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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 May 2, 2006

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1. CALL TO ORDER

17 The Assembly Meeting was convened by Chair Sullivan 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: Allan Tesche, Janice Shamberg, Paul Bauer, Anna Fairclough, Dan Sullivan, Debbie Ossiander, Chris
23 Birch, Dan Coffey, Dick Traini and Pamela Jennings.

24 ABSENT: Ken Stout, excused.

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3. PLEDGE OF ALLEGIANCE Municipal Clerk Barbara Gruenstein led the pledge.

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4. MINUTES OF PREVIOUS MEETINGS

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4.A. Regular Meeting – March 28, 2006

32 Ms. Jennings moved, to approve the Regular Meeting Minutes of
33 Mr. Traini seconded, March 28, 2006,
34 and this motion was passed unanimously,
35 with Mr. Birch abstaining, having had an excused absence on that date.

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5. MAYOR'S REPORT

38 Mayor Begich recognized new board and commission appointments, including Ruth Botstein with the Animal Control
39 Appeals Board, Ray Faust with the Public Safety Advisory Commission and Joy Green-Armstrong with the Library
40 Advisory Board. He also acknowledged Sharon Clawson, with the Library Advisory Board, who had been his teacher
41 at Stellar Secondary School. He welcomed all newly appointed members and thanked them for their service.

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6. ASSEMBLY CHAIR'S REPORT

45 Chair Sullivan presented to Assemblymember Janice Shamberg a five-year pin, recognizing her five years of service to
46 the Municipality.

47
48 Chair Sullivan announced that it was National Clerk's Week and he thanked Municipal Clerk Barbara Gruenstein for
49 her service to the Assembly and the Municipality. Ms. Gruenstein responded the recognition was for her hard-working
50 staff, as well.

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7. COMMITTEE REPORTS

54 Ms. Ossiander reported the Title 21 Committee was continuing to meet every Wednesday morning at the Planning and
55 Zoning Conference Room, from 9:30 to 11:30 a.m. They were reviewing Chapter 6, and the public was invited to
56 attend.

57
58 Ms. Fairclough reported on her recent trip to Juneau, where the Legislature were addressing appropriations for roads
59 and other matters important to Anchorage.

60
61 Ms. Jennings reported that the Anchorage Convention and Visitors Bureau Board was working with the community and
62 was busy with the new convention center. A recent Anchorage Visitor profile's survey had indicated that 50% of the
63 visitors could not identify anything they "least" enjoyed in Anchorage. Listed concerns included matters of parking,
64 traffic congestion and crime.

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8. ADDENDUM TO AGENDA

68 Chair Sullivan called for a motion and read the Addendum items. He called for additional items and AIM 61-2006 and
69 AO 2006-72(S) were added to Agenda Numbers 9.E.6 and 9.F.8, respectively. Chair Sullivan called for a vote to
70 incorporate the Addendum into the Consent Agenda. Mr. Coffey declared conflicts with Agenda items 9.D.7, 9.D.8 and
71 9.D.11, with matters associated with Henry's Great Alaskan Restaurant, The Theatrical Lounge and 2 Go Tesoro.
72 Chair Sullivan ruled that Mr. Coffey did have conflicts of interest and ordered him to abstain from participation with
73 those matters. Ms. Ossiander declared potential conflicts of interest with items 9.F.3, 9.F.4, 9.F.5, 9.F.6 and 9.F.7,
74 due her husband working as a Longshoreman.

75
76 Mr. Tesche moved, to approve the inclusion of the Addendum
77 Mr. Traini seconded, into the Consent Agenda,

1 and this motion was passed.

2
3 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.
4 NAYES: None.
5 ABSENT: Stout, excused.

6
7 Chair Sullivan called the Question on the Consent Agenda.

8
9 Ms. Fairclough moved, to approve the Consent Agenda,
10 Ms. Jennings seconded,

11
12 Chair Sullivan called for Assemblymembers to request items be pulled and moved to the Regular Agenda for
13 discussion.

14
15 **9. CONSENT AGENDA**

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

17 9.A.1. Resolution No. AR 2006-99, a resolution of the Anchorage Municipal Assembly recognizing May 12,
18 2006, as **Police Memorial Day**, and remembering and honoring those who have given their lives in
19 the line of duty, Mayor Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings,
20 Ossiander, Shamberg, Stout, Sullivan, Tesche and Traini.

21
22 Mr. Traini requested this item be pulled for review on the Regular Agenda. (*See item 10.A.1*)

23
24 9.A.2. Resolution No. AR 2006-100, a resolution of the Anchorage Municipal Assembly applauding and
25 supporting the **National Association of Letter Carriers (NALC) 14th Annual Food Drive** on May 13,
26 2006, Mayor Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander,
27 Shamberg, Stout, Sullivan, Tesche and Traini.

28
29 Mr. Bauer requested this item be pulled for review on the Regular Agenda. (*See item 10.A.2*)

30
31 9.A.3. Resolution No. AR 2006-101, a resolution of the Anchorage Municipal Assembly recognizing and
32 honoring **Jose (Joe) P. Caramanzana** for his 27 years, 6 months of service with the Municipality of
33 Anchorage, Mayor Begich; Assemblymembers Birch, Bauer, Coffey, Fairclough, Jennings, Ossiander,
34 Shamberg, Stout, Sullivan, Tesche and Traini.

35
36 Mr. Tesche requested this item be pulled for review on the Regular Agenda. (*See item 10.A.3*)

37
38 **9.B. RESOLUTIONS FOR ACTION - OTHER**

39 9.B.1. Resolution No. AR 2006-98, a resolution of the Anchorage Assembly consenting to the location of the
40 **Anchorage Sports Dome**; Assembly Chair Sullivan and Assemblymember Coffey.

41 9.B.2. Resolution No. AR 2006-102, resolution of the Municipality of Anchorage appropriating the sum of
42 \$13,600 from the State of Alaska, Department of Transportation & Public Facilities and \$9,290 as a
43 contribution from the 2006 Anchorage Police Operating Budget, Anchorage Metropolitan Police
44 Service Area Fund (151) to the State Categorical Grants Fund (231) Anchorage Police Department,
45 for the **Drug Recognition Expert Annual Training Conference Program**.

46 a. Assembly Memorandum No. AM 285-2006.

47 9.B.3. Resolution No. AR 2006-103, a resolution establishing delinquent dates for the first and second half of
48 yearly **real property tax payments** for Tax Year 2006; Finance.

49 a. Assembly Memorandum No. AM 286-2006.

50 9.B.4. Resolution No. AR 2006-104, a resolution of the Municipality of Anchorage appropriating \$15,000 from
51 the Alaska Department of Health and Social Services as a supplemental grant to the State Categorical
52 Grants Fund (231), Department of Health and Human Services, to fund **Community Health Nursing**
53 **Services**.

54 a. Assembly Memorandum No. AM 287-2006.

55 9.B.5. Resolution No. AR 2006-105, a resolution of the Municipality of Anchorage appropriating \$40,000 as a
56 donation from the Anchorage Park Foundation to the Anchorage Parks and Recreation Service Area
57 Capital Fund (461) for capital improvements to **Pop Carr Park**.

58 a. Assembly Memorandum No. AM 288-2006.

59
60 **9.C. BID AWARDS**

61 9.C.1. Assembly Memorandum No. AM 302-2006, recommendation of award to Sterling & Western Star of
62 Alaska to provide five (5) **end dump trucks** to the Municipality of Anchorage, Anchorage Water &
63 Wastewater Utility (AWWU) (ITB 26-B020) (\$478,811); Purchasing.

64 9.C.2. Assembly Memorandum No. AM 303-2006, recommendation of award to Udelhoven Oilfield Services
65 for the **Hanshew and 135th Street Booster Station Upgrade Project** for the Municipality of
66 Anchorage, Anchorage Water and Wastewater Utility (ITB 26-C015) (\$164,239); Purchasing.

67 9.C.3. Assembly Memorandum No. AM 304-2006, recommendation of award to E & S Diversified Services
68 for providing **custodial services** at the Anchorage Police Department Headquarters Facility for the
69 Municipality of Anchorage, Maintenance & Operations Department (ITB 26-B011) (\$127,859.92);
70 Purchasing.

71 9.C.4. Assembly Memorandum No. AM 305-2006, recommendation of award to Seacoast Construction
72 Company, Inc. for **2006/2007 miscellaneous construction services** for the Municipality of
73 Anchorage, Project Management & Engineering (ITB 26-C014) (\$1,200,000); Purchasing.

