. (*Public Hearing 12-*
25 *13-05*)

26 a. Assembly Memorandum No. AM 844-2005.

27 9.F.3. Ordinance No. AO 2005-175, an ordinance amending Anchorage Municipal Code Chapters 21.40,
28 21.45 and 21.50 to delete zoning and conditional use provisions related to **roof-mounted satellite**
29 **dishes** (Planning and Zoning Commission Case 2003-143); Planning Department. (*Public Hearing*
30 *12-13-05*)

31 a. Assembly Memorandum No. AM 845-2005.

32 9.F.4. Resolution No. AR 2005-291, a resolution of the Anchorage Municipal Assembly ratifying Executive
33 Order 2005-031, an Executive Order Re-Naming **Timberlane Drive** in Eagle River to Timber Ridge
34 Drive; Municipal Clerk. (*Public Hearing 12-13-05*)

35 a. Assembly Memorandum No. AM 822-2005.

36 9.F.5. Resolution No. AR 2005-297, a resolution of the Municipality of Anchorage appropriating \$1,247,000
37 from the Alaska Department of Health and Social Services and a contribution of \$109,000 from the
38 2005 General Government Operating Budget, Department of Health and Human Services Areawide
39 General Fund (101) to the State Categorical Grants Fund (231) for the **Child Care Licensing**
40 **Program**. (*Public Hearing 12-13-05*)

41 a. Assembly Memorandum No. AM 839-2005.

42 9.F.6. Resolution No. AR 2005-298, a resolution of the Municipality of Anchorage appropriating \$750,000 as
43 a grant from the U.S. Department of Justice, Office on Violence Against Women, to the Federal
44 Categorical Grants Fund (241), Department of Health and Human Services to fund the **Sexual**
45 **Assault Response Team (SART) Program**. (*Public Hearing 12-13-05*)

46 a. Assembly Memorandum No. AM 840-2005.

47
48 Mr. Coffey moved for reconsideration of AR 2005-298, which had passed on the Consent Agenda. (See Item 10.F.6)

49
50 9.F.7. Resolution No. AR 2005-299, a resolution approving the appropriation of an amount not to exceed
51 \$1,744,792 from Heritage Land Bank Operating Fund (221) Balance as a loan to the Anchorage
52 Community Development Authority for **pre-development property expenditures** on behalf of former
53 Heritage Land Bank Parcel #3-012 located in Mt. View. (*Public Hearing 12-13-05*)

54 a. Assembly Memorandum No. AM 841-2005.

55
56 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.F.7)

57
58 9.F.8. Resolution No. AR 2005-300, a resolution authorizing the acceptance and appropriation of a Federal
59 Transit Administration (FTA) Section 5208 Grant in the amount of \$846,377 to the Anchorage Roads
60 and Drainage Service Area Capital Fund (441) for the construction of a **multi-use, ADA-compliant**
61 **trail connection** at Kincaid Park; Project Management & Engineering. (*Public Hearing 12-13-05*)

62 a. Assembly Memorandum No. AM 842-2005.

63
64 Mr. Birch requested this item be pulled for review on the Regular Agenda. (See item 10.F.7)

65
66 9.F.9. Resolution No. AR 2005-301, a resolution of the Municipality of Anchorage appropriating \$605,000
67 from the Federal Highway Administration (FHWA) to the Federal Grants Fund (241) for the Traffic
68 Department, Transportation Planning Division, **Anchorage Metropolitan Area Transportation**
69 **Solutions (AMATS)**; Traffic Department. (*Public Hearing 12-13-05*) (**Addendum**)

70 a. Assembly Memorandum No. AM 848-2005.

71 9.F.10. Ordinance No. AO 2005-176, an ordinance creating a **Tax Increment Financing Improvement**
72 **District**, pledging the payment of tax increments to repay indebtedness undertaken to pay for
73 improvements in the Tax Increment Financing Improvement District, and authorizing the payment for
74 public improvements provided in the District; Assemblymembers Birch, Stout and Traini. (*Public*
75 *Hearing 12-13-05*) (**Addendum**)

76 a. Assembly Memorandum No. AM 852-2005.

77 9.F.11. Ordinance No. AO 2005-177, an ordinance amending Anchorage Municipal Code Chapter 21.67.050
78 to **prohibit clearing of undeveloped contiguous lots** of two acres or more without a land clearing
79 permit; Assemblymember Shamberg. (**Addendum**)

1
2 Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (See item 10.F.11)

3
4 9.F.12. Ordinance No. AO 2005-179, an ordinance amending Anchorage Municipal Code Section 21.67.050
5 regarding **mechanized land clearing of undeveloped contiguous lots**; Assemblymembers
6 Shamberg and Ossiander. (**Laid on the Table**) (Public Hearing 1-31-06)

7
8 Ms. Shamberg moved, to introduce AO 2005-179 with Public Hearing set for
9 Ms. Ossiander seconded, January 31, 2006,
10 and Mr. Coffey was the concurring third.

11
12 9.F.13. Ordinance No. AO 2005-178, an ordinance amending Anchorage Municipal code Section 21.45.150
13 confirming the Assembly's intent that the use of a dwelling unit for the operation of **particle**
14 **accelerator systems**, including cyclotrons, is prohibited in home occupations; and amending
15 Anchorage Municipal Code Sections 21.40.030, 21.40.040, 21.40.045, 21.40.050, 21.40.060,
16 21.40.070, 21.40.080, 21.40.090, 21.40.100, 21.40.110, 21.40.115, 21.40.117 and 21.40.130 to
17 confirm that operation of particle accelerator systems and cyclotrons is prohibited in residential areas;
18 Assemblymember Tesche. (**Laid on the Table**) (Public Hearing 12-20-05)
19 1. Assembly Memorandum No 856-2005.

20
21 Mr. Tesche moved, to introduce AO 2005-178 with Public Hearing set for
22 Mr. Coffey seconded, December 20, 2005,
23 and Ms. Ossiander was the concurring third.

24
25 Chair Fairclough requested that the letter from Birch, Horton, Bittner and Cherot, addressed to the Assembly and
26 dated November 22, be addressed with the ordinance.

27
28 Mr. Sullivan moved, to take up items 9.B.6, 9.B.7, 9.B.8, 9.E.3 and 9.E.4,
29 Mr. Stout seconded, combined with Agenda item 11.C,
30 and this was approved without objection.

31
32 Chair Fairclough called the Question on the remainder of Consent Agenda.

33
34 and this motion, as amended, was passed, 11-0,
35 with Chair Fairclough abstaining on 9.F.6, AR 2005-298, due to a conflict of interest.

36
37 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
38 NAYES: None.

39
40 The amended Consent Agenda was approved and Chair Fairclough proceeded into discussion of the pulled items.

41
42 **END OF CONSENT AGENDA**

43
44
45 **10. REGULAR AGENDA**

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

47 10.A.1. Resolution No. AR 2005-302, a resolution of the Anchorage Municipal Assembly honoring and
48 remembering **Stuart Campen Hall** of Government Hill; Assemblymembers Tesche, Fairclough, Bauer,
49 Birch, Coffey, Jennings, Ossiander, Shamberg, Stout, Sullivan, Traini and Mayor Begich. (**Laid on the**
50 **Table**)

51
52 Mr. Tesche moved, to approve AR 2005-302,
53 Mr. Coffey seconded,
54 and this was approved without objection.

55
56 Mr. Tesche announced there would be a gathering to honor and remember Stuart Campen Hall on Wednesday,
57 November 30th, at Saint Mary's Episcopal Church at 4:00 p.m. He read the resolution, remembering and honoring Mr.
58 Hall, a Government Hill resident, for his many positions in government service, for his passion for antique cars, four-
59 legged friends and his involvement with the people of Alaska and specifically the Government Hill Neighborhood.