74 9.C.5. Assembly Memorandum No. AM 321-2006, recommendation of award to North Star Paving &
75 Construction, Inc. for the **Northern Communities Water & Sewer Phase I**, Anchorage School District
76 On-Site Sewer Improvements Project for the Municipality of Anchorage, AWWU (ITB 26-C016)
77 (\$832,984.50); Purchasing. (**Addendum**)

- 1 9.C.6. Assembly Memorandum No. AM 322-2006, recommendation of award to H. Watt & Scott, Inc. for the
2 **Veterans Wheelchair Olympic Games/Anchorage Football Stadium Improvements** for the
3 Municipality of Anchorage, Project Management & Engineering Department (ITB 26-C017)
4 (\$1,446,257.20); Purchasing. **(Addendum)**
5

6 **9.D. NEW BUSINESS**

- 7 9.D.1. Assembly Memorandum No. AM 311-2006, **Animal Control Appeals Board** appointment (Ruth
8 Botstein); Mayor's Office.
9 9.D.2. Assembly Memorandum No. AM 312-2006, **Library Advisory Board** appointments (Sharon Clawson,
10 Joy Green-Armstrong, David Levy); Mayor's Office.
11 9.D.3. Assembly Memorandum No. AM 313-2006, **Mt. Park Estates #2 Limited Road Service Area Board**
12 **of Supervisors** appointment (Gary Russell); Mayor's Office.
13 9.D.4. Assembly Memorandum No. AM 314-2006, **Public Safety Advisory Commission** appointments
14 (Karen Cameron, Ray Faust); Mayor's Office.
15 9.D.5. Assembly Memorandum No. AM 315-2006, **South Goldenview Limited Road Service Area Board**
16 **of Supervisors** appointments (Robert Johnson, Brad Kutzer, Marcia Hansen), Mayor's Office.
17 9.D.6. Assembly Memorandum No. AM 279-2006, Grizzly Group Inc. dba **Sizzlin Café #4572** – New
18 Restaurant/Eating Place Liquor License and Restaurant Designation (Downtown Community
19 Council); Clerk's Office.
20 9.D.7. Assembly Memorandum No. AM 280-2006, **Henry's Great Alaskan Restaurant #4570** – 2006/2007
21 New Liquor License & Restaurant Designation for a Restaurant Eating Place (Taku/Campbell
22 Community Council); Clerk's Office.
23

24 Mr. Coffey abstained from participation on this item, due to a conflict of interest with Henry's Great Alaskan
25 Restaurant.

- 26
27 9.D.8. Assembly Memorandum No. AM 281-2006, **The Theatrical Lounge #3443** – Transfer of Location of a
28 Club Liquor License (Downtown Community Council); Clerk's Office.
29

30 Mr. Coffey abstained from participation on this item, due to a conflict of interest with the Theatrical Lounge.

- 31
32 9.D.9. Assembly Memorandum No. AM 282-2006, **Kaze #2296** – Transfer of Ownership of a
33 Restaurant/Eating Place and Restaurant Designation Liquor License to The Winter Thyme (Downtown
34 Community Council); Clerk's Office.
35 9.D.10. Assembly Memorandum No. AM 283-2006, **Tempura Kitchen #1125** – Transfer of Ownership of a
36 Restaurant/Eating Place Liquor License (Spensard Community Council); Clerk's Office
37 9.D.11. Assembly Memorandum No. AM 284-2006, 2006/2007 Liquor License Renewal: **2 Go Tesoro #3426**
38 – Package Store Liquor License (*No Premise*); Clerk's Office.
39

40 Mr. Coffey abstained from participation with this item, due to a conflict of interest with 2 Go Tesoro.

- 41
42 9.D.12. Assembly Memorandum No. AM 306-2006, **Girdwood Wastewater Treatment Facility Plan Update**
43 – Amendment No. 3 to contract for professional services with CH2M Hill, Inc. (P.O. 0000246088)
44 (\$25,000); Anchorage Water & Wastewater Utility.
45 9.D.13. Assembly Memorandum No. AM 307-2006, recommendation of award to Anchorage Neighborhood
46 Housing Services Inc. for providing a **minor repair program** for the Municipality of Anchorage,
47 Department of Neighborhoods (RFP 26-P004) (\$406,000); Purchasing.
48 9.D.14. Assembly Memorandum No. AM 308-2006, an agreement to reimburse Tesoro Refining and
49 Marketing Company (Tesoro) for costs to relocate a fuel line under Chester Creek, **Chester Creek**
50 **Aquatic Habitat Restoration**, Project No. 01-05 (\$1,000,000); Project Management & Engineering.
51

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

- 53
54 9.D.15. Assembly Memorandum No. AM 309-2006, Amendment No. 5 to 2004 professional civil engineering
55 services contract with **CRW Engineering Group**, LLC, Contract No. 24PME023 (\$100,000); Project
56 Management & Engineering.
57 9.D.16. Assembly Memorandum No. AM 310-2006, Amendment No. 1 to the professional services contract
58 with USKH, Inc. for the **Campbell Creek at Greenhill Way Water Quality Enhancements**, Project
59 No. 04-21 (\$94,851); Project Management & Engineering.
60 9.D.17. Assembly Memorandum No. AM 323-2006, **Northern Communities Water and Sewer Extension** –
61 Amendment No. 3 to contract for professional services (P.O. 0000216111) design and construction
62 management services with CRW Engineering Group (\$438,000); Anchorage Water & Wastewater
63 Utility. **(Addendum)**
64 9.D.18. Assembly Memorandum No. AM 324-2006, proprietary purchase with Applied Microsystems Inc.,
65 (AMI) to provide **web-site hosting and application development and support services** for the
66 Municipality of Anchorage, Information Technology (\$86,887); Purchasing. **(Addendum)**
67 9.D.19. Assembly Memorandum No. AM 325-2006, Change Order No. 4 to Purchase Order No. 250736 with
68 SeaCoast Construction Co., Inc. for additional work at **Eagle River Area parks** for the Municipality of
69 Anchorage, Office of Economic and Community Development (\$275,841); Purchasing. **(Addendum)**
70

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

- 72 9.E.1. Information Memorandum No. AIM 53-2006, Internal Audit Report 2006-10 – **2005 Community Right**
73 **to Know, Anchorage Fire Department**; Internal Audit.
74

75 Ms. Shamberg requested this item be pulled for review on the Regular Agenda. (*See item 10.E.2*)
76

- 1 9.E.2. Information Memorandum No. AIM 54-2006, Notice of Award for Invitation to Bid 26-B023 for
2 furnishing various **pumps, valves, flow meters and motor controls** to the Municipality of Anchorage,
3 Anchorage Water and Wastewater Utility (AWWU) (\$116,340.52); Purchasing.
4 9.E.3. Information Memorandum No. AIM 55-2006, **Anchorage Water & Wastewater (AWWU) Fire**
5 **Protection Charge Review and Water Cost Service Study**.
6

7 Ms. Ossiander requested this item be pulled for review on the Regular Agenda. (*See item 10.E.3*)
8

- 9 9.E.4. Information Memorandum No. AIM 56-2006, **Investment Advisory Commission Annual Report –**
10 **2005 Year in Review**; Finance.
11 9.E.5. Information Memorandum No. AIM 57-2006, **MOA Trust Fund Status – 2005 Year in Review**;
12 Finance.
13 9.E.6. Informational Memorandum No. AIM 61-2006, a request for rezoning special limitation for AO 2006-
14 043 for Case 2005-149 to rezone approximately 35 acres; Heritage Land Bank. (**Laid on the Table**)
15

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

- 17 9.F.1. Ordinance No. AO 2006-65, an ordinance of the Anchorage Municipal Assembly amending Anchorage
18 Municipal Code Section 9.28.026, **Impoundment and Forfeiture of Vehicle**, to make impoundment
19 of a vehicle for citation or arrest for certain serious traffic violations mandatory excepting proof of
20 insurance violations; amending AMC 9.28.030, Insurance or Other Security Required, and AMC
21 9.48.130, relating to fines for vehicular offenses, to make proof of insurance violations correctible and
22 dismissible offenses and increasing the fine to \$250 if not corrected; Assemblymember Bauer. (*Public*
23 *Hearing 5-23-06*)
24 a. Assembly Memorandum No. AM 320-2006, AO 2006-65 - amending Anchorage Municipal
25 Code Section 9.28.026, Impoundment and Forfeiture of Vehicle, to make impoundment of a
26 vehicle for citation or arrest for certain serious traffic violations mandatory excepting proof of
27 insurance violations; amending AMC 9.28.030, Insurance or Other Security Required, and
28 AMC 9.48.130, relating to fines for vehicular offenses, to make proof of insurance violations
29 correctible and dismissible offenses and increasing the fine to \$250 if not corrected;
30 Assemblymember Bauer. (*Public Hearing 5-23-06*) (**Addendum**)
31 9.F.2. Ordinance No. AO 2006-66, an ordinance authorizing **sale of nine (9) parcels acquired through tax**
32 **foreclosure** and described in Exhibit A (Parcel ID Nos. 004-035-47, 050-651-03, 050-661-13, 050-
33 661-14, 050-792-15, 051-172-01, 051-231-14, 051-471-12, 051-511-04); Real Estate Services.
34 (*Public Hearing 5-16-06*)
35 a. Assembly Memorandum No. AM 297-2006.
36 9.F.3. Ordinance No. AO 2006-67, an ordinance authorizing renewal of a Preferential Usage Agreement with
37 **Horizon Lines of Alaska LLC** for berthing and use of the Port of Anchorage Pier, exclusive use of Port
38 Transit Area "B" Lot, exclusive use of Terminal #2 Stevedore Building, and exclusive use of the Port
39 Transit Warehouse Crane Maintenance Space, and other amendments; Port of Anchorage. (*Public*
40 *Hearing 5-16-06*)
41 a. Assembly Memorandum No. AM 298-2006.
42

43 Ms. Ossiander noted a potential conflict of interest with this matter, because her husband worked as a Longshoreman.
44

- 45 9.F.4. Ordinance No. AO 2006-68, an ordinance authorizing renewal of the lease between the Municipality of
46 Anchorage and **Horizon Lines of Alaska LLC** for Lots 4A, 5D-1, 5F-1, 6C-1 and 6D-1, Port of
47 Anchorage Subdivision, and establishing a new lease term for Lot 4A-1; Port of Anchorage. (*Public*
48 *Hearing 5-16-06*)
49 a. Assembly Memorandum No. AM 299-2006.
50

51 Ms. Ossiander noted a potential conflict of interest with this matter, because her husband worked as a Longshoreman.
52

- 53 9.F.5. Ordinance No. AO 2006-71, an ordinance authorizing renewal of a Preferential Usage Agreement with
54 **Totem Ocean Trailer Express, Inc.** for berthing and use of the Port of Anchorage Pier and other
55 amendments; Port of Anchorage. (*Public Hearing 5-15-06*)
56 a. Assembly Memorandum No. AM 317-2006.
57

58 Ms. Ossiander noted a potential conflict of interest with this matter, because her husband worked as a Longshoreman.
59

- 60 9.F.6. Ordinance No. AO 2006-69, an ordinance authorizing extension and amendment of the lease between
61 the Municipality of Anchorage and **Totem Ocean Trailer Express, Inc.** for Lots 1D-1, 2B-1, 3A and
62 1E, Port of Anchorage Subdivision; Port of Anchorage. (*Public Hearing 5-16-06*)
63 a. Assembly Memorandum No. AM 300-2006.
64

65 Ms. Ossiander noted a potential conflict of interest with this matter, because her husband worked as a Longshoreman.
66

- 67 9.F.7. Ordinance No. AO 2006-70, an ordinance authorizing the extension and amendment of the lease
68 between the Municipality of Anchorage and **Totem Ocean Trailer Express, Inc.** for Transit Area "D"
69 of the Port of Anchorage Subdivision; Port of Anchorage. (*Public Hearing 5-16-06*)
70 a. Assembly Memorandum No. AM 301-2006.
71

72 Ms. Ossiander noted a potential conflict of interest with this matter, because her husband worked as a Longshoreman.
73

- 74 9.F.8. Ordinance No. AO 2006-72, an ordinance of the Anchorage Municipal Assembly amending Anchorage
75 Municipal Code Section 12.05.055, **Appeals to Board of Equalization**, to provide for a filing deposit
76 that is refundable if the appellant appears for the hearing, regardless of outcome; Assemblymembers
77 Birch and Assembly Chair Sullivan. (*Public Hearing 5-23-06*)
78 a. Assembly Memorandum No. AM 318-2006.

- 1 b. Information Memorandum No. AIM 58-2006.
- 2 c. Ordinance No. AO 2006-72(S), an ordinance of the Anchorage Municipal Assembly amending
- 3 Anchorage Municipal Code Section 12.05.055, Appeals to Board of Equalization, to provide
- 4 for a filing deposit that is refundable if the appellant appears for the hearing, regardless of
- 5 outcome; Assemblymembers Birch and Assembly Chair Sullivan. (*Public Hearing 5-23-06*)
- 6 **(Laid on the Table)**
- 7 9.F.9. Ordinance No. AO 2006-73, an ordinance of the Anchorage Municipal Assembly amending Anchorage
- 8 Municipal Code Section 4.70.040 to **rename the Solid Waste Commission** to Solid Waste and
- 9 Recycling Advisory Commission, and to update the mission statement; Assemblymember Jennings.
- 10 (*Public Hearing 5-23-06*)
- 11 a. Assembly Memorandum No. AM 319-2006, AO 2006-73 - amending Anchorage Municipal
- 12 Code Section 4.70.040 to rename the Solid Waste Commission to Solid Waste and Recycling
- 13 Commission, and to update their mission statement; Assemblymember Jennings. (*Public*
- 14 *Hearing 5-23-06*) **(Addendum)**
- 15 9.F.10. Resolution No. AR 2006-106, a resolution of the Municipality of Anchorage appropriating \$725,000
- 16 from the MOA Trust Fund (730) for expert **financial management and support services** provided in
- 17 Calendar Year 2006; Finance. (*Public Hearing 5-16-06*)
- 18 a. Assembly Memorandum No. AM 289-2006.
- 19 9.F.11. Resolution No. AR 2006-107, a resolution of the Municipality of Anchorage appropriating \$296,714
- 20 from the U.S. Department of Housing and Urban Development to the Federal Categorical Grants Fund
- 21 (241), and \$140,000 from Alaska Housing and Finance Corporation to State Categorical Grants Fund
- 22 (231), Department of Health and Human Services for the purpose of providing a one year renewal of
- 23 the **LINK Homeless Assistance Project** and a contract with Abused Women's Aid in Crisis, Inc.;
- 24 Health and Human Services. (*Public Hearing 5-16-06*)
- 25 a. Assembly Memorandum No. AM 290-2006.
- 26 9.F.12. Resolution No. AR 2006-108, a resolution of the Municipality of Anchorage accepting when tendered
- 27 \$874,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$23,000
- 28 from the State of Alaska Department of Transportation and Public Facilities grant; and appropriating
- 29 said grants and \$23,000 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement
- 30 Fund for the **2006 Merrill Field Rehabilitate Aprons (Phase-1), and Security Upgrades (Gate**
- 31 **Improvements)**. (*Public Hearing 5-16-06*)
- 32 a. Assembly Memorandum No. AM 291-2006.
- 33 9.F.13. Resolution No. AR 2006-109, a resolution of the Municipality of Anchorage appropriating \$942,400
- 34 from the United States Department of Housing and Urban Development Recreation Facility Grant to
- 35 the Anchorage Parks and Recreation Service Area Capital Improvement Fund (461) for the purpose of
- 36 funding the **construction of a speed skating recreation facility**. (*Public Hearing 5-16-06*)
- 37 a. Assembly Memorandum No. AM 292-2006.
- 38 9.F.14. Resolution No. AR 2006-110, a resolution of the Municipality of Anchorage appropriating \$292,930 as
- 39 a donation from the Anchorage Park Foundation to Anchorage Parks and Recreation Service Area
- 40 Capital Improvement Fund (461) for improvements to the **Cuddy Family Midtown Park**. (*Public*
- 41 *Hearing 5-16-06*)
- 42 a. Assembly Memorandum No. AM 293-2006.
- 43 9.F.15. Resolution No. AR 2006-111, a resolution of the Municipality of Anchorage appropriating \$372,000 as
- 44 a donation from the Anchorage Park Foundation to the Anchorage Parks and Recreation Service Area
- 45 Capital Fund (461) for **improvements to eighteen (18) Anchorage parks**. (*Public Hearing 5-16-06*)
- 46 a. Assembly Memorandum No. AM 294-2006.
- 47 9.F.16. Resolution No. AR 2006-112, a resolution amending Anchorage Municipal Code of Regulations
- 48 21.20.002, **Schedule of Fees – Zoning**, regarding application for the registration of a nonconforming
- 49 lot of record; Planning Department. (*Public Hearing 5-16-06*)
- 50 a. Assembly Memorandum No. AM 295-2006.
- 51 9.F.17. Assembly Memorandum No. AM 296-2006, **Employee Relations Board** appointment (John
- 52 Palmatier); Mayor's Office. (*Public Hearing 5-18-06*)
- 53 9.F.18. Ordinance No. AO 2006-74, an ordinance of the Anchorage Municipal Assembly authorizing the long
- 54 term lease between the Municipality of Anchorage as lessor and Dan Hollingsworth dba Dan's Aircraft
- 55 Repair as lessee of **Lot 5A Block 3 Merrill Field Replat Addition No. 2** located between Runway
- 56 07/25 and Merrill Field Drive; Merrill Field Airport. (*Public Hearing 5-16-06*) **(Addendum)**
- 57 a. Assembly Memorandum No. AM 326-2006.
- 58 9.F.19. Resolution No. AR 2006-114, a resolution of the Municipality of Anchorage accepting when tendered
- 59 \$570,000 from the Federal Aviation Administration Airport Improvement Program grant, and \$15,000
- 60 from the State of Alaska Department of Transportation and Public Facilities grant; and appropriating
- 61 said grants and \$15,000 from Airport Unrestricted Net Assets to Merrill Field's Capital Improvement
- 62 Fund for the **2006 Merrill Field Acquire Snow Removal Equipment** (replacement of motor grader,
- 63 sand truck and mini-snowblower), Merrill Field Airport. (*Public Hearing 5-16-06*) **(Addendum)**
- 64 a. Assembly Memorandum No. AM 327-2006.
- 65 9.F.20. Resolution No. AR 2006-115, a resolution of the Municipality of Anchorage accepting and
- 66 appropriating \$1,702,189 as a Federal Transit Administration SAFETEA-LU grant to the Anchorage
- 67 Parks and Recreation Service Area Capital Improvement Projects Fund (461) for facility improvements
- 68 to accommodate the **2006 National Veterans' Wheelchair Olympic Games**, Public Transportation
- 69 Department. (*Public Hearing 5-16-06*) **(Addendum)**
- 70 a. Assembly Memorandum No. AM 328-2006.