60
61 Chair Fairclough stated Mr. Hall's death was a great loss to the community.

62
63 Mr. Sullivan stated that Mr. Hall had been actively involved with local government for many years. He had been a
64 thoughtful, considerate and informed gentleman who would be missed.

65
66 Mr. Stout stated that Mr. Hall was a true friend who shared his passion of antique automobiles. Mr. Hall would truly be
67 missed in the community.

68
69 **10.B. RESOLUTIONS FOR ACTION - OTHER**

70 10.B.5. Resolution No. AR 2005-303, a resolution of the Anchorage Municipal Assembly in opposition to the
71 proposed **Halibut Charter IFQ** proposal; Assemblymember Coffey. (**Laid on the Table**)

72
73 Mr. Sullivan moved, approve AR 2005-303,
74 Mr. Coffey seconded,

75
76 Mr. Sullivan moved to postpone this item until after the dinner break, to allow time to speak with the maker, Mr. Coffey.
77 Seconded by Mr. Coffey and it was approved without objection.

78
79 and this motion was passed without objection, 6-1.

1
2 AYES: Tesche, Shamberg, Sullivan Fairclough, Coffey and Bauer.

3 NAYES: Traini.

4 (Clerk's Note: Ossiander, Birch, Stout and Jennings were temporarily out of Chambers at the time of the vote.)

5
6 **10.C. BID AWARDS**

7
8 **10.D. NEW BUSINESS**

9 10.D.4. Assembly Memorandum No. AM 829-2005, request for authorization for the Department of Health and
10 Human Services to enter into a grant agreement with Covenant House for **Youth Reception Center**
11 **Program** (\$150,000).

12
13 Mr. Birch moved, to approve AM 829-2005,
14 Mr. Stout seconded,

15
16 Mr. Birch questioned the funding source, which included \$25,000 from Municipal Light and Power Utility (ML&P).
17 Mayor Begich responded ML&P had partnered with Covenant House to promote this activity for the past two years and
18 was continually involved with many other non-profit events, supporting the community. Human Health and Human
19 Services Director Beverly Wooley responded this program had been very successful.

20
21 Mr. Coffey stated there was the appearance that this funding came from the utility rate-payers. Mayor Begich
22 responded the utility was operated like a business and participated in being good corporate citizens to the community.
23 The Solid Waste Services had donated over \$150,000 to Clean-Up Day and Municipal Light and Power participated
24 with the City of Lights. ML&P supported many corporate contributions to the community, which were included in their
25 budget as charitable giving.

26
27 Mr. Tesche supported the contribution. It was a worthy program and was contributing to keeping the community
28 working together. He urged a YES-vote.

29
30 To Mr. Coffey, ML&P Finance Administrator Richard Miller responded the contribution was not recovered through utility
31 rates. The Regulatory Commission of Alaska (RCA) would not allow it to be calculated in their general operating
32 budget.

33
34 To Mr. Birch, Mr. Miller responded that ML&P's largest community contribution was made to the Anchorage Economic
35 Development Corporation.

36
37 Chair Fairclough called the Question.

38
39 and this motion was passed, 11-0.

40
41 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

42 NAYES: None.

43
44 10.D.8. Assembly Memorandum No. AM 833-2005, Amendment No. 2 to the Utility Relocation Agreement with
45 Tesoro Refining and Marketing Company (Tesoro) for the **West Northern Lights Boulevard Upgrade,**
46 **Nathaniel Court to Wisconsin Street**, Project No. 01-10 (\$160,000); Project Management &
47 Engineering.

48
49 Mr. Coffey moved, to approve AM 833-2005,
50 Mr. Stout seconded,

51
52 Mr. Coffey declared a possible conflict of interest because his law firm, to which he was of council, had represented
53 Tesoro.

54
55 Chair Fairclough put the Question if there were any Assemblymembers who thought Mr. Coffey had a conflict of
56 interest with this item, and there was no response. She ruled that Mr. Coffey did not have a conflict and ordered him to
57 participate.

58
59 To Ms. Jennings, Municipal Engineer Howard Holtan responded there had been a reduction in the contractor's cost,
60 associated with the work completed by the utility. He would supply additional details to her the next day, pertaining to
61 the scope of the project.

62
63 and this motion was passed, 11-0.

64
65 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

66 NAYES: None.

67
68 10.D.9. Assembly Memorandum No. AM 834-2005, Amendment No. 1 to professional services contract with
69 DOWL Engineers for the **Fireweed Lane-LaTouche Street Upgrade, Seward Highway to Northern**
70 **Lights Boulevard**, Project No. 04-18 (\$103,000); Project Management & Engineering.

71
72 Mr. Coffey moved, to approve AM 834-2005,
73 Ms. Jennings seconded,

74
75 To Mr. Coffey, Municipal Engineer Howard Holtan responded the design plans would be completed this winter. The
76 utility relocation work would be completed during the summer of 2006 and the street, drainage and pedestrian
77 improvements would be completed in 2007.

78

1 To Ms. Ossiander, Mayor Begich responded that the opposition from residents was relating to an entirely different
2 project, located to the west of the New Seward Highway.

3
4 and the motion was passed.

5
6 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
7 NAYES: None.

8
9 **10.E. INFORMATION AND REPORTS**

10 10.E.3. Information Memorandum No. AIM 94-2005, Anchorage **Parks and Recreation Fees** Update; Mayor
11 Begich. (**Laid on the Table**)

12
13 Mr. Coffey moved, *to combine* AM 94-2005 with AO 2005-144(S), as
14 Ms. Ossiander seconded, Agenda item 11.C.8,
15 and this motion was approved unanimously.

16
17 10.E.4. Information Memorandum No. AIM 95-2005, **Code Enforcement Changes** Update; Mayor Begich.
18 (**Laid on the Table**)

19
20 Mr. Coffey moved, *to combine* AIM 95-2005 with AO 2005-144(S), as
21 Ms. Ossiander seconded, Agenda item 11.C.9,
22 and this motion was approved unanimously.

23
24 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION**

25 10.F.6. Resolution No. AR 2005-298, a resolution of the Municipality of Anchorage appropriating \$750,000 as
26 a grant from the U.S. Department of Justice, Office on Violence Against Women, to the Federal
27 Categorical Grants Fund (241), Department of Health and Human Services to fund the **Sexual**
28 **Assault Response Team (SART) Program**. (*Public Hearing 12-13-05*)

29 a. Assembly Memorandum No. AM 840-2005.

30
31 (*Clerk's Note: AR 2005-298 originally passed on the Consent Agenda.*)

32
33 Mr. Coffey moved, *for reconsideration* of AR 2005-298,
34 Mr. Traini seconded,
35 and this was approved without objection.

36
37 Mr. Coffey moved, *to introduce* AR 2005-298,
38 Ms. Ossiander seconded,
39 and Mr. Traini was the concurring third.

40
41 Chair Fairclough stated that she would abstain from participation on this item, because of her association as Director
42 of Standing Together Against Rape (STAR). This resolution involved a federal grant, to which STAR was a recipient.

43
44 and the motion was approved.

45
46 AYES: Tesche, Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout, Bauer, Traini and Jennings.
47 NAYES: None.
48 ABSTAIN: Fairclough.

49
50 10.F.7. Resolution No. AR 2005-299, a resolution approving the appropriation of an amount not to exceed
51 \$1,744,792 from Heritage Land Bank Operating Fund (221) Balance as a loan to the Anchorage
52 Community Development Authority for **pre-development property expenditures** on behalf of former
53 Heritage Land Bank Parcel #3-012 located in Mt. View. (*Public Hearing 12-13-05*)
54 a. Assembly Memorandum No. AM 841-2005.