71

72 Chair Sullivan called the Question on the remainder of Consent Agenda.

73

74 and this motion, as amended, was passed,

75 with Mr. Coffey abstaining on 9.D.7, 9.D.8 and 9.D.11, due to conflicts of interest,

76 and, with Ms. Ossiander noting a possible conflict of interest on 9.F.3, 9.F.4, 9.F.5, 9.F.6 and 9.F.7.

77

78 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

1 NAYES: None.
2 ABSENT: Stout, excused.

3
4 The amended Consent Agenda was approved and Chair Sullivan proceeded into discussion of the pulled items.

5
6 **END OF CONSENT AGENDA**

7
8
9 **10. REGULAR AGENDA**

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

11 10.A.1. Resolution No. AR 2006-99, a resolution of the Anchorage Municipal Assembly recognizing May 12,
12 2006, as **Police Memorial Day**, and remembering and honoring those who have given their lives in
13 the line of duty, Mayor Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings,
14 Ossiander, Shamberg, Stout, Sullivan, Tesche and Traini.

15
16 Mr. Traini moved, to approve AR 2006-99,
17 Ms. Jennings seconded,
18 and this was passed without objection.

19
20 Ms. Jennings read the resolution, recognizing May 12th as Police Memorial Day. Anchorage had lost seven of the total
21 59 law enforcement officers in Alaska who had sacrificed their lives in the line of duty. Mr. Traini presented the
22 resolution to Police Chief Walt Monegan, who accepted on behalf of the fallen officers and their families. Chair
23 Sullivan stated that words alone could not convey the gratitude owed to these officers, who had paid the ultimate
24 sacrifice in the line of duty.

25
26 10.A.2. Resolution No. AR 2006-100, a resolution of the Anchorage Municipal Assembly applauding and
27 supporting the **National Association of Letter Carriers (NALC) 14th Annual Food Drive** on May 13,
28 2006, Mayor Begich; Assemblymembers Bauer, Birch, Coffey, Fairclough, Jennings, Ossiander,
29 Shamberg, Stout, Sullivan, Tesche and Traini.

30
31 Mr. Bauer moved, to approve AR 2006-100,
32 Ms. Fairclough seconded,
33 and this was passed without objection.

34
35 Mr. Bauer read and Ms. Fairclough presented the resolution to Susanna Morgan, Executive Director of the Food Bank
36 of Alaska, who accepted on behalf of their organization and the National Association of Letter Carriers (NALC). She
37 thanked the Assembly for the opportunity to recognize the NALC, which had been involved with the food drive.

38
39 10.A.3. Resolution No. AR 2006-101, a resolution of the Anchorage Municipal Assembly recognizing and
40 honoring **Jose (Joe) P. Caramanzana** for his 27 years, 6 months of service with the Municipality of
41 Anchorage, Mayor Begich; Assemblymembers Birch, Bauer, Coffey, Fairclough, Jennings, Ossiander,
42 Shamberg, Stout, Sullivan, Tesche and Traini.

43
44 Mr. Tesche moved, to approve AR 2006-101,
45 Ms. Shamberg seconded,
46 and this was passed without objection.

47
48 Mr. Tesche read and Ms. Shamberg presented the resolution to Jose Caramanzana, honoring him for his 27 years of
49 service with the Anchorage Water and Wastewater Utility. Mr. Caramanzana thanked the Assembly and Mayor Begich
50 for the recognition and thanked many of his former fellow employees. He felt blessed to live in Alaska and in the
51 United States of America. Mayor Begich thanked him for his service.

52
53 **10.B. RESOLUTIONS FOR ACTION - OTHER** None were pulled for review.

54
55 **10.C. BID AWARDS** None were pulled for review.

56
57 **10.D. NEW BUSINESS**

58 10.D.14. Assembly Memorandum No. AM 308-2006, an agreement to reimburse Tesoro Refining and
59 Marketing Company (Tesoro) for costs to relocate a fuel line under Chester Creek, **Chester Creek**
60 **Aquatic Habitat Restoration**, Project No. 01-05 (\$1,000,000); Project Management & Engineering.

61
62 Mr. Bauer moved, to approve AM 308-2006,
63 Ms. Jennings seconded,

64
65 Mr. Bauer requested a project update. Project Management and Engineering (PM&E) Project Manager Jerry Hansen
66 responded they were completing the project, designed to restore salmon to Chester Creek and they were relocating
67 utilities under the culverts.

68
69 To Ms. Fairclough, Mr. Hansen responded that he could not recall if the original contract had the one million dollar
70 project description. The funding sources included the Salmon Restoration Fund, areawide capital project funds from
71 mitigation money. Deputy Municipal Manager Michael Abbott responded there were also federal funds and funds
72 available from 2003 road bonds.

73
74 Mr. Coffey stated that he had declared a conflict of interest with another item on the Agenda that evening, because of
75 his association with Tesoro, a client of his law firm. In the past the Assembly had addressed his association with
76 Tesoro and this matter and had ruled that he did not have a conflict. He had followed the salmon restoration project
77 over the years and was in support.

78

1 and this was passed without objection.

2
3 **10.E. INFORMATION AND REPORTS** None were pulled for review.

4 10.E.1. Information Memorandum No. AIM 53-2006, Internal Audit Report 2006-10 – **2005 Community Right**
5 **to Know, Anchorage Fire Department**; Internal Audit.

6
7 Ms. Shamberg moved, to accept AIM 53-2006,
8 Ms. Fairclough seconded,

9
10 To Ms. Shamberg, Internal Audit Director Peter Raiskums responded that the Anchorage Fire Department (AFD) had
11 taken responsibility for completing the report and there would be another audit performed next year.

12
13 Municipal Manager Denis LeBlanc stated that the Community Right to Know Program involved industries reporting
14 toxic and hazardous materials in their facilities, to ensure the community and the first responder emergency teams'
15 knowledge of potential safety hazards. Companies were not reporting diligently to the AFD or to the State of Alaska.
16 AFD had their own information and plan for entering the facilities, to ensure firefighters' safety.

17
18 To Ms. Jennings, Mr. Raiskums responded that this effort could afford to hire a manger, instead of outsourcing.

19
20 Ms. Ossiander stated a similar report from 1997 had identified the same problem with the project. This remained an
21 unfunded mandate and she questioned the accuracy of the information collected from industries. Mr. Raiskums
22 responded they were encouraging businesses to be involved.

23
24 Ms. Jennings recommended that the AFD share their information on hazardous materials with the city and the State.

25
26 and this motion was accepted without objection.

27
28 10.E.3. Information Memorandum No. AIM 55-2006, **Anchorage Water & Wastewater (AWWU) Fire**
29 **Protection Charge Review and Water Cost Service Study**.

30
31 Ms. Ossiander moved, to accept AIM 55-2006,
32 Ms. Jennings seconded,

33
34 Ms. Ossiander stated the main functions of AWWU was to maintain water and wastewater services and for fire
35 protection. This report did not give equal weight to fire protection. It appeared there were overcharges included in the
36 summary on Page 8.

37
38 Ms. Fairclough stated the AFD had been requested to supply quantification to the fees. Other sections of the report
39 referred to some areas where water was considered a primary function for fire protection.

40
41 and this motion was accepted without objection.

42
43 **10.F. ORDINANCES AND RESOLUTIONS FOR INTRODUCTION** None were pulled for review.

44
45 **11. OLD BUSINESS AND UNFINISHED ACTION ON PUBLIC HEARING ITEMS**

46 11.A. Ordinance No. AO 2006-53, an ordinance of the Anchorage Municipal Assembly amending Anchorage
47 Municipal Code Section 7.25.035, Disposition of Unclaimed Disposable Property, to **permit the**
48 **Purchasing Officer to dispose of firearms to the public**; Assemblymember Traini.

49 1. Assembly Memorandum No. AM 217-2006.

50 2. Information Memorandum No. AIM 50-2006.

51 (*Carried Over from 4-11-06; Public Hearing was Closed 4-18-06; Action Postponed to 4-18-06*)

52
53 Chair Sullivan stated that Public Hearing was closed and there was a motion on the floor to approve from Mr. Coffey,
54 seconded by Mr. Traini.

55
56 Mr. Traini stated this matter was being addressed by the Alaska State Senate and he recommended postponing for 30
57 days.

58
59 Mr. Traini moved, to postpone AO 2006-53 to June 6, 2006,
60 Mr. Coffey seconded,
61 and this motion was approved without objection.

62
63 11.B. Resolution No. AR 2006-43, a resolution of the Anchorage Municipal Assembly ratifying Executive
64 Order 2005-040 an executive order **re-naming Loveland Road in Girdwood** to Loveland Basin
65 Road; Municipal Clerk.

66 1. Assembly Memorandum No. AM 110-2006.

67 (*Public Hearing was Closed 3-14-06; Action was Postponed from 3-14-06*)

68
69 Chair Sullivan stated that the Public Hearing was closed and there was a motion to approve on the floor from Ms.
70 Shamberg, seconded by Ms. Ossiander.

71
72 Ms. Shamberg moved, to approve AR 2006-43,
73 Ms. Ossiander seconded,

74
75 Ms. Shamberg stated that she had consulted with the Girdwood Board of Supervisors, who substantiated that they
76 preferred having the name change as opposed to having larger house numbers. She would support that decision.

1 Ms. Ossiander stated there were still issues that could be addressed before a decision was needed. She questioned
2 if a street name change was necessary, due to the geographical distances between Girdwood and Eagle River. She
3 would be a NO-vote.

4
5 Mr. Birch opposed the Girdwood street name change. This area had been legally platted prior to the Eagle River
6 Loveland Road, and should be given precedence.

7
8 To Ms. Jennings, Ms. Shamberg confirmed the Board of Supervisors preferred to have the street name changed.

9
10 Municipal Manager Denis LeBlanc stated that the Administration's was addressing street house numbers and
11 correcting duplicate street names in the Municipality because of the difficulty in locating a 911-call. They proposed to
12 rename Loveland Road to Loveland Basin and were implementing a grid system with smaller house numbers.

13
14 Community Development Specialist Michael Johnson stated that addressing Girdwood house numbers was the
15 beginning and they expected the process to be completed by September or October. To Chair Sullivan, Mr. Johnson
16 responded they could change the road name when the residents' street addresses were changed.

17
18 and this motion failed, 4-6.

19
20 AYES: Tesche, Shamberg, Traini and Jennings.

21 NAYES: Bauer, Fairclough, Sullivan, Ossiander, Birch and Coffey.

22 ABSENT: Stout, excused.

23
24 Mayor Begich stated there were still 150 street names that needed changes to ensure correction to the emergency
25 response system in the city. He urged consideration of a worksession to ensure a better understanding of the
26 necessity of improving public safety in the city.

27
28 11.C. Ordinance No. AO 2005-163, an ordinance of the Municipal Assembly amending Anchorage Municipal
29 Code Chapter 21.47, **Sign Standards**, regulating nonconforming signs and other minor revisions;
30 Assemblymember Sullivan.

31 1. Information Memorandum No. AIM 3-2006.

32 2. Ordinance No. AO 2005-163(S), an ordinance of the Municipal Assembly amending
33 Anchorage Municipal Code Chapter 21.47, Sign Standards, regulating nonconforming signs
34 and other minor revisions; Assemblymember Sullivan.

35 3. Ordinance No. AO 2005-163(S-1), an ordinance of the Municipal Assembly amending
36 Anchorage Municipal Code Chapter 21.47, Sign Standards, regulating nonconforming signs
37 and other minor revisions; Assemblymember Sullivan.

38 4. Information Memorandum No. AIM 41-2006.

39 *(Continued from 1-10-06, 2-28-06, and 3-28-06; Public Hearing was Closed 4-11-06; Action was*
40 *Postponed to 5-2-06)*

41
42 Chair Sullivan stated there were still revisions being made to this ordinance and it would be postponed to May 16th.

43 44 12. APPEARANCE REQUESTS

45 12.A. **Penny Bauder and Lizzie Evans** of the Anchorage Chapter of Alaska Youth for Environmental Action
46 (AYEA), to share results of statewide petition demanding Congressional action on global warming.
47 ***(Addendum) (Cancelled, did not appear)***

48
49 13. **CONTINUED PUBLIC HEARINGS** None.

50 51 14. NEW PUBLIC HEARINGS

52 14.A. Ordinance No. AO 2006-62, an ordinance amending Anchorage Ordinance 2005-91 to extend the
53 date to record the **revised plat for Block 80**; Legal Department.

54 1. Assembly Memorandum No. AM 275-2006.

55
56 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
57 and called the Question.

58
59 Ms. Jennings moved, to approve AO 2006-62,
60 Mr. Coffey seconded,
61 and this was passed, 10-0.

62
63 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

64 NAYES: None.

65 ABSENT: Stout, excused.

66
67 14.B. Ordinance No. AO 2006-56, an ordinance vacating a portion of the dedicated right of way for 40th
68 Avenue, located between B Street and Denali Street, to permit development of the **Cuddy Family**
69 **Midtown Park**; Office of Economic & Community Development.

70 1. Assembly Memorandum No. AM 256-2006.

71
72 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
73 and called the Question.

74
75 Ms. Jennings moved, to approve AO 2006-56,
76 Mr. Coffey seconded,
77 and this was passed, 10-0.

78

1 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.
2 NAYES: None.
3 ABSENT: Stout, excused.

- 4
5 14.C. Ordinance No. AO 2006-54, an ordinance amending Anchorage Municipal Code Section 14.60.030 for
6 consistency with **AO 2005-83(S) As Amended**; Legal Department.
7 1 Information Memorandum No. AIM 39-2006.

8
9 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
10 and called the Question.

11
12 Ms. Fairclough moved, to approve AO 2006-54,
13 Ms. Jennings seconded,
14 and this was passed, 10-0.

15
16 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.
17 NAYES: None.
18 ABSENT: Stout, excused.

- 19
20 14.D. Resolution No. AR 2006-80, a resolution of the Municipality of Anchorage, Alaska, approving water
21 main extensions identified as **NE Anchorage Water Improvements Ph 2 & 3** and providing for
22 assessment of benefited properties at time of service connection; Anchorage Water & Wastewater
23 Utility.
24 1. Assembly Memorandum No. AM 222-2006.

25
26 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
27 and called the Question.

28
29 Ms. Fairclough moved, to approve AO 2006-80,
30 Mr. Coffey seconded,
31 and this was passed, 10-0.

32
33 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.
34 NAYES: None.
35 ABSENT: Stout, excused.

- 36
37 14.E. Resolution No. AR 2006-93, a resolution of the Municipality of Anchorage providing for a **revision of**
38 **the 2006 General Government Operating Budget**; Office of Management and Budget.
39 1. Assembly Memorandum No. AM 259-2006.
40 2. Resolution No. AR 2006-93(S), a resolution of the Municipality of Anchorage providing for a
41 revision of the 2006 General Government Operating Budget; Office of Management and
42 Budget. (**Laid on the Table**)

43
44 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing.
45 To his question, Office of Management and Budget Director Janet Mitson responded that the new Substitute Version
46 corrected some errors that had been identified in the original resolution. She explained the corrections.

47
48 Mr. Coffey moved, to approve AR 2006-93(S),
49 Mr. Traini seconded,

50
51 To Mr. Coffey, Ms. Mitson responded it was the Administration's intent that any additional funds provided by the
52 Legislature would be applied to property tax relief for 2007. Chief Fiscal Officer Jeff Sinz responded that delaying the
53 city's levying, billing and collection of taxes could cost \$22,000 per day due to loss of cash flow and interest income.
54 There was a difference between the State and the Municipal fiscal years and distribution of any revenue sharing might
55 be delayed.