55
56 Mr. Birch moved, *to introduce* AR 2005-299 with Public Hearing set for
57 Mr. Coffey seconded, December 13, 2005,
58 and Mr. Stout was the concurring third.

59
60 To Mr. Birch, Mayor Begich responded the loan would be repaid to the Heritage Land Bank (HLB) Fund, no later than
61 December, 2006. The HLB Fund would be fully reimbursed.

62
63 To Mr. Coffey, Mayor Begich responded that the purpose of the loan was to clean up the 20-acre parcel and the loan
64 would be repaid when the property sold.

65
66 and this motion passed without objection.

67
68 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
69 NAYES: None.

70
71 10.F.8. Resolution No. AR 2005-300, a resolution authorizing the acceptance and appropriation of a Federal
72 Transit Administration (FTA) Section 5208 Grant in the amount of \$846,377 to the Anchorage Roads
73 and Drainage Service Area Capital Fund (441) for the construction of a **multi-use, ADA-compliant**
74 **trail connection** at Kincaid Park; Project Management & Engineering. (*Public Hearing 12-13-05*)
75 a. Assembly Memorandum No. AM 842-2005.

76
77 Mr. Birch moved, *to introduce* AR 2005-177 with Public Hearing set for
78 Ms. Jennings seconded, December 13, 2005,
79 and Mr. Coffey was the concurring third.

1
2 To Mr. Birch, Mayor Begich responded this involved federal ear-marked grants for improvements to the trail system at
3 Kincaid Park. It did not involve AMATS funds. Municipal Engineer Howard Holtan responded that construction was
4 underway.

5
6 10.F.11. Ordinance No. AO 2005-177, an ordinance amending Anchorage Municipal Code Chapter 21.67.050
7 to **prohibit clearing of undeveloped contiguous lots** of two acres or more without a land clearing
8 permit; Assemblymember Shamberg. (**Addendum**)

9
10 Ms. Shamberg moved, *to postpone indefinitely* AO 2005-177,
11 Ms. Ossiander seconded,
12 and the motion was approved without objection.

13
14 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

15 11.A. Ordinance No. AO 2005-146, an ordinance adopting the **Biennial Municipal Utilities/Enterprise**
16 **Activities Operating Budget** for Fiscal Years 2006 and 2007, adopting the Municipal
17 Utilities/Enterprise Activities Capital Budget for Fiscal Year 2006, and appropriating funds for the 2006
18 Municipal Utilities/Enterprise Activities Operating and Capital Budgets for the Municipality of
19 Anchorage; Office of Management & Budget. (*Postponed from 11-8-05*)
20 1. Assembly Memorandum No. AM 752-2005.

21
22 Chair Fairclough read the ordinance title and called the Question.

23
24 Mr. Birch moved, *to approve* AO 2005-146,
25 Mr. Traini seconded,
26 and this motion passed, 10-0.

27
28 AYES: Tesche, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

29 NAYES: None.

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

31
32 Mr. Coffey moved for immediate reconsideration and urged a NO-vote.

33
34 Mr. Coffey moved, *for immediate reconsideration* of AO 2005-146,
35 Ms. Jennings seconded,
36 and this motion failed, 0-11.

37
38 AYES: None.

39 NAYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

40
41 11.B. Resolution No. AR 2005-263, a resolution approving the **2006-2011 Municipal Utilities Capital**
42 **Improvement Program**, Office of Management & Budget. (*Postponed from 11-8-05*)

43
44 Chair Fairclough read the resolution title and summarized the history. She called the Question.

45
46 Mr. Coffey moved, *to approve* AR 2005-263;
47 Mr. Traini seconded,

48
49 Mr. Coffey urged a YES-vote.

50
51 and this motion was passed, 10-0.

52
53 AYES: Tesche, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

54 NAYES: None.

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

56
57 Mr. Coffey moved for immediate reconsideration and urged a NO-vote.

58
59 Mr. Coffey moved, *for immediate reconsideration* AR 2005-263,
60 Mr. Traini seconded,
61 and this motion failed, 0-11.

62
63 AYES: None.

64 NAYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

65
66 11.C. Ordinance No. AO 2005-144, an ordinance of the Municipality of Anchorage adopting the **Biennial**
67 **General Government Operating Budget** for Fiscal Years 2006 and 2007, and appropriating funds for
68 Fiscal Year 2006; Office of Management & Budget.

69 1. Assembly Memorandum No. AM 750-2005.

70 2. Information Memorandum No. AIM 89-2005, Parks & Recreation Use Permit Fee Schedule,
71 Office of Economic & Community Development. (*Postponed from 11-8-05*)

72 3. Ordinance No. AO 2005-144(S), an ordinance of the Municipality of Anchorage adopting the
73 Biennial General Government Operating Budget for Fiscal Years 2006 and 2007, and
74 appropriating funds for Fiscal Year 2006; Office of Management & Budget. (*Laid on the*
75 *Table*)

76 4. Assembly Memorandum No. AM 853-2005. (*Laid on the Table*)

77 5. Resolution No. AR 2005-306, a resolution of the Anchorage Assembly requiring budget cuts in
78 the 2006 General Operating Budget in the amount of \$6,400,000; Assemblymember Sullivan.
79 (*Laid on the Table*) (*Agenda item 9.B.8*)

6. Resolution No. AR 2005-304, a resolution regarding the 2006 Municipal General Operating Budget; Assembly Chair Fairclough, ~~and~~ Assembly Vice-Chair Coffey and Assemblymember Birch. (*Laid on the Table*) (*Agenda item 9.B.6*)
7. Resolution No. AR 2005-305, a resolution of the Anchorage Municipal Assembly pertaining to the treatment of anticipated MUSA revenue in the 2006-2007 Municipal Biennial Budget; Assembly Vice-Chair Coffey. (*Laid on the Table*) (*Agenda item 9.B.7*)
8. Information Memorandum No. AIM 94-2005, Anchorage Parks and Recreation Fees Update; Mayor Begich. (*Laid on the Table*) (*Agenda item 9.E.3*)
9. Information Memorandum No. AIM 95-2005, Code Enforcement Changes Update; Mayor Begich. (*Laid on the Table*) (*Agenda item 9.E.4*)

Chair Fairclough read the ordinance title, summarized the history and called the Question.

Mr. Coffey moved, to approve AO 2005-144(S),
Ms. Ossiander seconded,

Mr. Coffey stated that by Assembly Action, items 9.B.6, 9.B.7, 9.B.8, 9.E.3 and 9.E.4 had been included with this ordinance. Chair Fairclough stated each item would receive individual Assembly action. Mr. Sullivan responded that the items needed to be addressed first.

Mr. Sullivan stated it was his intention to delete six million in revenue from the budget, based on the pending court case concerning the MUSA calculation settlement.

Mr. Sullivan moved, to amend AO 2005-144(S) by deleting \$6.4 million from the
Mr. Tesche seconded, revenue calculation for the 2006 Biennial General
Government Operating Budget, (*See AR 2005-306, item
11.C.5 and item 15, Special Orders*)

Mr. Sullivan stated that, while the Administration remained confident, the settlement of the court case was still uncertain, and the budget should not be approved with that assumption. This year the budget was an increase of \$30 million and was the largest one-year increase in the city's history. He could not support it without some examination from each department on finding greater efficiencies.

Mayor Begich stated that since he had taken office, the Administration had closed a \$33 million budget gap by creating a significant amount of efficiencies, reducing the costs of operating the city. With the elimination of state revenue sharing the budget was based on best estimations and the Administration had successfully planned the budget for the past two years. They were optimistic they would prevail on the MUSA settlement.

Mr. Tesche stated he was reasonably comfortable with the Mayor's budget recommendations and opposed any effort to change it.