56
57 Mr. Birch stated that South Anchorage Limited Road Service Areas (LRSAs) had requested revisions to increase their
58 revenue. The budget revisions would require amendments to the mill rates in the resolution. Mr. Sinz responded that
59 supplemental appropriations could be addressed, if a service area needed additional revenues.

60
61 To Ms. Ossiander, Mr. Sinz stated the current changes in the (S)Version included only corrections. Ms. Ossiander had
62 noted changes in the General Areawide 101 Fund, the Chugiak Fire Service Area and Chugiak Service Areas. Mr.
63 Sinz explained the corrections, which resulted in changes to some funds.

64
65 To Mr. Traini, Mr. Sinz responded that the PERS funding that was received last year from State revenue sharing was
66 reflected as a five million dollar reduction in the property tax levy.

67
68 Ms. Fairclough summarized the changes to the proposed budget and the consequences of postponing Assembly
69 action for two weeks. She recommended approval and urged consideration of modifying timelines of future budget
70 processes, to allow adequate time for Assembly review and response.

71
72 To Mr. Tesche, Mr. Sinz responded that no changes had been made to the operating costs. Mr. Tesche urged
73 approval and opposed postponement. Waiting for possible revenue sharing from the State Legislature had cost the
74 Municipality over \$500,000 in the past.

75
76 Mr. Coffey stated that within nine days, the State legislature would make a decision. This was a bet and it could be an
77 expensive gamble to wait for possible revenue sharing. He moved to postpone.

1 Mr. Coffey moved, to postpone AR 2006-93(S) to May 16, 2006,
2 Mr. Traini seconded,

3
4 Mayor Begich stated that revenue sharing was not a sure thing and, even if the State Legislature approved revenue
5 sharing, the appropriations might not be distributed until 2007. He opposed.

6
7 Ms. Jennings opposed.

8
9 and this motion failed, 2-8.

10
11 AYES: Birch and Coffey.

12 NAYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Traini and Jennings.

13 ABSENT: Stout, excused.

14
15 To Chair Sullivan, Mr. Sinz responded that the city sent out one billing, with two remittance payment schedules.
16 Changing the process was technically possible, but would be complex and costly. Chair Sullivan stated that this would
17 increase the budget by \$3 million, which was an increase of over \$36 million from last year. This was a rapid increase,
18 and while he would support the budget being considered, he urged consideration of more controlled spending in the
19 future to save taxpayers money.

20
21 Ms. Jennings congratulated the Municipal Attorney's Office for its pilot program to work with the U.S. Prosecutor's
22 Office.

23
24 Chair Sullivan put the Question on the main motion.

25
26 and the main motion was passed, 10-0.

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

29 NAYES: None.

30 ABSENT: Stout, excused.

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

33
34 Mr. Tesche moved, for immediate reconsideration of AO 2006-93(S),
35 Ms. Jennings seconded,
36 and this motion failed, 0-9,

37
38 AYES: None.

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

40 ABSENT: Stout, excused.

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

42
43 14.F. Ordinance No. AO 2006-57, an ordinance setting the rate of tax levy for the General Government and
44 levying taxes for the Municipality of Anchorage Areawide General Purposes, including all service
45 areas of the Municipality and excluding municipal schools, for the Municipal Tax Year 2006 and
46 approving the amount of **Municipal General Government property tax** for Fiscal Year 2006; Office
47 of Management & Budget.

48 1. Assembly Memorandum No. AM 257-2006.

49 2. Ordinance No. AO 2006-57(S), an ordinance setting the rate of tax levy for the General
50 Government and levying taxes for the Municipality of Anchorage Areawide General Purposes,
51 including all service areas of the Municipality and excluding municipal schools, for the
52 Municipal Tax Year 2006 and approving the amount of Municipal General Government
53 property tax for Fiscal Year 2006; Office of Management & Budget. **(Laid on the Table)**

54
55 Chair Sullivan read the ordinance title and stated there was a Substitute Version. He opened Public Hearing.

56
57 DAVID DUNSMORE, Chair of Valli Vue Limited Road Service Area (LRSA) Board of Supervisors, urged consideration
58 of an amendment to increase the mill rate to 1.4 mills. To Ms. Fairclough, he responded that 30 to 40 residents had
59 been present at the meeting, making that decision. He responded that, while they had not finalized a summer work
60 plan, they needed to complete maintenance and upgrades in their subdivision. To Mr. Birch, Mr. Dunsmore responded
61 they were planning upgrades to the paved roads and drainage in their service area. To Mr. Tesche, he responded that
62 he was representing the residents, who had requested the increase, to complete the road improvements. To Chair
63 Sullivan, he responded the difference only amounted to \$7000 and it was his job to represent his constituents.

64
65 DEAN DUNSMORE, a Valli Vue resident, testified that he objected to the Assembly ignoring residents' requests. To
66 Ms. Ossiander, he responded they had just heard about the revision changes. He urged support.

67
68 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.

69
70 Ms. Fairclough moved, to approve AO 2006-57(S),
71 Ms. Ossiander seconded,

72
73 Ms. Fairclough stated that this change involved a small amount and she urged approval.

74
75 To Mr. Birch, Mayor Begich and Office of Management and Budget Director Janet Mitson responded that several
76 LRSAs had requested higher mill rates. Mr. Birch supported those requests.

77
78 Mr. Birch moved, to amend AO 2006-57(S) by changing the tax rate mill levy of

1 Mr. Coffey seconded, Campbell Airstrip Road LRSA, [~~1-32~~] "1.50;" Mt. Park/Robin
2 and this was approved without objection. Hill LRSA, [~~1-03~~] "1.30;" Totem LRSA, [~~1-90~~] "1.00;" Upper
3 O'Malley LRSA [~~1-84~~] "2.00" and; Glenn Alps LRSA [~~2-44~~]
4 "2.75;"
5

6 AYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

7 NAYES: None.

8 ABSENT: Stout, excused.

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

10
11 Mr. Birch moved, to amend AO 2006-57(S) by changing the tax rate mill levy of
12 Ms. Shamberg seconded, Valli Vue LRSA [~~1-3~~] "1.4,"

13
14 Ms. Shamberg stated that in the past she and Assemblymember Dick Tremaine had discovered that there were
15 LRSAs that were not able to get enough money to meet their road maintenance needs. As a consequence the
16 Assembly had approved allowing the LRSAs to independently set their mill rates to allow for their funding needs. The
17 increase was the amount requested by the LRSA and she was in support. The
18

19 Mr. Birch stated that he was a 15-year resident of the LRSA and that the pavement needed refurbishment. He
20 supported the service areas using contracted services and saving the city money. He urged support.
21

22 Mayor Begich responded that the original mill levy rates were ones which had been requested by the LRSAs and
23 approved by the Assembly. Assessments were higher than what had been projected and it required an adjusted mill
24 levy.
25

26 To Mr. Traini, Ms. Mitson responded with statistics on Valli Vue LRSA revenues.
27

28 Mr. Birch stated that LRSAs were supported among neighborhoods and the community and it was important to
29 reinforce and support them. Instead of borrowing money, a LRSA accumulated cash reserves and planned the
30 improvements needed in the area. It was effective and he urged support for the increased mill levy.
31

32 To Chair Sullivan, Mr. Dunsmore responded that LRSAs typically allowed fund balances to grow and residents
33 preferred this method over paying huge maintenance bills periodically.
34

35 To Mr. Traini, Mr. Dunsmore responded they did not have a maintenance plan for this summer, but would be spending
36 the money in the next couple of years. He responded that the Administration had described the current rate as an
37 undesignated fund balance and the LRSA requested it be listed as a designated fund balance.
38

39 Chair Sullivan stated that he would support the amendment, but he urged the Valli Vue LRSA to create a maintenance
40 plan.
41

42 and this was approved, 7-2.
43

44 AYES: Shamberg, Bauer, Sullivan, Ossiander, Birch, Coffey and Traini.

45 NAYES: Tesche and Jennings.

46 ABSENT: Stout, excused.

47 *(Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of the vote.)*
48

49 Mr. Birch moved, to amend AO 2006-57(S) by changing the tax rate mill levy of
50 Ms. Shamberg seconded, Birch Tree/Elmore LRSA to "1.5,"
51

52 To Mr. Coffey, Mr. Birch stated the LRSA Commissioners were requesting a higher mill rate to support their
53 maintenance requirements for the coming year. He urged support.
54

55 To Ms. Jennings, Mr. Sinz responded the Administration did not object to the request.
56

57 and this was approved without objection.
58

59 AYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

60 NAYES: None.

61 ABSENT: Stout, excused.

62 *(Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of the vote.)*
63

64 and the main motion, as amended, was passed.
65

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

67 NAYES: None.

68 ABSENT: Stout, excused.

69 *(Clerk's Note: Ms. Fairclough was temporarily out of Chambers at the time of the vote.)*
70

71 Mr. Tesche moved for immediate reconsideration and urged a NO-vote.
72

73 Mr. Tesche moved, for immediate reconsideration of AO 2006-57(S),
74 Mr. Birch seconded, as amended,
75 and this motion failed, 0-9.
76

77 AYES: None.

78 NAYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

1 ABSENT: Stout, excused.

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

3
4 Mr. Tesche moved to Change the Order of the Day to take up AO 2006-93(S), Agenda item 14.E, for the purposes of
5 moving for immediate reconsideration. There was no objection.