To Mr. Birch, Anchorage Water and Wastewater General Manager Mark Premo responded that the RCA had ruled against the issue on September 2nd, AWWU filed an appeal to the Superior Court. Their outside council had advised it may be ruled on within 30 to 120 days. Mr. Birch stated there would still be time to remedy a \$6.4 million shortfall.

Mr. Coffey stated AR 2005-305, which he submitted that evening, addressed the pending MUSA settlement. He recommended passage of the budget, with the Administration providing continual updates. The Administration would develop a plan for budget adjustments if there was an adverse decision on the settlement. Mayor Begich concurred.

Mr. Stout concurred with everything summarized by Mr. Coffey.

Mr. Sullivan stated that with the budget growing \$30 million in one year, the Assembly needed to act responsibly to control costs. The \$6.4 million deletion could be balanced by having the departments find efficiencies.

Mr. Bauer concurred with Mr. Sullivan. The budget should be planned as if the Municipality did not have the money. He supported Mr. Sullivan's \$6.4 million cut.

Ms. Ossiander stated the size of the budget was largely the result of incremental decisions made by the Assembly, including increases in labor contracts, healthcare costs, costs of PERS, voter-approved construction and increased utility and fuel costs. While there were substantial changes, she could not see any single item that the Assembly had not dealt with.

Ms. Shamberg concurred with Ms. Ossiander. The spending cap was calculated by formula, which included new construction, increased population and inflation. All of those added up to a bigger budget.

Mr. Coffey stated Mr. Sullivan's logic was good. The Assembly needed to be fiscally responsible and continually seek ways to make the government leaner and more efficient. They needed to include increased costs with labor contracts, healthcare, the rising PERS costs, new construction and increased fuel costs. There would be time to make adjustments in the future if they were not successful with the settlement. He would not support the Sullivan Amendment.

Chair Fairclough called the Question on the Sullivan Amendment.

and the motion failed, 2-9.

AYES: Sullivan and Bauer.

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

1 Mr. Tesche stated the argument from Mr. Sullivan was worth consideration and he also concurred with Mr. Coffey's
2 concern. Mr. Tesche supported the budget, reflecting increased costs for increased city operations. He would be a
3 YES-vote.

4
5 Ms. Ossiander stated the document had general information, but lacked specificity. She urged consideration of
6 including some kind of actuals, to review relative information. Mayor Begich concurred. He also concurred with
7 Assemblymembers who had requested that grant information accompany the proposals.

8
9 Mr. Birch stated that he would support the budget. Even under the tax cap, the budget had increased nearly 10% over
10 last year. He recommended examining how the tax cap was structured to determine future spending to maintain public
11 confidence and trust. He looked forward to doing evaluation assessment on the tax cap calculation mechanism.

12
13 Ms. Jennings stated that the Assembly, working with the Administration, had made significant reductions in property
14 taxes. She supported the operating budget.

15
16 Mr. Sullivan stated he had always supported past budgets, but he could not support this budget, because the spending
17 levels were far too high. The tax cap was meant to be a ceiling, not a target. He could not find any positive gains in
18 this budget and he would not vote for it.

19
20 Chair Fairclough called the Question on the main motion.

21
22 and the motion to approve AO 2005-144(S) passed, 9-2.

23
24 AYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Birch, Stout, Traini and Jennings.

25 NAYES: Sullivan and Bauer.

26
27 Mayor Begich thanked the Assembly for their leadership and advice on finalizing the operating budget.

28
29 Mr. Coffey moved for immediate reconsideration and urged a NO-vote.

30
31 Mr. Coffey moved, *for immediate reconsideration of AO 2005-144(S),*
32 Mr. Traini seconded,
33 and this motion failed, 1-10.

34
35 AYES: Bauer.

36 NAYES: Tesche, Sullivan, Shamberg, Ossiander, Fairclough, Coffey, Birch, Stout, Traini and Jennings.

37
38 Mr. Coffey read the AR 2005-304, in its entirety.

39
40 Mr. Coffey moved, to approve AR 2005-304, a resolution regarding the 2006
41 Ms. Ossiander seconded, Municipal General Operating Budget, (*See item 11.C.6*),

42
43 Mr. Sullivan moved, to amend AR 2005-304 on Page 2, Line 26 *by adding a new*
44 Mr. Bauer seconded, "5) In future labor negotiations the Administration is directed
45 by the Assembly to negotiate annual wage and benefit
46 increases that do not exceed the average of the previous five
47 years CPI.;" and *by renumbering* accordingly,

48
49 To Mr. Stout, Mayor Begich responded there would be concern in the future, if an increase in the PERS exceeded the
50 CPI. There were other items in the benefit package that continued to increase that were not controlled by the city, and
51 it would be difficult to predict the impacts of those elements.

52
53 To Mr. Coffey, Mr. Sullivan responded the State of Alaska had indicated a possibility of funding to the PERS retirement
54 system. Mr. Coffey stated there also needed to be review of options of the healthcare benefits, including discontinuing
55 the current plan and having employees buy their own health insurance.

56
57 Responding to Mayor Begich and Mr. Coffey, Mr. Sullivan proposed new language, which was accepted by the
58 second. Mr. Coffey recommended additional language, which was accepted as a friendly amendment by Mr. Sullivan
59 and Mr. Bauer.

60
61 Mr. Sullivan moved, to amend AR 2005-304 on Page 2, Line 26 *by adding a new*
62 Mr. Bauer seconded, "5) In future labor negotiations the Administration is directed
63 by the Assembly to negotiate annual wage and benefit
64 increases under the control of the Municipality of
65 Anchorage that do not exceed the average of the previous
66 five years CPI.;" and *by renumbering* accordingly,

67
68 Mr. Tesche stated the Administration would work the best deal with the unions through collective bargaining, to
69 minimize the burden on taxpayers. Labor negotiations were conducted by the Administration, not the Assembly.
70 Mayor Begich agreed they were focused on minimizing the costs, but consideration needed to be given to the stability
71 of the workforce. Mr. Tesche opposed the Sullivan Amendment. He did not want the Assembly to become involved in
72 labor negotiations and felt the Mayor needed the flexibility and tools to negotiate labor contracts.

73
74 Mr. Coffey recommended a detailed resolution from the Assembly and the Administration, addressing labor
75 negotiations.

76
77 Ms. Ossiander stated the only opportunity for Assembly involvement was to give advice prior to contract negotiations.
78 She understood the Sullivan Amendment was a simple statement of general intent for future contract, supporting the
79 Assembly's concern of the increases. She would support the amendment.

1
2 Mr. Birch supported the Sullivan Amendment and the resolution. He stated the Administration needed leverage to deal
3 with future negotiations and ease the liability to the taxpayers.

4
5 Mr. Sullivan stated his Amendment would allow Assembly involvement through the process. He called the Question
6 on his Amendment, seconded by Mr. Stout and the motion failed, 4-6.

7
8 Mr. Tesche stated that the question was whether the amendment made sense and would help achieve an overall goal
9 of responsible labor relations policy and cost savings. Mayor Begich indicated this would not help him achieve that
10 goal. He opposed the Sullivan Amendment.

11
12 and the motion passed, 6-4.

13
14 AYES: Ossiander, Sullivan, Coffey, Birch, Stout and Bauer.

15 NAYES: Tesche, Shamberg, Traini and Jennings.

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

17
18 *(Clerk's Note: Mr. Birch later requested to be added as a cosponsor to AR 2005-304; see Agenda item 15.)*

19
20 Acting Chair Coffey called the Question on the main motion, as amended.

21
22 and the main motion, as amended, was passed, 7-3.

23
24 AYES: Shamberg, Ossiander, Sullivan, Coffey, Birch, Stout and Bauer

25 NAYES: Tesche, Traini and Jennings.

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

27
28 Mr. Birch moved for immediate reconsideration and urged a NO-vote.

29
30 Mr. Birch moved, *for immediate reconsideration of AO 2005-144(S),*
31 Mr. Bauer seconded,
32 and this motion failed, 3-8.

33
34 AYES: Shamberg, Traini and Jennings.

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

36
37 Mr. Coffey moved, *to approve AR 2005-305, a resolution of the Anchorage*
38 Ms. Ossiander seconded, *Municipal Assembly pertaining to the treatment of anticipated*
39 *MUSA revenue in the 2006-2007 Municipal Biennial Budget*
40 *(Clerk's Note: Refer to Agenda item 11.C.7),*

41
42 Mr. Coffey stated this would allow the Assembly and the Administration to work together if the MUSA settlement was
43 unsuccessful. He urged a YES-vote.

44
45 Mayor Begich supported the resolution and stated that the Administration was committed to giving a monthly update
46 on the case and working with the Assembly.

47
48 and this motion was passed, 11-0.

49
50 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

51 NAYES: None.

52
53 Mr. Coffey moved, *to accept AIM 94-2005, Anchorage Parks and Recreation*
54 Ms. Jennings seconded, *Fees Update, (See Agenda item 11.C.8),*

55
56 Mr. Birch, Mr. Birch, Ms. Jennings, Mr. Coffey and Mayor Begich commended and thanked the people who had
57 worked very hard on this issue, including the members on the Parks and Recreation Commission, Chair Vic Molozzi,
58 Parks Director Jeff Dillon and the community.

59
60 Mr. Sullivan requested acknowledgement that the informational memorandum did not include the specific list of fees
61 for the different parks usages. Chair Fairclough concurred that the fee schedule was not included.

62
63 Mr. Coffey stated this system had worked and was the preferred process.

64
65 and this motion was passed without objection.

66
67 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

68 NAYES: None.

69
70 Mr. Coffey moved, *to accept AIM 95-2005, Code Enforcement Changes Update,*
71 Mr. Tesche seconded, *(Agenda item 11.C.9),*

72
73 Mr. Coffey stated this would help prioritize enforcement and would help eliminate a complaint-driven method of
74 enforcement.

75
76 To Chair Fairclough, Mayor Begich stated they included the response from Turnagain Community Council to show the
77 process.

1
2 Mayor Begich stated the Administration shared the same concerns and understood the enforcement needed to be
3 improved. There was a two-hour worksession on enforcement scheduled for January 6th.

4
5 and this motion was passed without objection.

6
7 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
8 NAYES: None.

- 9
10 11.D. Ordinance No. AO 2005-145, an ordinance adopting the **2006 General Government Capital**
11 **Improvement Budget**; Office of Management & Budget.
12 1. Assembly Memorandum No. AM 751-2005. (*Postponed from 11-8-05*)
13 2. Ordinance No. AO 2005-145(S), an ordinance adopting the 2006 General Government Capital
14 Improvement Budget; Office of Management & Budget. (**Laid on the Table**)
15 3. Assembly Memorandum No. 854-2005. (**Laid on the Table**)

16
17 Mr. Coffey moved, to approve AO 2005-145(S),
18 Mr. Tesche seconded,

19
20 Mr. Coffey stated the Assembly had addressed all items in the Capital Improvement Budget during worksessions.

21
22 Chair Fairclough spoke to issues concerning Monte Road and the safety improvement study proposed for the North
23 Eagle River Highway, which involved state funding. Deputy Municipal Manager Michael Abbott responded these
24 would involve legislative requests for state grants, made to the Municipality of Anchorage for CBERRRSA.

25
26 and this motion, as amended, was passed, 11-0.

27
28 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
29 NAYES: None.

30
31 Chair Fairclough, Mayor Begich and Mr. Sullivan thanked Office of Management and Budget Director Janet Mitson, for
32 her dedication, expertise and professionalism.

33
34 Mr. Tesche moved for immediate reconsideration and urged a NO-vote.

35
36 Mr. Tesche moved, for immediate reconsideration of AO 2005-145(S),
37 Mr. Coffey seconded,
38 and this motion failed, 0-11.

39
40 AYES: None.
41 NAYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

- 42
43 11.E. Resolution No. AR 2005-262, a resolution of the Municipality of Anchorage adopting the **2006-2011**
44 **General Government Capital Improvement Program**; Office of Management & Budget.
45 (*Postponed from 11-8-05*)
46 1. Resolution No. AR 2005-262(S), a resolution of the Municipality of Anchorage adopting the
47 2006-2011 General Government Capital Improvement Program; Office of Management &
48 Budget. (**Laid on the Table**)
49 2. Assembly Memorandum No. AM 854-2005. (**Laid on the Table**)

50
51 Mr. Coffey moved, to approve AO 2005-262(S),
52 Mr. Birch seconded,
53 and this motion was passed, 11-0.

54
55 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
56 NAYES: None.

57
58 Ms. Jennings commended the Assemblymembers for presenting and discussing all the amendments in advance.

59
60 Mr. Coffey moved for immediate reconsideration and urged a NO-vote.

61
62 Mr. Coffey moved, for immediate reconsideration of AR 2005-262(S),
63 Mr. Birch seconded,
64 and immediate reconsideration failed, 0-11.

65
66 AYES: None.
67 NAYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

68
69 Mr. Sullivan stated the Assembly staff also needed to be thanked for all they did in assisting Assemblymembers in
70 preparing for the Budget. He thanked Municipal Clerk Barbara Gruenstein and Guadalupe Marroquin for their work.

71 72 12. APPEARANCE REQUESTS

- 73 12.A. **Eileen McVey**, regarding requirement to pay to have garbage collected.

74
75 EILEEN McVEY requested an exemption from garbage collection, due to her financial hardship. Mayor Begich
76 responded garbage collection was mandated by Municipal Code, but they would be addressing a variable rate
77 structure in the future, with rates based on volume. Mr. Traini stated this was a common problem. Mr. Coffey stated
78 that a single person had less garbage than a large family or two, living in one residence. Mr. Tesche recommended

1 that Ms. McVey contact Solid Waste Services, to determine if she was in an exempt area and asked her to be patient
2 until the city addressed the variable rate structure in the future.

3
4 **13. CONTINUED PUBLIC HEARINGS**

- 5 13.A. Ordinance No. AO 2005-123, an ordinance amending Anchorage Municipal Code Section 21.35.020
6 to amend definitions for gross floor area and lot coverage and to add new definitions for large
7 domestic animals and related facilities; to amend Sections 21.40.070, 21.40.080, 21.40.090,
8 21.40.100, 21.40.110, 21.40.115, and 21.40.117 to add **Large Domestic Animal Facilities** as
9 permitted accessory or conditional uses in the R-5A Rural Residential District (Large Lot), R-6
10 Suburban Residential District (Large Lot), R-7 Intermediate Rural Residential District, R-8 Rural
11 Residential District (Large Lot), R-9 Rural Residential District, R-10 Residential Alpine/Slope District,
12 and R-11 Turnagain Arm District; to amend Subsection 21.40.020D.13. to replace the use of
13 equestrian facilities with large domestic animal facilities; to amend Chapter 21.45 to add accessory
14 building standards and to establish supplementary district standards for large domestic animal
15 facilities; and to amend Chapter 21.50 to establish conditional use standards for large domestic animal
16 facilities (Planning and Zoning Commission Case 2004-137); Planning Department.
17 1. Assembly Memorandum No. AM 657-2005. (*Continued from 10-18-05*)
18 2. Information Memorandum No. AIM 93-2005, Animal Control Advisory Board recommendations
19 on Large Domestic Animal Ordinance; Municipal Clerk. (**Addendum**) (*Postponed*
20 *Indefinitely*)
21