6
7 Mayor Begich thanked the Assembly and his Administrative staff for their work on the budget.

8
9 14.G. Ordinance No. AO 2006-58, an ordinance setting the rate of tax levy and levying taxes for the
10 Anchorage School District for the Municipal Tax Year 2006 and approving the total amount of
11 **Municipal property tax for the Anchorage School District** for Calendar Year 2006.

12 1. Assembly Memorandum No. AM 258-2006.

13
14 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
15 and called the Question.

16
17 Mr. Traini moved, to approve AO 2006-58,
18 Mr. Coffey seconded,
19 and this motion was passed, 10-0.

20
21 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.

22 NAYES: None.

23 ABSENT: Stout, excused.

24
25 Mr. Traini moved for immediate reconsideration and urged a NO-vote.

26
27 Mr. Traini moved, for immediate reconsideration of AO 2006-58,
28 Mr. Coffey seconded,
29 and this motion failed, 0-10.

30
31 AYES: None.

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

33 ABSENT: Stout, excused.

34
35 14.H. Ordinance No. AO 2006-51, an ordinance of the Anchorage Municipal Assembly amending Anchorage
36 Municipal Code Chapter 3.97, **Naming of Municipal Buildings, Other Fixed Facilities and Public**
37 **Places**, to establish new policies and procedures; amending AMC 21.15.133, Approval of Street
38 Name Alterations, to add criteria for honorary renaming; and amending AMC 4.60.190, Public
39 Facilities Advisory Commission, to designate that body to identify and recommend names for public
40 places; Assemblymember Bauer.

41 1. Assembly Memorandum No. AM 184-2006.

42 2. Information Memorandum No. AIM 33-2006.

43
44 Chair Sullivan read the ordinance title and opened Public Hearing. With no public testimony, he closed Public Hearing.

45
46 Mr. Bauer stated there were still additional issues that were still being addressed and he requested a worksession be
47 scheduled.

48
49 Mr. Bauer moved, to postpone AO 2006-51 to June 6, 2006, with a
50 Mr. Birch seconded, worksession scheduled,
51 and this was approved without objection.

52
53 Mr. Traini recommended the Anchorage School District be represented at the scheduled worksession, to address
54 school building names.

55
56 Mr. Bauer requested the Parks and Recreation Commission be invited to participate at the worksession.

57
58 14.I. Ordinance No. AO 2006-59, an ordinance amending the *Hillside Wastewater Management Plan*,
59 Anchorage Municipal Code 21.05.030.D.4., to add to the area recommended for public sewerage the
60 5.84-acre **Tract 1 of Ptarmigan Roost Subdivision**, generally located east of Golden View Drive in
61 the South Hillside Area (Case 2006-018); Planning Department.

62 1. Assembly Memorandum No. AM 260-2006.

63 3. Ordinance No. AO 2006-59(S), an ordinance amending the *Hillside Wastewater Management*
64 *Plan*, Anchorage Municipal Code 21.05.030.D.4., to add to the area recommended for public
65 sewerage the 5.84-acre Tract 1 of Ptarmigan Roost Subdivision, generally located east of
66 Golden View Drive in the South Hillside Area (Case 2006-018); Planning Department.

67
68 Chair Sullivan read the ordinance title and opened Public Hearing.

69
70 MIKE ANDERSON, an engineer working with the property owners, explained the design plan was the best available
71 for this area. To Ms. Jennings, he responded that a hydrology study was not warranted for this project. To Mr. Coffey,
72 he responded that accommodating the pipe involved trenching and backfilling with highly perkable, clean sand and
73 gravel. Mr. Traini preferred city water and sewer because of the increased nitrates in the area caused by septic
74 systems, and he appreciated this particular design.

75
76 WAYNE CRAIG, familiar with the Hillside Wastewater Management Plan, testified this particular development design
77 was sound and the developer had designed an efficient system that would not affect surrounding landowners. He

1 opposed the requirements of a new hydrology study, listed in the new (S)Version. To Ms. Jennings, he responded that
2 he opposed high density in rural, undeveloped areas.
3

4 JUDY ELEDGE, owner of the property, testified that she and her husband had gone beyond meeting all conditions and
5 requirements. They had also installed a 100-year storm retention pond. The application fee, alone, cost \$9000. Their
6 plan had been approved by the community council and the Planning and Zoning Commission (P&Z) and by the
7 Anchorage Fire Department (AFD) Chief. Mr. Traini and Mr. Birch thanked her for the excellent job of completing all
8 the comprehensive improvements on her property.
9

10 CINDY ELLIS, a water and wastewater design engineer, testified the Eledge design would not change the surface or
11 subsurface drainage patterns. A hydrology study was not necessary in this case and would not change the design.
12

13 With no additional public testimony, Chair Sullivan closed Public Hearing and called the Question.
14

15 Mr. Birch moved, to approve AO 2006-59,
16 Ms. Shamberg seconded,
17

18 Mr. Birch stated the property owners were doing the right thing and had the approval of the community council, the
19 P&Z and the neighbors. He supported their efforts of putting in public sewer and water, which would improve the water
20 quality of the surrounding area.
21

22 Ms. Shamberg supported the project and supported the original ordinance.
23

24 Ms. Jennings supported the original ordinance. She supported piped water and wastewater and stated this case had
25 been intensely examined because of the mistakes of other developers in the area.
26

27 Mr. Traini supported the Eledges and their project and the original ordinance.
28

29 Chair Sullivan put the Question on the main motion.
30

31 and this motion was passed, 10-0.
32

33 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Coffey, Traini and Jennings.
34 NAYES: None.
35 ABSENT: Stout, excused.
36

- 37 14.J. Resolution No. AR 2006-113, a resolution of the Anchorage Municipal Assembly approving an
38 alcoholic beverages conditional use in the B-3 District for a new restaurant or eating place use per
39 AMC 21.40.180 D.8. for **Nino's Italian Eatery**; located in Southridge Subdivision, Block 4, Lot 1; site
40 address being 831 East 36th Avenue, generally located on the northwest corner of 36th Avenue and
41 New Seward Highway (Midtown Community Council) (Case 2006-049); Planning Department.
42 1. Assembly Memorandum No. AM 316-2006.
43

44 Chair Sullivan read the resolution title and opened Public Hearing.
45

46 ROBERT SCHMIDT, representing Nino's Italian Eatery, testified in support of the alcoholic beverage conditional use.
47 He described the restaurant and its activities and introduced the restaurant owners, Roberto and Carol Recine. He
48 urged Assembly approval. To Mr. Coffey, Mr. Schmidt responded that the client agreed to the proposed conditions.
49

50 With no additional testimony, Chair Sullivan closed Public Hearing and called the Question.
51

52 Mr. Coffey moved, to approve AR 2006-113,
53 Mr. Traini seconded,
54

55 Mr. Coffey stated this restaurant had been well established for many years. He wished the owners success and urged
56 a YES-vote.
57

58 Mr. Traini urged a YES-vote.
59

60 and this motion was passed unanimously.
61

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

- 66 14.K. Ordinance No. AO 2006-63, an ordinance of the Anchorage Municipal Assembly amending Anchorage
67 Municipal Code Sections 2.30.125 and 21.50.160 to enact stricter separation in the minimum distance
68 between **licensed premises** and nearby church buildings or school grounds; Assemblymembers
69 Tesche, Traini and Shamberg.
70

71 Chair Sullivan read the ordinance title and opened Public Hearing. With no one to testify, he closed Public Hearing
72 and called the Question.
73

74 Mr. Tesche moved, to continue Public Hearing of AO 2006-63 to June 6, 2006,
75 Mr. Traini seconded, with a worksession scheduled,
76

77 Mr. Tesche stated it was the sponsor's intention to open and continue Public Hearing on this matter until June 6th, to
78 continue to collect information from the community and from the Legal Department on legal ramifications.

1
2 Ms. Fairclough objected to postponement. She referred to a map designed by the Planning Department, showing the
3 physical location of churches and schools in the area, with the proposed 500-foot circumference, which would not
4 allow additional licenses in developed areas, like downtown.