22 (*Clerk's Note: This item was postponed indefinitely. For all related discussion and action on AO 2005-123, AO 2005-*
23 *150, AO 2005-150(S) and attached memoranda, refer to Agenda item 14.E*)
24

25 **14. NEW PUBLIC HEARINGS**

- 26 14.A. Ordinance No. AO 2005-166, an ordinance adopting and appropriating funds for the 2006 Operating
27 and Capital Budgets of **Anchorage Cooperative Services Authority and Anchorage Community**
28 **Development Authority**; Office of Management & Budget.
29 1. Assembly Memorandum No. AM 801-2005.
30

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

33
34 Mr. Coffey moved, to approve AO 2005-166,
35 Ms. Ossiander seconded,
36

37 To Mr. Coffey, Parking Authority Executive Director Kevin Kinney responded that the RFP project design would be
38 completed in 2006. The proposed funding had originally included the design and the purchase of the lot, needed for
39 the convention center. Both had been included in the budget, but they were discussing alternatives. Mr. Kinney
40 responded to Mr. Coffey's questions, concerning proposed department expenditures, cash reserves and future
41 development.
42

43 Ms. Ossiander moved, to bifurcate AO 2005-166, separating the Anchorage
44 Mr. Sullivan seconded, Cooperative Services Authority Budget and the Anchorage
45 and this was approved without objection. Community Development Authority Budget,
46

47 Ms. Ossiander stated the Development Authority Budget included anticipated appropriations which had not been
48 received. Mayor Begich responded that some capital budget items, like the sale of the Mountain View property, had
49 been confusingly mixed in with the operational items.
50

51 Chair Fairclough postponed this item until after the dinner break and there were no objections.
52

53 Mr. Coffey moved, to approve the Cooperative Services Authority Budget,
54 Ms. Ossiander seconded,
55 and this motion was approved, 11-0.
56

57 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
58 NAYES: None.
59

60 Mr. Coffey moved, to approve the Anchorage Community Development
61 Ms. Jennings seconded, Authority Budget,
62 and this motion was approved, 11-0.
63

64 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
65 NAYES: None.
66

67 Ms. Ossiander stated that the Administration had indicated they would make changes in presenting the budgets in the
68 future. She requested a worksession and an update on the new Purchasing Authority. She had specific questions on
69 the revenue of \$1 million and how it would impact departments, particularly service areas. Mayor Begich stated he
70 would set up a worksession to review those issues.
71

- 72 14.B. Ordinance No. AO 2005-168, an ordinance of the Anchorage Municipal Assembly authorizing the
73 adoption of **Port of Anchorage Terminal Tariff No. 6**.
74 1. Assembly Memorandum No. AM 817-2005.
75

76 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
77 and called the Question.
78

79 Mr. Tesche moved, to approve AO 2005-168,

1 Ms. Jennings seconded,
2 and this passed without objection, 9-0.

3
4 AYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Stout, Bauer, Traini and Jennings.

5 NAYES: None.

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

7
8 14.C. Ordinance No. AO 2005-169, an ordinance reenacting AO 2003-68 (*As Amended*), amendments to
9 Anchorage Municipal Code Titles 14, 21, 23, and 24 for **dedication and improvement of public**
10 **facilities** within and adjacent to certain types of development, retroactive to November 1, 2005, and
11 repealing the sunset provision at Section 11; Assembly Chair Fairclough.

12
13 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
14 and called the Question.

15
16 Mr. Tesche moved, to approve AO 2005-169,
17 Mr. Stout seconded,
18 and this was passed without objection, 9-0.

19
20 AYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Stout, Bauer, Traini and Jennings.

21 NAYES: None.

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

23
24 14.D. Ordinance No. AO 2005-172, an ordinance amending AO 2005-130, adoption of **2003 Editions of**
25 **Building Codes** and enacting local amendments in Anchorage Municipal Code Chapter 15.55 and
26 Title 23, to add an effective date in Section 3; Legal Department.

27
28 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
29 and called the Question.

30
31 Mr. Coffey moved, to approve AO 2005-172,
32 Ms. Ossiander seconded,

33
34 To Mr. Coffey, Deputy Municipal Manager Michael Abbott responded the ordinance would not change the international
35 fire code standards involving construction of residential property. Municipal Manager Denis LeBlanc concurred.

36
37 and this was passed without objection, 10-0.

38
39 AYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

40 NAYES: None.

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

42
43 14.E. Ordinance No. AO 2005-150(S), an ordinance amending Anchorage Municipal Code Section
44 21.35.020 to amend and to add definitions relating to the accessory use of **Large Domestic Animal**
45 **Facilities** and home based business; to amend Sections 21.40.020, 21.40.070, 21.40.080, 21.40.090,
46 21.40.100, 21.40.110, 21.40.115, 21.40.117; to add large domestic animal facilities and home based
47 businesses as permitted accessory or conditional uses in the R-5A Rural Residential District (Large
48 Lot), R-6 Suburban Residential District (Large Lot), R-7 Intermediate Rural Residential District, R-8
49 Rural Residential District (Large Lot), R-9 Rural Residential District, R-10 Residential Alpine/Slope
50 District, and R-11 Turnagain Arm District; to amend Chapter 21.45 to add Accessory Building
51 Standards and to establish supplementary district standards for large domestic animal facilities; and to
52 amend Chapter 21.50 to establish conditional use standards for large domestic animal facilities;
53 Assemblymembers Ossiander and Shamberg. *(Continued to January 10, 2006)*

- 54 1. Information Memorandum No. AIM 93-2005, Animal Control Advisory Board recommendations
55 on Large Domestic Animal Ordinance; Municipal Clerk. **(Addendum)**
- 56 2. Ordinance No. AO 2005-150, an ordinance amending Anchorage Municipal Code Section
57 21.35.020 to amend and to add definitions relating to the accessory use of Large Domestic
58 Animal Facilities and home based business; to amend Sections 21.40.020, 21.40.070,
59 21.40.080, 21.40.090, 21.40.100, 21.40.110, 21.40.115, 21.40.117; to add large domestic
60 animal facilities and home based businesses as permitted accessory or conditional uses in the
61 R-5A Rural Residential District (Large Lot), R-6 Suburban Residential District (Large Lot), R-7
62 Intermediate Rural Residential District, R-8 Rural Residential District (Large Lot), R-9 Rural
63 Residential District, R-10 Residential Alpine/Slope District, and R-11 Turnagain Arm District; to
64 amend Chapter 21.45 to add Accessory Building Standards and to establish supplementary
65 district standards for large domestic animal facilities; and to amend Chapter 21.50 to establish
66 conditional use standards for large domestic animal facilities; Assemblymembers Ossiander
67 and Shamberg. **(Laid on the Table)** *(Continued to January 10, 2006)*
- 68 3. Assembly Memorandum No. AM 855-2005. **(Laid on the Table)**

69
70 Mr. Coffey moved, to combine Public Hearing on AO 2005-150, AO 2005-150(S)
71 Ms. Shamberg seconded, and AO 2005-123, and the attached memoranda, Agenda
72 and this motion was passed unanimously. items 13.A and 14.E,

73
74 Ms. Ossiander stated the memoranda were the requested reports from the Animal Control Advisory Commission, and
75 they were to be included.

76
77 Chair Fairclough opened Combined Public Hearing. There was no one to testify.

78
79 Chair Fairclough closed Public Hearing on AO 2005-123 and called the Question.

1
2 Mr. Traini moved, *to postpone indefinitely* AO 2005-123,
3 Ms. Ossiander seconded,
4 and this motion was passed unanimously.

5
6 Chair Fairclough closed Public Hearing on AO 2005-150 and AO 2005-150(S) and called the Question.

7
8 Ms. Ossiander moved, *to postpone indefinitely* AO 2005-150,
9 Mr. Traini seconded,
10 and this motion was withdrawn.

11
12 To Ms. Jennings, Deputy Municipal Manager Michael Abbott responded that postponing AO 2005-150 would also kill
13 the substitute version and the attached memoranda. Ms. Ossiander withdrew her motion, with the concurrence of the
14 second.

15
16 Ms. Ossiander moved, *to substitute* AO 2005-150(S) for AO 2005-150 and
17 Mr. Traini seconded, *continue to January 10, 2006,*
18 and this was approved without objection.

19
20 Mr. Tesche requested the Municipal Clerk post the AO 2005-150(S) document on the web.

21
22 Mr. Coffey thanked Ms. Ossiander and Ms. Shamberg for the work they had done on this matter. It affected many
23 constituents in their districts. Assemblymembers would continue working on this issue to make it work effectively for
24 constituents. He supported their efforts.

- 25
26 14.F. Resolution No. AR 2005-279, a resolution approving the acceptance and appropriation of State of
27 Alaska grant funds in the amount of \$2,500,000 from the Department of Environmental Conservation
28 Matching Grant Program to be applied toward the **Anchorage Loop Water Transmission Main**
29 **Phase IV Project** (SB46); Anchorage Water & Wastewater Utility.
30 1. Assembly Memorandum No. AM 787-2005.

31
32 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
33 and called the Question.

34
35 Mr. Coffey moved, *to approve* AR 2005-279,
36 Mr. Stout seconded,
37 and this was passed without objection, 10-0.

38
39 AYES: Tesche, Shamberg, Ossiander, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

40 NAYES: None.

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

- 42
43 14.G. Ordinance No. AO 2005-167, an ordinance of the Municipality of Anchorage, Alaska, approving
44 submission by the Anchorage Water & Wastewater Utility (AWU, ASU) proposed **rate changes** to the
45 Regulatory Commission of Alaska.
46 1. Assembly Memorandum No. AM 816-2005.

47
48 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
49 and called the Question.

50
51 Mr. Coffey moved, *to approve* AO 2005-167,
52 Mr. Stout seconded,
53 and this was passed without objection, 11-0.

54
55 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.

56 NAYES: None.

- 57
58 14.H. Resolution No. AR 2005-285, a resolution of the Municipality of Anchorage appropriating \$792,346
59 from the State of Alaska, Department of Health and Social Services; and appropriating \$270,000 from
60 the 2005 General Government Operating Budget, Department of Health and Human Services
61 Areawide General Fund (101) to the State Categorical Grants Fund (231), Department of Health and
62 Human Services to fund the **Human Services Matching Grant Program** via contractual services
63 agreement with United Way of Anchorage.
64 1. Assembly Memorandum No. AM 812-2005.

65
66 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
67 and called the Question.

68
69 Mr. Coffey moved, *to approve* AR 2005-285,
70 Ms. Jennings seconded,
71 and this was passed without objection, 11-0.

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

74 NAYES: None.

- 75
76 14.I. Resolution No. AR 2005-286, a resolution of the Municipality of Anchorage appropriating \$569,900 as
77 a grant from the Alaska Department of Health and Social Services to the State Categorical Grants
78 Fund (231), Department of Health and Human Services for the provision of **public health**
79 **preparedness and response for bioterrorism**.

1 1. Assembly Memorandum No. AM 813-2005.

2
3 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
4 and called the Question.

5
6 Mr. Coffey moved, to approve AR 2005-286,
7 Mr. Stout seconded,
8 and this was passed without objection, 11-0.

9
10 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
11 NAYES: None.

12
13 14.J. Resolution No. AR 2005-287, a resolution of the Municipality of Anchorage appropriating \$175,000
14 from the **Upper O'Malley Limited Road Service Area** (LRSA) Fund Balance (Fund 143) to the Upper
15 O'Malley LRSA BY2005 Operating Budget (Fund 143) for year round road maintenance services;
16 Maintenance & Operations Department.
17 1. Assembly Memorandum No. AM 814-2005.

18
19 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
20 and called the Question.

21
22 Mr. Stout moved, to approve AR 2005-287,
23 Mr. Coffey seconded,
24 and this was passed without objection, 11-0.

25
26 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
27 NAYES: None.

28
29 14.K. Resolution No. AR 2005-288, a resolution of the Municipality of Anchorage accepting and
30 appropriating \$110,000 in additional grant monies from the Alaska Department of Military and
31 Veterans Affairs, Division of Homeland Security and Emergency Management, to the Miscellaneous
32 Capital Pass-Thru Fund (409), for the **Lower Fire Lake Dam Rehabilitation Project**; Project
33 Management & Engineering.
34 1. Assembly Memorandum No. AM 815-2005.

35
36 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
37 and called the Question.

38
39 Ms. Jennings moved, to approve AR 2005-288,
40 Mr. Traini seconded,

41
42 To Mr. Coffey, Municipal Engineer Howard Holtan responded this would provide the additional money which would
43 fulfill all requirements covering the costs to complete the job.

44
45 and this was passed without objection, 11-0.

46
47 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
48 NAYES: None.

49
50 14.L. Resolution No. AR 2005-290, a resolution of the Municipality of Anchorage appropriating \$297,600 as
51 a grant from the U.S. Department of Education for services and improvements related to the **2006**
52 **National Veterans' Wheelchair Games**; Mayor' Office.
53 1. Assembly Memorandum No. AM 819-2005.

54
55 Chair Fairclough read the resolution title and opened Public Hearing. With no one to testify, she closed Public Hearing
56 and called the Question.

57
58 Mr. Coffey moved, to approve AR 2005-290,
59 Mr. Stout seconded,
60 and this was passed without objection, 11-0.

61
62 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
63 NAYES: None.

64
65 14.M. Ordinance No. AO 2005-157, an ordinance of the Anchorage Municipal Assembly authorizing a long
66 term lease between the Municipality of Anchorage as lessor and George Janssen as lessee of **Lot 4A,**
67 **Fairview School Addn. No. 1**, located between Runway 16/34 and Orca Street; Merrill Field Airport.
68 1. Assembly Memorandum No. AM 783-2005.

69
70 Chair Fairclough read the ordinance title and opened Public Hearing. With no one to testify, she closed Public Hearing
71 and called the Question.

72
73 Mr. Coffey moved, to approve AO 2005-157,
74 Ms. Jennings seconded,
75 and this was passed without objection, 11-0.

76
77 AYES: Tesche, Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
78 NAYES: None.