5
6 Mr. Coffey stated the 500-foot restriction would cripple the allowances of licenses, particularly downtown. It would also
7 prohibit license renewal. He opposed the ordinance, as written.

8
9 Mr. Tesche stated that holding off action on this would allow preparation of a comprehensive Assembly Memorandum
10 that would address a number of legal issues. The intent was not to affect existing licenses.

11
12 Ms. Fairclough stated the Assembly had previously addressed changing boundaries and they had discovered they
13 would prohibit any new business from entering the market, particularly to downtown, because of the location of schools
14 and churches. She encouraged Assemblymembers to review the map prepared by the Planning Department. She
15 withdrew her opposition to the motion to postpone.

16
17 Mr. Traini supported waiting to June 6th, which would allow additional modifications that might be brought forward to
18 make this more amenable. There were others restrictions that would lock other businesses out, and this proposal
19 would make the licenses more valuable.

20
21 Ms. Jennings stated that she was currently working on an ordinance concerning conditional uses. The Planning
22 Department was also working on an ordinance affecting conditional uses. She supported waiting until June 6th.

23
24 To Ms. Jennings' question, four Assemblymembers indicated their desire for a worksession to be scheduled. Chair
25 Sullivan responded a worksession would be scheduled.

26
27 Mr. Coffey requested that Ms. Jennings' draft and the Planning Department's draft be reviewed at the worksession.

28
29 Chair Sullivan put the Question to the main motion.

30
31 and the main motion to postpone to June 6th was approved without objection.

32
33 14.L. Resolution No. AR 2006-81, a resolution of the Municipality of Anchorage accepting and appropriating
34 \$2,237,000 as a grant from the Alaska Department of Fish and Game Southeast Sustainable Salmon
35 Fund, to the Project Management & Engineering Department within the Areawide General CIP Fund
36 401, for the **Chester Creek Aquatic Ecosystem Restoration, Westchester Lagoon to Cook Inlet**;
37 Project Management & Engineering.

38 1. Assembly Memorandum No. AM 223-2006.

39
40 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
41 and called the Question.

42
43 Ms. Jennings moved, to approve AR 2006-81,
44 Mr. Bauer seconded,
45 and this motion was passed, 9-0.

46
47 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Traini and Jennings.

48 NAYES: None.

49 ABSENT: Stout, excused.

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

51
52 14.M. Resolution No. AR 2006-82, a resolution of the Anchorage Municipal Assembly appropriating
53 \$448,300 from the Anchorage School District to the Anchorage Roads and Drainage Service Area
54 Fund (441) for the construction of a **student drop-off loop** at Abbott Loop Elementary School,
55 adjacent to the 84th Avenue Improvement Project; Project Management & Engineering.

56 1. Assembly Memorandum No. AM 224-2006.

57
58 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
59 and called the Question.

60
61 Mr. Traini moved, to approve AR 2006-82,
62 Ms. Jennings seconded,

63
64 To Ms. Jennings, Deputy Municipal Manager Michael Abbott responded that by working together with the Assembly,
65 money had been saved.

66
67 Ms. Shamberg questioned spending \$500,000 for an area for parents to drop children off at a school, when there was
68 a bus system that students could use.

69
70 and this motion was passed, 9-0.

71
72 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Traini and Jennings.

73 NAYES: None.

74 ABSENT: Stout, excused.

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

76
77 14.N. Resolution No. AR 2006-88, a resolution of the Municipality of Anchorage appropriating \$780,000 as a
78 supplemental grant award from the Alaska Department of Health and Social Services to the State

1 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
2 and called the Question.

3
4 Ms. Jennings moved, to approve AR 2006-92,
5 Ms. Fairclough seconded,
6

7 Ms. Fairclough proposed an administrative correction to Line 20 of the accompanying memorandum, by correcting the
8 spelling of "space." The Administration concurred.
9

10 Ms. Fairclough questioned the \$5000 costs for cell phones. Department of Neighborhoods Director Carma Reed
11 responded that cell phones were continually used in the field. The expenditures included assessing homes for service,
12 making necessary improvements and material costs. The program employed seven construction workers and a
13 supervisor. The largest single expense was for professional services used to address heating systems. Ms.
14 Fairclough stated that while she supported the weatherization program, she questioned the management costs.
15

16 To Mr. Birch, Ms. Reed responded the program owned and maintained nine trucks, which were used for assessments,
17 testing and for crews to travel to do the work. The costs included the gasoline used by the trucks. She responded
18 their department leased office space, which was listed under "storage" in the memorandum.
19

20 Mr. Traini requested consideration of postponing this matter until he could review the changes from last year's audit.
21 Mayor Begich responded the program was now managed by the Department of Neighborhoods. Ms. Reed responded
22 this matter could be postponed until Mr. Traini reviewed the audit.
23

24 Mr. Traini moved, to postpone AR 2006-92 to May 16, 2006,
25 Mr. Bauer seconded,
26

27 To Mr. Bauer, Ms. Reed responded they had review outsourcing and had determined the type of service needed to do
28 the weatherization was labor intensive, was specialized and involved training. They had completed 159 units and were
29 expecting an increased number next year.
30

31 To Ms. Fairclough, Ms. Reed responded that 80% of their program involved single family residences and mobile
32 homes. Ms. Reed responded there were homes that were in such poor condition that no improvements could be
33 made. Many homes required furnace tune-ups.
34

35 To Ms. Jennings, Ms. Reed responded they complete monthly inventory and tracked all equipment, which had
36 corrected the lost tool problem from last year. Ms. Reed responded that they advertised the program through
37 newspapers and publications and promoted at fairs and churches, but additional applications were still needed.
38

39 and the motion to postpone was passed, 6-2.
40

41 AYES: Tesche, Shamberg, Bauer, Sullivan, Ossiander and Traini.

42 NAYES: Fairclough and Jennings.

43 ABSENT: Stout, excused.

44 *(Clerk's Note: Mr. Birch and Mr. Coffey were temporarily out of Chambers at the time of the vote.)*
45

46 14.S. Resolution No. AR 2006-97, a resolution of the Municipality of Anchorage transferring \$200,000 from
47 the approved 2006 Solid Waste Services Capital Budget, Fund 563, to the 2006 Solid Waste Services
48 Disposal Operating Budget, Fund 562, for repairs to the **Central Transfer Station tipping floor**; Solid
49 Waste Services.

50 1. Assembly Memorandum No. AM 276-2006.
51

52 Chair Sullivan read the resolution title and opened Public Hearing. With no one to testify, he closed Public Hearing
53 and called the Question.
54

55 Ms. Shamberg moved, to approve AR 2006-97,
56 Ms. Jennings seconded,
57 and this motion was passed, 9-0.
58

59 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Traini and Jennings.

60 NAYES: None.

61 ABSENT: Stout, excused.

62 *(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)*
63

64 **15. SPECIAL ORDERS** None.

65 **16. UNFINISHED AGENDA** None.

66 **17. AUDIENCE PARTICIPATION** None.
67

68 **18. ASSEMBLY COMMENTS**
69

70
71
72 Ms. Shamberg had learned that morning that the sign ordinance was to be postponed and she requested more
73 forewarning for scheduling matters in the future, so Assemblymembers and constituents could adjust their schedules.
74

75 Mr. Birch recognized and thanked the Road Service Commissioners who volunteer their time and took responsibility
76 for the upgrades and maintenance of the neighborhoods. He thanked Mr. Dunsmore for his attendance and
77 contributions to the discussions that evening.
78

1 **19. EXECUTIVE SESSIONS** None.
2

3 **20. ADJOURNMENT**
4

5 Mr. Bauer moved, to adjourn the Regular Assembly Meeting
6 Ms. Jennings seconded, of May 2, 2006,
7 and this motion was passed, 9-0.
8

9 AYES: Tesche, Shamberg, Bauer, Fairclough, Sullivan, Ossiander, Birch, Traini and Jennings.

10 NAYES: None.

11 ABSENT: Stout, excused.

12 *(Clerk's Note: Mr. Coffey was temporarily out of Chambers at the time of the vote.)*
13

14 Chair Sullivan adjourned the Regular Assembly Meeting at 9:35 p.m.
15
16
17
18
19
20
21

22 _____
23 DAN SULLIVAN, Assembly Chair

24 ATTEST:
25
26
27
28
29
30

31 _____
32 BARBARA GRUENSTEIN, Municipal Clerk

33 Date Minutes Approved: May 23, 2006.

34 MC/BG
35

36 *(Copies of Approved Meeting Minutes are available from the Municipal Clerk's Office, 632 West 6th Avenue, Suite 250, Anchorage,*
37 *Alaska, (907)343-4505, or on the Municipal Web Site, www.muni.org ~Assembly~Minutes~year~month~day)*
38