79

1 14.N. Ordinance No. AO 2005-161, an ordinance amending the zoning map and providing for the rezoning
2 of approximately 43,439 square feet from R-3SL (Multiple-Family Residential with Special Limitations)
3 to B-3 SL (General Business with Special Limitations) for **Tract 2, Boettcher Subdivision**; generally
4 located south of Spenard Road and west of Northwood Drive (Spenard Community Council) (Planning
5 and Zoning Commission Case 2005-062); Assemblymember Sullivan.
6

7 Chair Fairclough read the ordinance title and opened Public Hearing.

8
9 TOM McGRATH, 22-year member of the Spenard Community Council, stated this property had a long history. The
10 council opposed the B-3 zoning because there was not a clearly defined plan, it did not comply with the 2020 Plan and
11 it would have an adverse effect to the surrounding neighbors.
12

13 KEN AYERS, representing the petitioner, supported the rezone, which was also supported by Municipal staff. The
14 property was appropriately designated for transitional rezoning and commercial use. To Ms. Jennings, Mr. Ayers
15 responded the property owner operated a car rental business and wanted to make additional property improvements
16 and increase his business. The owner was willing to accept a special limitation conditional use, limiting building. To
17 Mr. Sullivan, he responded the petitioner would not object to a time restriction for development and urged
18 consideration of a two-year time frame. To Mr. Coffey, Mr. Ayers responded they had discussed a replat, and a public
19 site plan review may be appropriate. To Mr. Sullivan, Mr. Coffey responded the hearing would be through Planning
20 and Zoning. To Ms. Jennings and Mr. Coffey, Mr. Ayers described the surrounding property.
21

22 DON SMITH testified that he was familiar with the property and the rezone would a benefit to the surrounding
23 neighborhood. To Ms. Jennings, he responded that allowing a higher residential density would impact the traffic on
24 Spenard Road.
25

26 Mr. Sullivan moved, to approve AO 2005-161,
27 Mr. Coffey seconded,
28

29 Mr. Sullivan stated that this particular property, considering location and surrounding residential, the rezone, with
30 special limitations, was appropriate. He cited the Planning staff analysis, which described the rezone in detail.
31

32 Ms. Jennings moved, to amend AO 2005-161 on Page 1, Line 26 *by changing* to
33 Mr. Sullivan seconded, read: b. Any further redevelopment shall be subject to "a
34 and this was approved without objection. Public Hearing Site Plan Review" [~~an Administrative Site Plan~~
35 Review], which shall comply with the Spenard Commercial
36 District Development Strategy Plan,
37

38 Ms. Jennings moved, to amend AO 2005-161 on Page 1, Line 30 *by adding* a new
39 Mr. Sullivan seconded, subsection "c. Temporary buildings are prohibited."
40

41 To Chair Fairclough, the petitioner responded that he accepted the amendment.
42

43 and this was approved without objection.
44

45 Mr. Sullivan moved, to amend AO 2005-161 on Page 2, following the new
46 Ms. Jennings seconded, subsection c, by adding "d. landscaping and buffering
47 and this was approved without objection. improvements shall be completed in two years." [~~from the~~
48 passage of this ordinance] "by January 8, 2008,"
49

50 To Mr. Sullivan, Planning Department Administrator Jerry Weaver responded it was recommended by staff to have
51 tracts 1 and 2 be replatted into a single lot, to help prohibit access to 43rd and 44th and accessing Spenard Road to the
52 south.
53

54 To Ms. Jennings, Mr. Weaver responded the requirements specified ten-foot buffering.
55

56 To Ms. Ossiander, Mr. Weaver responded staff recommendations included landscaping and an 8-foot solid fence with
57 vegetation, which would provide security. The Planning Commission had considered this recommendation as
58 premature.
59

60 Mr. Sullivan moved, to amend AO 2005-161 on Page 1, Line 35 *by replacing*
61 Mr. Coffey seconded, Section 3 to read: "Prior to B-3SL zoning becoming effective,
62 and this was approved without objection. Tracts 1 & 2 Boettcher Subdivisions shall be replatted into a
63 single lot." and *by renumbering* the remaining section,
64

65 Mr. Sullivan stated that the Spenard Community Council had addressed this issue for many years. The amendments
66 and special limitations would allow the community to have input on the development. He urged a YES-vote.
67

68 Ms. Jennings stated the neighbors had disagreed with the rezone, and she would not support it. But she understood
69 the rezone would make improvements to the area.
70

71 and the main motion, as amended, passed.
72

73 AYES: Shamberg, Ossiander, Sullivan, Fairclough, Coffey, Birch, Stout, Bauer, Traini and Jennings.
74 NAYES: Tesche and Jennings.
75

76 15. SPECIAL ORDERS

77
78 Mr. Coffey reported that he had advised Assemblymembers, explaining his intentions of postponing indefinitely AO
79 2005-162, Far North Bicentennial Park. The Administration would be presenting the Parks and Recreation Plan on

1 December 13th and addressing a master planning process for classification of park's natural resource areas. Chair
2 Fairclough responded that she had been advised by the Municipal Clerk that this item had already been noticed for
3 Public Hearing and needed to come before the Assembly. Mr. Tesche responded that Mr. Coffey's motion to postpone
4 indefinitely was in order. Chair Fairclough recommended different language to avoid confusion.

5
6 Mr. Coffey moved to table indefinitely AO 2005-162, by removing it from the Agenda, seconded by Mr. Tesche and
7 there were no objections.

8
9 Ms. Shamberg concurred with tabling Mr. Coffey's Far North Bicentennial Park ordinance.

10
11 To Mr. Sullivan, Municipal Clerk Barbara Gruenstein responded the ordinance would appear in the Agenda as tabled
12 indefinitely, with no Public Hearing scheduled.

13
14 Mr. Sullivan moved,
15 Mr. Tesche seconded,
16 Mr. Traini was the concurring third,

17 *to introduce Ordinance No. AO 2005-181, an ordinance*
18 *amending Assembly ordinance 98-1, creating a **special***
19 ***assessment district in Northeast Turnagain**, to adjust*
20 *certain special assessments for streets and street lights*
21 *improvements on property specially benefited in paving*
22 *special assessment district 8P79, and setting a payment date*
23 *for adjusted special assessments; Chair Fairclough and*
24 *Assemblymember Sullivan; Department of Law. (**Laid on the***
25 ***Table**) (Public Hearing set for 12-13-05)*

26
27 Ms. Ossiander requested consideration of recognizing and honoring Scott Powell, for his service. Deputy Municipal
28 Manager Michael Abbott responded they would be very interested in working with Ms. Ossiander and the family to
29 address that opportunity. Mayor Begich responded they preferred to work with the families in sensitive issues such as
30 this. Ms. Ossiander responded that Mr. Powell did not have any family in the state, but there were many members of
31 the community who considered him family.

32 Chair Fairclough wished a Happy Thanksgiving to everyone. She welcomed new Assembly Attorney Julia Tucker.

33 Mr. Birch commended the Administration for the structure and process with presenting the budget items. He stated the
34 resolution regarding labor negotiation strategy would be a significant and meaningful improvement with how budgets
35 were developed, and requested to be listed as a co-sponsor on that item, AR 2005-304, Agenda item 11.C.6. He
36 stated he was ready to deal with the land issues involved with the Far North Bicentennial Park.

37 Chair Fairclough commended Mr. Coffey's dedication and efforts on government matters.

38
39 **16. UNFINISHED AGENDA**

40
41 Mr. Coffey moved,
42 Ms. Jennings seconded,
43 and there were no objections.

44 *to postpone indefinitely AR 2005-306, a resolution of the*
45 *Anchorage Assembly **requiring budget cuts** in the 2006*
46 *General Operating Budget in the amount of \$6,400,000;*
47 *Assemblymember Sullivan. (Clerk's Note: Refer to 9.B.8 and*
48 *11.C.5 for additional details))*

49
50 **17. AUDIENCE PARTICIPATION** None.

51
52 **18. ASSEMBLY COMMENTS**

53 Chair Fairclough welcomed guest Alaska Representative Bob Lynn to the Assembly Meeting.

54
55 **19. EXECUTIVE SESSIONS** None.

56
57 **20. ADJOURNMENT**

58 Mr. Sullivan moved,
59 Mr. Stout seconded,
60 and this motion was passed unanimously.

61 *to adjourn the Regular Assembly Meeting,*

62 The Regular Assembly Meeting was adjourned at 9:45 p.m.

63
64
65
66
67 _____
68 ANNA FAIRCLOUGH, Assembly Chair

69 ATTEST:

70
71
72
73 _____
74 BARBARA GRUENSTEIN, Municipal Clerk
75 Date Minutes Approved: February 28, 2006.
76 MC/BG